

**REPORT OF CONFERENCE COMMITTEE**

**MR. PRESIDENT AND MR. SPEAKER:**

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

S.B. No. 3127: Appropriation; Tax 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:**

11 SECTION 1. The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in the State  
13 General Fund not otherwise appropriated, for the purpose of  
14 defraying the expenses of the State Tax Commission, including the  
15 Homestead Exemption Division, the Motor Vehicle Comptroller  
16 functions, the Alcoholic Beverage Control Division and the Bureau  
17 of Telecommunications for the fiscal year beginning July 1, 1999,  
18 and ending June 30, 2000..... \$ 48,270,044.00.

19 SECTION 2. The following sum, or so much thereof as may be  
20 necessary, is hereby appropriated out of any money in the special  
21 fund in the State Treasury to the credit of the State Tax  
22 Commission which are collected by or otherwise become available  
23 for the purpose of defraying the expenses of the commission for  
24 the fiscal year beginning July 1, 1999, and ending June 30,  
25 2000..... \$ 4,598,192.00.

26 SECTION 3. Of the funds appropriated under the provisions of  
27 Sections 1 and 2, not more than the amounts set forth below shall  
28 be expended for the respective major objects or purposes of  
29 expenditure:

30 MAJOR OBJECTS OF EXPENDITURE:

31 Personal Services:

32 Salaries, Wages and Fringe Benefits.. \$ 30,608,232.00  
33 Travel and Subsistence..... 2,011,990.00  
34 Contractual Services..... 16,145,125.00

35	Commodities.....	1,904,670.00
36	Capital Outlay:	
37	Other Than Equipment.....	0.00
38	Equipment.....	2,197,540.00
39	Subsidies, Loans and Grants.....	<u>679.00</u>
40	Total.....	\$ 52,868,236.00

41 FUNDING:

42	General Funds.....	\$ 48,270,044.00
43	Special Funds.....	<u>4,598,192.00</u>
44	Total.....	\$ 52,868,236.00

45 AUTHORIZED POSITIONS:

46	Permanent:	Full Time. . . . .	796
47		Part Time. . . . .	23
48	Time-Limited:	Full Time. . . . .	0
49		Part Time. . . . .	0

50 From the funds provided in the budget category "Personal  
51 Services: Salaries, Wages and Fringe Benefits," funds may be  
52 expended for the following purposes, in compliance with the  
53 policies established by the State Personnel Board and any  
54 conditions placed on such expenditures:

55 (a) The components of the Variable Compensation Plan  
56 shall be maintained within the constraints of the funds  
57 appropriated herein.

58 (b) Funds are provided to adjust the Variable  
59 Compensation Plan, including realignment, to ensure that all  
60 full-time employees with at least six (6) months of continuous  
61 current service, as of June 30, 1999, receive an increase of One  
62 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to  
63 adjust critical job classes up to an additional One Thousand  
64 Dollars (\$1,000.00).

65 (c) If an employee is currently at or above the end  
66 salary for his or her job classification, then the increase shall  
67 be built into the employee's base salary. To be eligible for any  
68 increase authorized in this section, employees may not have a  
69 current performance rating below "meets expectations" as of the

70 effective date of the increase. Employees who subsequently  
71 receive a performance rating of "meets expectations" or above  
72 during Fiscal Year 2000 shall receive the salary increase  
73 effective the date of the rating.

74 It is the agency's responsibility to make certain that funds  
75 required to be appropriated for "Personal Services" for Fiscal  
76 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for  
77 that purpose unless programs or positions are added to the  
78 agency's budget by the Mississippi Legislature.

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

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

85 SECTION 4. It shall be the duty of the Chairman of the State  
86 Tax Commission, and he is hereby empowered to select in the manner  
87 provided by Section 27-3-13, Mississippi Code of 1972, such  
88 employees as may be necessary to the administration of all acts  
89 relating to the exemption of homesteads and the reimbursement of  
90 tax losses to the several taxing units of the state, and to assign  
91 them to the use of the State Tax Commission.

92 SECTION 5. The money herein appropriated may be used for any  
93 expenses which the commission may legally incur. Provided,  
94 however, that no part of the money herein appropriated shall be  
95 used for the payment of attorney's fees, except upon  
96 recommendation of the Governor with the approval of the Attorney  
97 General, nor shall any of said funds be used either directly or  
98 indirectly for the purpose of paying any clerk, stenographer,  
99 assistant, deputy or other employee who may be related by blood or  
100 marriage within the third degree, computed by the rule of civil  
101 law, to the official employing or having the right of employment  
102 or selection thereof, except that when the relationship is by  
103 affinity and the person is dead through whom the relationship was  
104 established, this rule shall not apply. In the event of any such

105 payment, then the official or person approving and making such  
106 payment shall be liable to return to the State of Mississippi and  
107 to pay into the State Treasury to the credit of the General Fund  
108 three (3) times any such amount so paid to be recovered at suit by  
109 the Attorney General.

