

REPORT OF CONFERENCE COMMITTEE

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MADAM PRESIDENT AND MR. SPEAKER:

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

S. B. No. 3083: Appropriation; Banking and Consumer Finance.

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 of money, or so much thereof as
6 may be necessary, is hereby appropriated out of any money in the
7 State Treasury to the credit of the State Department of Banking
8 and Consumer Finance, for the support of the State Department of
9 Banking and Consumer Finance, for the fiscal year beginning
10 July 1, 2005, and ending June 30, 2006.....
11 \$ 5,220,369.00.

12 **SECTION 2.** With the funds appropriated under the provisions
13 of Section 1, the following positions are authorized:

14 **AUTHORIZED POSITIONS:**

15	Permanent:	Full Time.....	56
16		Part Time.....	0
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0

19 With the funds herein appropriated, it is the intention of
20 the Legislature that it shall be the agency's responsibility to
21 make certain that funds required to be appropriated for "Personal
22 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
23 funds appropriated for that purpose, unless programs or positions
24 are added to the agency's Fiscal Year 2007 budget by the
25 Mississippi Legislature. Based on data provided by the
26 Legislative Budget Office, the State Personnel Board shall

27 determine and publish the projected annual cost to fully fund all
28 appropriated positions in compliance with the provisions of this
29 act. It shall be the responsibility of the agency head to insure
30 that no single personnel action increases this projected annual
31 cost and/or the Fiscal Year 2006 appropriation for "Personal
32 Services" when annualized, with the exception of escalated funds.
33 If, at the time the agency takes any action to change "Personal
34 Services," the State Personnel Board determines that the agency
35 has taken an action which would cause the agency to exceed this
36 projected annual cost or the Fiscal Year 2006 "Personal Services"
37 appropriated level, when annualized, then only those actions which
38 reduce the projected annual cost and/or the appropriation
39 requirement will be processed by the State Personnel Board until
40 such time as the requirements of this provision are met.

41 Any transfers or escalations shall be made in accordance with
42 the terms, conditions and procedures established by law or
43 allowable under the terms set forth within this act. The State
44 Personnel Board shall not escalate positions without written
45 approval from the Department of Finance and Administration. The
46 Department of Finance and Administration shall not provide written
47 approval to escalate any funds for salaries and/or positions
48 without proof of availability of new or additional funds above the
49 appropriated level.

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

54 The agency shall not take any action to promote or otherwise
55 award salary increases through reallocation, reclassification,
56 realignment, education benchmark, career ladder, or any other
57 means to increase salaries of employees or positions, except for
58 the award of teacher pay increases.

59 **SECTION 3.** Of the funds provided herein, the sum of Two
60 Hundred Fifty Thousand Dollars (\$250,000.00) is hereby assessed on
61 any non-federal special funds and shall be deposited to the Budget
62 Contingency Fund created in Section 27-103-301, Mississippi Code
63 of 1972, on or before October 1, 2005, for the purpose of
64 reimbursing the State of Mississippi for administrative costs.

65 **SECTION 4.** It is the intention of the Legislature that the
66 Banking and Consumer Finance shall maintain complete accounting
67 and personnel records related to the expenditure of all funds
68 appropriated under this act and that such records shall be in the
69 same format and level of detail as maintained for Fiscal Year
70 2005. It is further the intention of the Legislature that the
71 agency's budget request for Fiscal Year 2007 shall be submitted to
72 the Joint Legislative Budget Committee in a format and level of
73 detail comparable to the format and level of detail provided
74 during the Fiscal Year 2006 budget request process.

75 **SECTION 5.** The money herein appropriated shall be paid by
76 the State Treasurer out of any money in the State Treasury to the
77 credit of the proper fund or funds as set forth in this act, upon
78 warrants issued by the State Fiscal Officer; and the State Fiscal
79 Officer shall issue his warrants upon requisitions signed by the
80 proper person, officer or officers in the manner provided by law.

81 **SECTION 6.** This act shall take effect and be in force from
82 and after July 1, 2005.

CONFEREES FOR THE SENATE

X (SIGNED)
Jack Gordon

X (SIGNED)
Travis L. Little

X (SIGNED)
Tommy A. Gollott

CONFEREES FOR THE HOUSE

X (SIGNED)
Johnny W. Stringer

X (SIGNED)
John Read

X (SIGNED)
Bill Denny