

**REPORT OF CONFERENCE COMMITTEE**

**# 2**

**MADAM PRESIDENT AND MR. SPEAKER:**

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

S. B. No. 3046: Appropriation; Finance & Admin. Consol.

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:

4       **SECTION 1.** The following sum, or so much thereof as may be  
5 necessary, is hereby appropriated out of any money in the State  
6 General Fund not otherwise appropriated, to defray the expenses of  
7 the Department of Finance and Administration for the fiscal year  
8 beginning July 1, 2005, and ending June 30, 2006 .....

9 .....	\$	9,449,869.00.
---------	----	---------------

10       **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby appropriated out of any money in the State  
12 Treasury to the credit of the Department of Finance and  
13 Administration for the purpose of defraying the expenses incurred  
14 in the operation of the various offices of the department for the  
15 fiscal year beginning July 1, 2005, and ending June 30, 2006.....

16 .....	\$	22,420,652.00.
----------	----	----------------

17       **SECTION 3.** Of the funds appropriated under the provisions of  
18 Sections 1 and 2, not more than the amounts set forth below shall  
19 be expended for the respective major objects or purposes of  
20 expenditure:

**MAJOR OBJECTS OF EXPENDITURE:**

Personal Services:

23           Salaries, Wages and Fringe Benefits .. \$	16,682,928.00
24           Travel and Subsistence.....	161,769.00
25           Contractual Services .....	12,113,766.00

26	Commodities .....	863,543.00
27	Capital Outlay:	
28	Other Than Equipment .....	0.00
29	Equipment .....	1,327,465.00
30	Subsidies, Loans and Grants.....	<u>721,050.00</u>
31	Total..... \$	31,870,521.00

32 FUNDING:

33	General Funds .....	\$ 9,449,869.00
34	Special Funds .....	<u>22,420,652.00</u>
35	Total..... \$	31,870,521.00

36 AUTHORIZED POSITIONS:

37	Permanent: Full Time .....	343
38	Part Time .....	2
39	Time-Limited: Full Time .....	0
40	Part Time .....	0

41 Provided that a report based on expenditures incurred during  
42 the current and immediate-past fiscal years shall be provided to  
43 each regularly scheduled legislative session. This report should  
44 reflect expenditures as a result of the operation of the Robert E.  
45 Lee Building, the Woolfolk State Office Building, the Gartin and  
46 Sillers Buildings, the Capitol Buildings, the Central High School  
47 Building, the Robert G. Clark, Jr., Building and other state  
48 buildings, and this report should contain any steps taken to  
49 reduce operating costs.

50 It is also the intention of the Legislature that no  
51 state-owned aircraft shall be utilized by any person except for  
52 official business only.

53 **SECTION 4.** In addition to all other sums herein  
54 appropriated, the following sum, or so much thereof as may be  
55 necessary, is hereby appropriated out of any money in the special  
56 fund in the State Treasury to the credit of the Tort Claims Fund  
57 for the purpose of defraying the expenses of the Tort Claims Board

58 in the administration of the Tort Claims Act for the fiscal year  
 59 beginning July 1, 2005, and ending June 30, 2006 .....  
 60 ..... \$ 10,480,150.00.

61 Of the funds appropriated under the provisions of this  
 62 section, not more than the amounts set forth below shall be  
 63 expended for the respective major objects or purposes of  
 64 expenditure:

65 MAJOR OBJECTS OF EXPENDITURE:

66 Personal Services:

67	Salaries, Wages and Fringe Benefits .. \$	355,818.00
68	Travel and Subsistence.....	17,400.00
69	Contractual Services .....	4,110,644.00
70	Commodities.....	3,700.00
71	Capital Outlay:	
72	Other Than Equipment .....	0.00
73	Equipment .....	1,500.00
74	Subsidies, Loans and Grants.....	<u>5,991,088.00</u>
75	Total..... \$	10,480,150.00

76 FUNDING:

77	General Funds .....	\$ 0.00
78	Special Funds .....	<u>10,480,150.00</u>
79	Total..... \$	10,480,150.00

80 AUTHORIZED POSITIONS:

81	Permanent: Full Time .....	6
82	Part Time .....	0
83	Time-Limited: Full Time .....	0
84	Part Time .....	0

85 **SECTION 5.** In addition to all other sums herein  
 86 appropriated, the following sum or so much thereof as may be  
 87 necessary is hereby appropriated out of any money in the State  
 88 Treasury to the credit of the Medical Malpractice Fund for the  
 89 purpose of defraying the expenses of the Tort Claims Board in

90 administering the Medical Malpractice Insurance Availability Plan,  
 91 for the fiscal year beginning July 1, 2005, and ending  
 92 June 30, 2006.....\$ 371,900.00.

