

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

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

H. B. No. 1788: Appropriation; Public Utilities Staff.

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

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate 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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Public Utilities Staff for the fiscal year
9 beginning July 1, 2024, and ending June 30, 2025.....
10\$ 2,666,616.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Public Utilities Staff
14 which is comprised of special source funds for the purpose of
15 defraying the expenses of the agency for the Atlas Project for the
16 fiscal year beginning July 1, 2024, and ending June 30, 2025.....
17\$ 80,000.00.

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

20 AUTHORIZED HEADCOUNT:

21 Permanent: 27

22 Time-Limited: 0

23 With the funds herein appropriated, it shall be the agency's
24 responsibility to make certain that funds required for Personal
25 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
26 appropriated for that purpose unless programs or positions are
27 added to the agency's Fiscal Year 2025 budget by the Mississippi
28 Legislature. The Legislature shall determine the agency's
29 personal services appropriation, which the State Personnel Board
30 shall publish. The agency's personal services appropriation may
31 consist of restricted funds for approved vacancies for Fiscal Year
32 2025 that may be utilized to fill vacant Fiscal Year 2024
33 headcount. It shall be the agency's responsibility to ensure that
34 the funds provided for vacancies are used to increase headcount
35 and not for promotions, title changes, in-range salary adjustments
36 or any other mechanism for increasing salaries for current
37 employees. It is the Legislature's intention that no employee
38 salary falls below the minimum salary established by the
39 Mississippi State Personnel Board.

40 Additionally, the State Personnel Board shall determine and
41 publish the projected annualized payroll costs based on current
42 employees. It shall be the responsibility of the agency head to

43 ensure that actual personnel expenditures for Fiscal Year 2025 do
44 not exceed the data provided by the Legislative Budget Office. If
45 the agency's Fiscal Year 2025 projected cost exceeds the
46 annualized costs, no salary actions shall be processed by the
47 State Personnel Board except for new hires determined to be
48 essential for the agency.

49 Any transfers or escalations shall be made in accordance with
50 the terms, conditions, and procedures established by law or
51 allowable under the terms set forth within this act. The State
52 Personnel Board shall not escalate positions without written
53 approval from the Department of Finance and Administration. The
54 Department of Finance and Administration shall not provide written
55 approval to escalate any funds for salaries and/or positions
56 without proof of availability of new or additional funds above the
57 appropriated level.

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

62 None of the funds herein appropriated shall be used in
63 violation of the Internal Revenue Service's Publication 15-A
64 relating to the reporting of income paid to contract employees, as
65 interpreted by the Office of the State Auditor.

66 **SECTION 4.** Of the funds appropriated in Section 2, Eighty
67 Thousand Dollars (\$80,000.00), or so much thereof as may be

68 necessary, shall be derived out of any money in the State Treasury
69 to the credit of the Project Atlas Fund, as created in House Bill
70 1, 2nd Extraordinary Session of 2024, and allocated in a manner as
71 determined by the Treasurer's Office. These funds are provided
72 for expediting services needed for Project Atlas.

73 **SECTION 5.** It is the intention of the Legislature that the
74 Public Utilities Staff shall maintain complete accounting and
75 personnel records related to the expenditure of all funds
76 appropriated under this act and that such records shall be in the
77 same format and level of detail as maintained for Fiscal Year
78 2024. It is further the intention of the Legislature that the
79 agency's budget request for Fiscal Year 2026 shall be submitted to
80 the Joint Legislative Budget Committee in a format and level of
81 detail comparable to the format and level of detail provided
82 during the Fiscal Year 2025 budget request process.

83 **SECTION 6.** It is the intention of the Legislature that
84 whenever two (2) or more bids are received by this agency for the
85 purchase of commodities or equipment, and whenever all things
86 stated in such received bids are equal with respect to price,
87 quality and service, the Mississippi Industries for the Blind
88 shall be given preference. A similar preference shall be given to
89 the Mississippi Industries for the Blind whenever purchases are
90 made without competitive bids.

91 **SECTION 7.** It is the intention of the Legislature that the
92 funds herein appropriated shall be expended in compliance with

93 Section 27-104-25, Mississippi Code of 1972, that no state agency
94 shall incur obligations or indebtedness in excess of their
95 appropriation and that the responsible officers, either personally
96 or upon their official bonds, shall be held responsible for
97 actions contrary to this provision.

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

104 **SECTION 9.** This act shall take effect and be in force from
105 and after July 1, 2024.

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

1 AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X (SIGNED)
Bounds

X (SIGNED)
Hopson

X (SIGNED)
Read

X (SIGNED)
Parker

X (SIGNED)
Mims

X (SIGNED)
Blackwell