

REPORT OF CONFERENCE COMMITTEE

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MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2970: Appropriation; Judicial Performance Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses of the Commission on Judicial Performance
9 of the State of Mississippi for the fiscal year beginning
10 July 1, 2017, and ending June 30, 2018.....\$ 340,036.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the State
13 Treasury to the credit of the Commission on Judicial Performance,
14 for the purpose of defraying the expenses of the Commission on
15 Judicial Performance of the State of Mississippi for the fiscal
16 year beginning July 1, 2017, and ending June 30, 2018.....
17\$ 185,018.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

| | | |
|---------------|----------------|---|
| Permanent: | Full Time..... | 5 |
| | Part Time..... | 0 |
| Time-Limited: | Full Time..... | 0 |
| | Part Time..... | 0 |

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2017. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2019 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2018 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the

43 purchase of commodities or equipment, and whenever all things
44 stated in such received bids are equal with respect to price,
45 quality and service, the Mississippi Industries for the Blind
46 shall be given preference. A similar preference shall be given to
47 the Mississippi Industries for the Blind whenever purchases are
48 made without competitive bids.

49 **SECTION 6.** Of the funds within Section 2, Thirty-one
50 Thousand Dollars (\$31,000.00) shall be received from a transfer
51 from the Supreme Court - Administrative Office of the Courts and
52 shall be used to defray the expenses of the Judicial Performance
53 Commission.

54 **SECTION 7.** It is the intention of the Legislature that the
55 funds herein appropriated shall be expended in compliance with
56 Section 27-104-25, Mississippi Code of 1972, that no state agency
57 shall incur obligations or indebtedness in excess of their
58 appropriation and that the responsible officers, either personally
59 or upon their official bonds, shall be held responsible for
60 actions contrary to this provision.

61 **SECTION 8.** The money herein appropriated shall be paid by
62 the State Treasurer out of any money in the State Treasury to the
63 credit of the proper fund or funds as set forth in this act, upon
64 warrants issued by the State Fiscal Officer; and the State Fiscal
65 Officer shall issue his warrants upon requisitions signed by the
66 proper person, officer or officers, in the manner provided by law.

67 **SECTION 9.** This act shall take effect and be in force from
68 and after July 1, 2017.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE
3 STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2018.

CONFEREES FOR THE SENATE

X (SIGNED)
Clarke

X (SIGNED)
Jackson (15th)

X (SIGNED)
Tindell

CONFEREES FOR THE HOUSE

X (SIGNED)
Read

X (SIGNED)
Snowden

X (SIGNED)
Beckett