110 SECTION 6. The following sum, or so much thereof as may be  
111 necessary, is hereby appropriated out of any money in the State  
112 General Fund not otherwise appropriated, to the State Tax  
113 Commission for the purpose of reimbursing the counties of the  
114 state, the road districts and school districts therein and the  
115 municipal separate school districts, for tax losses incurred by  
116 reason of the exemption of homes from certain ad valorem taxes  
117 under the provisions of Section 27-33-1 et seq., Mississippi Code  
118 of 1972, for the fiscal year beginning July 1, 1999, and ending  
119 June 30, 2000..... \$ 78,312,029.00.

120 SECTION 7. Each county, road district, school district and  
121 municipal separate school district which has incurred a tax loss  
122 that is reimbursable under Section 6 shall be reimbursed a sum  
123 which is equivalent to the amount of tax loss produced by the  
124 application of tax rates annually fixed for maintenance and  
125 current expenses to the assessed value of homes, or so much  
126 thereof as has been lawfully authorized under the provisions of  
127 Section 27-33-1 et seq., Mississippi Code of 1972.

128 The disbursements from the funds appropriated under the  
129 provisions of Section 6 shall be based upon the certificates  
130 required of the clerks of the county boards of supervisors and of  
131 the clerks of the municipalities, which certificates shall conform  
132 strictly in every respect to the requirements of the provisions of  
133 Section 27-33-1 et seq., Mississippi Code of 1972.

134 All disbursements from the funds appropriated under the  
135 provisions of Section 6 shall be made strictly in accordance with  
136 the provisions of Section 27-33-1 et seq., Mississippi Code of  
137 1972, and no disbursements other than those clearly authorized by  
138 those sections shall be made, the provisions of any other law to  
139 the contrary notwithstanding.

140 SECTION 8. The following sum, or so much thereof as may be  
 141 necessary, is hereby appropriated out of any money in the State  
 142 General Fund not otherwise appropriated, to the License Tag  
 143 Commission for the purchase and delivery of motor vehicle license  
 144 tags for the fiscal year beginning July 1, 1999, and ending  
 145 June 30, 2000..... \$ 1,510,000.00.

146 None of the funds appropriated in this section shall be  
 147 expended to purchase motor vehicle license tags made or  
 148 manufactured by any department, agency or instrumentality of a  
 149 state other than the State of Mississippi. None of the funds  
 150 appropriated in this Section shall be used for the purchase of  
 151 bolts, nuts or other fastening devices for attaching said motor  
 152 vehicle license tags. Provided, further, that all motor vehicles  
 153 belonging to any state department, agency, commission, institution  
 154 or any other division of State Government shall have license tags  
 155 which shall bear the words "State Property" at the bottom of such  
 156 license tags.

157 SECTION 9. Of the funds appropriated under the provisions of  
 158 Section 8, not more than the amounts set forth below shall be  
 159 expended for the respective major objects or purposes of  
 160 expenditure:

161 MAJOR OBJECTS OF EXPENDITURE:

162 Personal Services:

163	Salaries, Wages and Fringe Benefits..	\$	0.00
164	Travel and Subsistence.....		0.00
165	Contractual Services.....		10,000.00
166	Commodities.....		1,500,000.00
167	Capital Outlay:		
168	Other Than Equipment.....		0.00
169	Equipment.....		0.00
170	Subsidies, Loans and Grants.....		<u>0.00</u>
171	Total.....	\$	1,510,000.00

172 SECTION 10. Funds are provided in this act for the  
 173 reallocation of the following positions not to exceed Twenty-six  
 174 Thousand Four Hundred Seventy-six Dollars (\$26,476.00):

- 175           6     TC-Tax Processor III to TC-Tax Revenue Analyst
- 176           1     Clerk, Senior to TC-Tax Processor
- 177           1     TC-Branch Director I to TC-Branch Director II
- 178           2     Warehouse Manager II to Warehouse Manager III
- 179           1     Business Systems Analyst to Senior Business system
- 180           Analyst

181           SECTION 11. Of the funds appropriated in Section 1, the  
 182 following sum shall be transferred to the State Tax Commission -  
 183 STARS Acquisition Fund, a special fund in the State Treasury,  
 184 during Fiscal Year 2000..... \$    4,548,587.00.

185           The State Tax Commission may spend up to One Million Dollars  
 186 (\$1,000,000.00) of the funds authorized in this section for the  
 187 purpose of contracting for computer services to assure their  
 188 computer system will be Y2K compliant during Fiscal Year 2000. In  
 189 the event that funds are expended from the STARS Acquisition Fund  
 190 to assure the State Tax Commission's computer system is Y2K  
 191 compliant, it is the intention of the Legislature to reimburse  
 192 said fund for an amount equal to the expenditure, during the 2000  
 193 Legislative Session.

194           SECTION 12. The money herein appropriated shall be paid by  
 195 the State Treasurer out of any money in the State Treasury to the  
 196 credit of the proper fund or funds as set forth in this act, upon  
 197 warrants issued by the State Fiscal Officer; and the State Fiscal  
 198 Officer shall issue his warrants upon requisitions signed by the  
 199 proper person, officer or officers, in the manner provided by law.

200 SECTION 13. This act shall take effect and be in force from  
201 and after July 1, 1999.

CONFEREES FOR THE SENATE:

X  
Dick Hall

X  
Barbara Blackmon

X  
Terry C. Burton

CONFEREES FOR THE HOUSE:

X  
Charlie Capps, Jr.

X  
George Flaggs, Jr.

X  
Billy Bowles