

**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. 3067: Appropriation; Personnel Bd.

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 Treasury to the credit of the State Personnel Board for the  
7 support and maintenance of the State Personnel Board for the  
8 fiscal year beginning July 1, 2005, and ending June 30, 2006.....  
9 ..... \$       5,115,251.00.

10       **SECTION 2.** Of the funds appropriated under the provisions of  
11 Section 1, not more than the amounts set forth below shall be  
12 expended for the respective major objects or purposes of  
13 expenditure:

14       **MAJOR OBJECTS OF EXPENDITURE:**

15       Personal Services:

16           Salaries, Wages and Fringe Benefits..	\$	3,393,624.00
17           Travel and Subsistence.....		22,000.00
18           Contractual Services.....		1,597,924.00
19           Commodities.....		91,703.00
20       Capital Outlay:		
21           Other Than Equipment.....		0.00
22           Equipment.....		10,000.00
23           Subsidies, Loans and Grants.....		0.00
24           Total.....	\$	5,115,251.00

25       **AUTHORIZED POSITIONS:**

26	Permanent:	Full Time.....	63
27		Part Time.....	2
28	Time-Limited:	Full Time.....	0
29		Part Time.....	0

30 With the funds herein appropriated, it is the intention of  
31 the Legislature that it shall be the agency's responsibility to  
32 make certain that funds required to be appropriated for "Personal  
33 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
34 funds appropriated for that purpose, unless programs or positions  
35 are added to the agency's Fiscal Year 2007 budget by the  
36 Mississippi Legislature. Based on data provided by the  
37 Legislative Budget Office, the State Personnel Board shall  
38 determine and publish the projected annual cost to fully fund all  
39 appropriated positions in compliance with the provisions of this  
40 act. It shall be the responsibility of the agency head to insure  
41 that no single personnel action increases this projected annual  
42 cost and/or the Fiscal Year 2006 appropriation for "Personal  
43 Services" when annualized, with the exception of escalated funds.  
44 If, at the time the agency takes any action to change "Personal  
45 Services," the State Personnel Board determines that the agency  
46 has taken an action which would cause the agency to exceed this  
47 projected annual cost or the Fiscal Year 2006 "Personal Services"  
48 appropriated level, when annualized, then only those actions which  
49 reduce the projected annual cost and/or the appropriation  
50 requirement will be processed by the State Personnel Board until  
51 such time as the requirements of this provision are met.

52 Any transfers or escalations shall be made in accordance with  
53 the terms, conditions and procedures established by law or  
54 allowable under the terms set forth within this act. The State  
55 Personnel Board shall not escalate positions without written  
56 approval from the Department of Finance and Administration. The  
57 Department of Finance and Administration shall not provide written

58 approval to escalate any funds for salaries and/or positions  
59 without proof of availability of new or additional funds above the  
60 appropriated level.

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

65 The agency shall not take any action to promote or otherwise  
66 award salary increases through reallocation, reclassification,  
67 realignment, education benchmark, career ladder, or any other  
68 means to increase salaries of employees or positions, except for  
69 the award of teacher pay increases.

70 **SECTION 3.** The following sum, or so much thereof as may be  
71 necessary, is hereby appropriated out of any money in the State  
72 Treasury to the credit of the State Personnel Board Training Fund  
73 account, for the purpose of defraying the expenses of the State  
74 Personnel Board Training Seminars for the fiscal year beginning  
75 July 1, 2005, and ending June 30, 2006.....\$ 567,711.00.

76 It is the intention of the Legislature that the State  
77 Personnel Board Training Fund shall have the authority, should  
78 additional funds become available, to escalate and expend those  
79 funds in accordance with the rules and regulations of the  
80 Department of Finance and Administration, in a manner consistent  
81 with the escalation of federal funds.

82 The funds authorized under the provisions of this section  
83 shall be held separate and apart from all other funds in the State  
84 Treasury to the credit of the State Personnel Board.

85 **SECTION 4.** Of the funds appropriated under the provisions of  
86 Section 3, not more than the amounts set forth below shall be  
87 expended for the respective major objects or purposes of  
88 expenditure:

89 MAJOR OBJECTS OF EXPENDITURE:

90	Personal Services:	
91	Salaries, Wages and Fringe Benefits.. \$	0.00
92	Travel and Subsistence.....	12,000.00
93	Contractual Services.....	502,918.00
94	Commodities.....	46,793.00
95	Capital Outlay:	
96	Other Than Equipment.....	0.00
97	Equipment.....	6,000.00
98	Subsidies, Loans and Grants.....	0.00
99	Total..... \$	567,711.00

100       **SECTION 5.** It is the intention of the Legislature that the  
101 State Personnel Board shall have the authority to escalate and  
102 expend funds received from state agencies for reimbursement of  
103 costs associated with the hiring of court reporters used in the  
104 Employee Appeals Process. Such funds shall be received and  
105 expended under the rules and regulations of the Department of  
106 Finance and Administration in a manner consistent with the  
107 escalation of federal funds.

108       **SECTION 6.** Of the funds provided in Section 1, the sum of  
109 Two Hundred Thirty-five Thousand Eight Hundred Forty-nine Dollars  
110 (\$235,849.00) is hereby assessed on any non-federal special funds  
111 and shall be deposited to the Budget Contingency Fund created in  
112 Section 27-103-301, Mississippi Code of 1972, on or before October  
113 1, 2005, for the purpose of reimbursing the State of Mississippi  
114 for administrative costs.

115       **SECTION 7.** Of the funds provided in Section 3, the sum of  
116 Twenty-four Thousand Eight Hundred Eighteen Dollars (\$24,818.00)  
117 is hereby assessed on any non-federal special funds and shall be  
118 deposited to the Budget Contingency Fund created in Section 27-  
119 103-301, Mississippi Code of 1972, on or before October 1, 2005,  
120 for the purpose of reimbursing the State of Mississippi for  
121 administrative costs.

122           **SECTION 8.** The money herein appropriated shall be paid by  
123 the State Treasurer out of any money in the State Treasury to the  
124 credit of the proper fund or funds as set forth in this act, upon  
125 warrants issued by the State Fiscal Officer, and the State Fiscal  
126 Officer shall issue his warrants upon requisitions signed by the  
127 proper person, officer or officers in the manner provided by law.

128           **SECTION 9.** This act shall take effect and be in force from  
129 and after July 1, 2005.

CONFEREES FOR THE SENATE

X (SIGNED)  
Jack Gordon

X (SIGNED)  
Dean Kirby

X (SIGNED)  
Perry Lee

CONFEREES FOR THE HOUSE

X (SIGNED)  
Johnny W. Stringer

X (SIGNED)  
George Flaggs, Jr.

X (SIGNED)  
Robert E. Vince