MISSISSIPPI LEGISLATURE  
REGULAR SESSION 2001
By: Senator(s) Gordon, Thames, Dearing, Gollott, Little, White (5th)  
To: Appropriations

SENATE BILL NO. 3091  
(As Sent to Governor)


BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Tax Commission, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division and the Bureau of Telecommunications for the fiscal year beginning July 1, 2001, and ending June 30, 2002................. $ 43,015,766.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Tax Commission which are collected by or otherwise become available for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2001, and ending June 30, 2002......................... $ 14,495,881.00.

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

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MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits.. $ 31,428,498.00
Travel and Subsistence................. 1,467,044.00
Contractual Services.................... 16,926,922.00
Commodities.......................... 1,747,572.00

Capital Outlay:

Other Than Equipment.................. 4,862,667.00
Equipment............................. 1,066,265.00
Subsidies, Loans and Grants............. 12,679.00

Total................................ $ 57,511,647.00

FUNDING:

General Funds.......................... $ 43,015,766.00
Special Funds........................... 14,495,881.00

Total................................ $ 57,511,647.00

AUTHORIZED POSITIONS:

Permanent: Full Time............ 796
Part Time............ 21
Time-Limited: Full Time............ 0
Part Time............ 0

With the funds herein appropriated, it is the intention of
the Legislature that it shall be the agency's responsibility to
make certain that funds required to be appropriated for "Personal
Services" for Fiscal Year 2003 do not exceed Fiscal Year 2002
funds appropriated for that purpose, unless programs or positions
are added to the agency's Fiscal Year 2003 budget by the
Mississippi Legislature. Based on data provided by the
Legislative Budget Office, the State Personnel Board shall
determine and publish the projected annual cost to fully fund all
appropriated positions in compliance with the provisions of this
act. It shall be the responsibility of the agency head to insure
that no single personnel action increases this projected annual
cost and/or the Fiscal Year 2002 appropriation for "Personal
Services" when annualized. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2002 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met. Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

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

SECTION 5. The money herein appropriated may be used for any expenses which the commission may legally incur. Provided, however, that no part of the money herein appropriated shall be used for the payment of attorney's fees, except upon recommendation of the Governor with the approval of the Attorney General, nor shall any of said funds be used either directly or indirectly for the purpose of paying any clerk, stenographer, assistant, deputy or other employee who may be related by blood or marriage within the third degree, computed by the rule of civil law, to the official employing or having the right of employment or selection thereof, except that when the relationship is by affinity and the person is dead through whom the relationship was
established, this rule shall not apply. In the event of any such
payment, then the official or person approving and making such
payment shall be liable to return to the State of Mississippi and
to pay into the State Treasury to the credit of the General Fund
three (3) times any such amount so paid to be recovered at suit by
the Attorney General.

SECTION 6. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
General Fund not otherwise appropriated, to the State Tax
Commission for the purpose of reimbursing the counties of the
state, the road districts and school districts therein and the
municipal separate school districts, for tax losses incurred by
reason of the exemption of homes from certain ad valorem taxes
under the provisions of Section 27-33-1 et seq., Mississippi Code
of 1972, for the fiscal year beginning July 1, 2001, and ending
June 30, 2002................................. $    76,300,000.00.

SECTION 7. Each county, road district, school district and
municipal separate school district which has incurred a tax loss
that is reimbursable under Section 6 shall be reimbursed a sum
which is equivalent to the amount of tax loss produced by the
application of tax rates annually fixed for maintenance and
current expenses to the assessed value of homes, or so much
thereof as has been lawfully authorized under the provisions of

The disbursements from the funds appropriated under the
provisions of Section 6 shall be based upon the certificates
required of the clerks of the county boards of supervisors and of
the clerks of the municipalities, which certificates shall conform
strictly in every respect to the requirements of the provisions of

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

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the License Tag Commission for the purchase and delivery of motor vehicle license tags for the fiscal year beginning July 1, 2001, and ending June 30, 2002............ $ 1,300,000.00.

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

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

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<thead>
<tr>
<th>MAJOR OBJECTS OF EXPENDITURE:</th>
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<tbody>
<tr>
<td>Personal Services:</td>
<td></td>
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<tr>
<td>Salaries, Wages and Fringe Benefits... $</td>
<td>0.00</td>
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<tr>
<td>Travel and Subsistence............................</td>
<td>0.00</td>
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<tr>
<td>Contractual Services..............................</td>
<td>0.00</td>
</tr>
<tr>
<td>Commodities.......................................</td>
<td>1,300,000.00</td>
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<td>Capital Outlay:</td>
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<tr>
<td>Other Than Equipment..............................</td>
<td>0.00</td>
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<tr>
<td>Equipment.........................................</td>
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<tr>
<td>Item Description</td>
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<tr>
<td>Subsidies, Loans and Grants</td>
<td>0.00</td>
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<tr>
<td>Total</td>
<td>$1,300,000.00</td>
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SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2001.