93 Of the funds appropriated under the provisions of this  
 94 section, not more than the amounts set forth below shall be  
 95 expended for the respective major objects or purposes of  
 96 expenditure:

97 MAJOR OBJECTS OF EXPENDITURE:

98 Personal Services:

99	Salaries, Wages and Fringe Benefits .. \$	135,900.00
100	Travel and Subsistence.....	10,000.00
101	Contractual Services .....	224,000.00
102	Commodities.....	1,000.00
103	Capital Outlay:	
104	Other Than Equipment .....	0.00
105	Equipment .....	1,000.00
106	Subsidies, Loans and Grants.....	<u>0.00</u>
107	Total..... \$	371,900.00

108 FUNDING:

109	General Funds .....	\$ 0.00
110	Special Funds .....	<u>371,900.00</u>
111	Total..... \$	371,900.00

112 AUTHORIZED POSITIONS:

113	Permanent: Full Time .....	5
114	Part Time .....	0
115	Time-Limited: Full Time .....	0
116	Part Time .....	0

117 **SECTION 6.** With the funds herein appropriated, it is the  
 118 intention of the Legislature that it shall be the agency's  
 119 responsibility to make certain that funds required to be  
 120 appropriated for "Personal Services" for Fiscal Year 2007 do not  
 121 exceed Fiscal Year 2006 funds appropriated for that purpose,

122 unless programs or positions are added to the agency's Fiscal Year  
123 2007 budget by the Mississippi Legislature. Based on data  
124 provided by the Legislative Budget Office, the State Personnel  
125 Board shall determine and publish the projected annual cost to  
126 fully fund all appropriated positions in compliance with the  
127 provisions of this act. It shall be the responsibility of the  
128 agency head to insure that no single personnel action increases  
129 this projected annual cost and/or the Fiscal Year 2006  
130 appropriation for "Personal Services" when annualized, with the  
131 exception of escalated funds. If, at the time the agency takes  
132 any action to change "Personal Services," the State Personnel  
133 Board determines that the agency has taken an action which would  
134 cause the agency to exceed this projected annual cost or the  
135 Fiscal Year 2006 "Personal Services" appropriated level, when  
136 annualized, then only those actions which reduce the projected  
137 annual cost and/or the appropriation requirement will be processed  
138 by the State Personnel Board until such time as the requirements  
139 of this provision are met.

140 Any transfers or escalations shall be made in accordance with  
141 the terms, conditions and procedures established by law or  
142 allowable under the terms set forth within this act. The State  
143 Personnel Board shall not escalate positions without written  
144 approval from the Department of Finance and Administration. The  
145 Department of Finance and Administration shall not provide written  
146 approval to escalate any funds for salaries and/or positions  
147 without proof of availability of new or additional funds above the  
148 appropriated level.

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

153           The agency shall not take any action to promote or otherwise  
154 award salary increases through reallocation, reclassification,  
155 realignment, education benchmark, career ladder, or any other  
156 means to increase salaries of employees or positions, except for  
157 the award of teacher pay increases.

158           **SECTION 7.** The Bureau of Building, Grounds and Real Property  
159 Management of the Office of General Services is hereby expressly  
160 authorized and empowered to receive, budget and expend any state,  
161 local or other source funds designated for supplemental funding of  
162 construction and/or repairs and renovation projects.

163           **SECTION 8.** Of the funds appropriated under the provisions of  
164 Section 2, the following amounts are authorized to be spent out of  
165 the Statewide Cost Allocation Fund No. 3143 by the Department of  
166 Finance and Administration:

167           (a) Three Hundred Two Thousand Fifty Dollars (\$302,050.00)  
168           for the purpose of defraying computer expenses.

169           (b) One Million Eighty-seven Thousand One Hundred Twenty-  
170 eight Dollars (\$1,087,128.00) for the purpose of  
171 defraying the cost of the acquisition, development and  
172 implementation of the Statewide Automated Accounting  
173 System, which includes implementation and operation of  
174 an imaging/electronic processing system and records  
175 management.

176           (c) One Million One Hundred Ninety-eight Thousand Two  
177 Hundred Thirty-six Dollars (\$1,198,236.00) for the  
178 purpose of defraying the expenses of administration of  
179 the Statewide Cost Allocation Plan, utilities for the  
180 Capitol Complex, and Air Transport Services.

