

House Amendments to Senate Bill No. 3050

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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..... \$ 281,372.00.

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:

18 Salaries, Wages and Fringe Benefits.. \$ 189,358.00
19 Travel and Subsistence..... 25,000.00
20 Contractual Services..... 58,014.00
21 Commodities..... 6,000.00
22 Capital Outlay:
23 Other Than Equipment..... 0.00
24 Equipment..... 3,000.00
25 Subsidies, Loans and Grants..... 0.00
26 Total..... \$ 281,372.00

27 **AUTHORIZED POSITIONS:**

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

31 Part Time..... 0

32 For the fiscal year beginning on July 1, 2006, funds are
33 provided herein to adjust the annual compensation of each employee
34 who has been employed for twelve (12) months or longer by an
35 amount equal to One Thousand Dollars (\$1,000.00), effective on
36 July 1, 2006.

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

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

66 without proof of availability of new or additional funds above the
67 appropriated level.

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

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

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

87 **SECTION 4.** It is the intention of the Legislature that
88 whenever two (2) or more bids are received by this agency for the
89 purchase of commodities or equipment, and whenever all things
90 stated in such received bids are equal with respect to price,
91 quality and service, the Mississippi Industries for the Blind
92 shall be given preference. A similar preference shall be given to
93 the Mississippi Industries for the Blind whenever purchases are
94 made without competitive bids.

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

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

HR05\SB3050A.J

Don Richardson
Clerk of the House of Representatives