

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

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

S. B. No. 3050: Appropriation; Motor Vehicle Comm.

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 Mississippi Motor Vehicle
8 Commission, as provided by Section 63-17-51 et seq., Mississippi
9 Code of 1972, for the purpose of defraying the expenses of said
10 Commission, for the fiscal year beginning July 1, 2006, and ending
11 June 30, 2007..... \$ 285,159.00.

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

16 MAJOR OBJECTS OF EXPENDITURE:

17 Personal Services:

Salaries, Wages and Fringe Benefits..	\$	193,145.00
Travel and Subsistence.....		25,000.00
Contractual Services.....		58,014.00
Commodities.....		6,000.00
Capital Outlay:		
Other Than Equipment.....		0.00
Equipment.....		3,000.00
Subsidies, Loans and Grants.....		0.00
Total.....	\$	285,159.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	3
29		Part Time.....	0
30	Time-Limited:	Full Time.....	0
31		Part Time.....	0

32 Funds are provided herein to adjust the Variable Compensation
33 Plan to ensure that all full-time employees receive a pay increase
34 equal to the realignment component of the Variable Compensation
35 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
36 with not more than one-half (1/2) to be awarded on July 1, 2006,
37 with the remainder to be awarded on January 1, 2007.

38 With the funds herein appropriated, it is the intention of
39 the Legislature that it shall be the agency's responsibility to
40 make certain that funds required to be appropriated for "Personal
41 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
42 funds appropriated for that purpose, unless programs or positions
43 are added to the agency's Fiscal Year 2008 budget by the
44 Mississippi Legislature. Based on data provided by the
45 Legislative Budget Office, the State Personnel Board shall
46 determine and publish the projected annual cost to fully fund all
47 appropriated positions in compliance with the provisions of this
48 act. It shall be the responsibility of the agency head to insure
49 that no single personnel action increases this projected annual
50 cost and/or the Fiscal Year 2007 appropriation for "Personal
51 Services" when annualized, with the exception of escalated funds.
52 If, at the time the agency takes any action to change "Personal
53 Services," the State Personnel Board determines that the agency
54 has taken an action which would cause the agency to exceed this
55 projected annual cost or the Fiscal Year 2007 "Personal Services"
56 appropriated level, when annualized, then only those actions which
57 reduce the projected annual cost and/or the appropriation

58 requirement will be processed by the State Personnel Board until
59 such time as the requirements of this provision are met.

60 Any transfers or escalations shall be made in accordance with
61 the terms, conditions and procedures established by law or
62 allowable under the terms set forth within this act. The State
63 Personnel Board shall not escalate positions without written
64 approval from the Department of Finance and Administration. The
65 Department of Finance and Administration shall not provide written
66 approval to escalate any funds for salaries and/or positions
67 without proof of availability of new or additional funds above the
68 appropriated level.

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

73 **SECTION 3.** It is the intention of the Legislature that none
74 of the funds appropriated under the provisions of this act shall
75 be expended to defray any expenses of the Motor Vehicle Commission
76 if said commission takes any official actions during Fiscal Year
77 2007 that serve directly or indirectly to reduce the payment to
78 the State General Fund of any sales tax on motor vehicles sold
79 within the State of Mississippi.

80 It is further the intention of the Legislature that if such
81 actions are taken by the Motor Vehicle Commission during Fiscal
82 Year 2007, the executive director and commission members shall be
83 held personally liable for repayment of any funds expended under
84 the provisions of this act with said repayment to be made to the
85 State General Fund. The Attorney General is hereby authorized and
86 directed to undertake appropriate legal action to enforce the
87 provisions of this act and to recover said funds.

88 **SECTION 4.** It is the intention of the Legislature that
89 whenever two (2) or more bids are received by this agency for the

90 purchase of commodities or equipment, and whenever all things
91 stated in such received bids are equal with respect to price,
92 quality and service, the Mississippi Industries for the Blind
93 shall be given preference. A similar preference shall be given to
94 the Mississippi Industries for the Blind whenever purchases are
95 made without competitive bids.

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

102 **SECTION 6.** This act shall take effect and be in force from
103 and after July 1, 2006.

CONFEREES FOR THE SENATE

X (SIGNED)
Gordon

X (SIGNED)
Gollott

X (SIGNED)
Kirby

CONFEREES FOR THE HOUSE

X (SIGNED)
Stringer

X (SIGNED)
Read

X (SIGNED)
Miles