181           **SECTION 9.** It is the intention of the Legislature that the  
182 Department of Finance and Administration shall maintain complete  
183 accounting and personnel records related to the expenditure of all  
184 funds appropriated under this act and that such records shall be

185 in the same format and level of detail as maintained for Fiscal  
186 Year 2005. It is further the intention of the Legislature that  
187 the agency's budget request for Fiscal Year 2007 shall be  
188 submitted to the Joint Legislative Budget Committee in a format  
189 and level of detail comparable to the format and level of detail  
190 provided during the Fiscal Year 2006 budget request process.

191 **SECTION 10.** It is the intention of the Legislature that the  
192 Executive Director of the Mississippi Department of Finance and  
193 Administration may authorize increases in major objects of  
194 expenditure in total amounts not to exceed twenty-five percent  
195 (25%) of the appropriated amount of each major object of  
196 expenditure, provided that other major objects of expenditure are  
197 decreased by a corresponding dollar amount. However, no transfers  
198 shall be authorized which increase the major object of expenditure  
199 "Salaries, Wages and Fringe Benefits."

200 **SECTION 11.** It is the intention of the Legislature that the  
201 Department of Finance and Administration is hereby authorized to  
202 escalate, budget, and expend funds in an amount not to exceed Five  
203 Hundred Thousand Dollars (\$500,000.00) and ten (10) permanent  
204 positions for the purpose of providing security services to  
205 agencies, boards, commissions and institutions of the state of  
206 Mississippi, subject to the approval of contracts entered into  
207 between the Department of Finance and Administration and agencies,  
208 boards, commissions and institutions of the state of Mississippi  
209 to provide said services.

210 **SECTION 12.** The Department of Finance and Administration  
211 shall have the authority to enter into leases with the vendors at  
212 the property located in the northwest quadrant of the intersection  
213 of Woodrow Wilson Avenue and West Street in Jackson, Mississippi,  
214 commonly known as the Farmer's Market for a lease period not to  
215 exceed two (2) years. The Department of Finance and Administration  
216 is required to offer a lease agreement to each vendor that is

217 occupying lease space as of April 1, 2005, at said location. Only  
218 those vendors which are current vendors of the Farmer's Market  
219 located in the northwest quadrant of the intersection of Woodrow  
220 Wilson Avenue and West Street in Jackson, Mississippi, at the time  
221 of passage may enter into leases with the Department of Finance  
222 and Administration. The funds derived from the rent proceeds of  
223 said property shall be deposited in the Capital Facilities Rent  
224 Fund (Fund 3131) in the State Treasury. The Department of Finance  
225 and Administration shall not increase the rent charged to vendors.  
226 It is the intention of the Legislature that the Department of  
227 Finance and Administration is hereby authorized to escalate,  
228 budget, and expend funds in an amount not to exceed Two Hundred  
229 Fifty Thousand Dollars (\$250,000.00) and one (1) permanent  
230 position for costs associated with maintaining, repairing,  
231 providing security, paying utilities, and related expenses for  
232 said property. The escalation authority granted in this section  
233 shall only be permitted with funds derived from rent revenues from  
234 leases on said properties.

235         **SECTION 13.** Contingent upon the passage of any legislation  
236 in the 2005 Regular Session providing additional staffing to the  
237 Department of Finance and Administration for FY2005, the  
238 Department of Finance and Administration is authorized to increase  
239 the number of Full-Time Permanent positions from three hundred and  
240 forty-three (343) to three hundred and forty-nine (349).

241         **SECTION 14.** Of the funds appropriated under the provisions  
242 of Section 2, One Million Two Hundred Seventy-three Thousand One  
243 Hundred Ninety-seven Dollars (\$1,273,197.00) shall be derived from  
244 the Budget Contingency Fund created in Section 27-103-301,  
245 Mississippi Code of 1972.

246         **SECTION 15.** The money herein appropriated shall be paid by  
247 the State Treasurer out of any money in the State Treasury to the  
248 credit of the proper fund or funds as set forth in this act, upon



249 warrants issued by the State Fiscal Officer; and the State Fiscal  
250 Officer shall issue his warrants upon requisitions signed by the  
251 proper person, officer or officers, in the manner provided by law.

252         **SECTION 16.** This act shall take effect and be in force from  
253 and after July 1, 2005.

CONFEREES FOR THE SENATE

X (SIGNED)  
Gordon

X (SIGNED)  
Dearing

X (SIGNED)  
Jackson (15th)

CONFEREES FOR THE HOUSE

X (SIGNED)  
Stringer

X (SIGNED)  
Flaggs

X (SIGNED)  
Markham