

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 3028**

**BY: Committee**

**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, 2006,  
18 and ending June 30, 2007..... \$     43,343,176.00.

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, 2006, and ending June 30,  
25 2007..... \$     5,576,114.00.

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..	\$	33,372,974.00
33	Travel and Subsistence.....		1,579,984.00
34	Contractual Services.....		12,003,462.00
35	Commodities.....		1,560,270.00
36	Capital Outlay:		
37	Other Than Equipment.....		0.00
38	Equipment.....		402,000.00
39	Subsidies, Loans and Grants.....		<u>600.00</u>
40	Total.....	\$	48,919,290.00

41 FUNDING:

42	General Funds.....	\$	43,343,176.00
43	Special Funds.....		<u>5,576,114.00</u>
44	Total.....	\$	48,919,290.00

45 AUTHORIZED POSITIONS:

46	Permanent:	Full Time.....	768
47		Part Time.....	6
48	Time-Limited:	Full Time.....	0
49		Part Time.....	0

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

55 With the funds herein appropriated, it is the intention of  
56 the Legislature that it shall be the agency's responsibility to  
57 make certain that funds required to be appropriated for "Personal  
58 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
59 funds appropriated for that purpose, unless programs or positions  
60 are added to the agency's Fiscal Year 2008 budget by the  
61 Mississippi Legislature. Based on data provided by the

62 Legislative Budget Office, the State Personnel Board shall  
63 determine and publish the projected annual cost to fully fund all  
64 appropriated positions in compliance with the provisions of this  
65 act. It shall be the responsibility of the agency head to insure  
66 that no single personnel action increases this projected annual  
67 cost and/or the Fiscal Year 2007 appropriation for "Personal  
68 Services" when annualized, with the exception of escalated funds.  
69 If, at the time the agency takes any action to change "Personal  
70 Services," the State Personnel Board determines that the agency  
71 has taken an action which would cause the agency to exceed this  
72 projected annual cost or the Fiscal Year 2007 "Personal Services"  
73 appropriated level, when annualized, then only those actions which  
74 reduce the projected annual cost and/or the appropriation  
75 requirement will be processed by the State Personnel Board until  
76 such time as the requirements of this provision are met.

77 Any transfers or escalations shall be made in accordance with  
78 the terms, conditions and procedures established by law or  
79 allowable under the terms set forth within this act. The State  
80 Personnel Board shall not escalate positions without written  
81 approval from the Department of Finance and Administration. The  
82 Department of Finance and Administration shall not provide written  
83 approval to escalate any funds for salaries and/or positions  
84 without proof of availability of new or additional funds above the  
85 appropriated level.

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

90 **SECTION 4.** It shall be the duty of the Chairman of the State  
91 Tax Commission, and he is hereby empowered to select in the manner  
92 provided by Section 27-3-13, Mississippi Code of 1972, such  
93 employees as may be necessary to the administration of all acts

94 relating to the exemption of homesteads and the reimbursement of  
95 tax losses to the several taxing units of the state, and to assign  
96 them to the use of the State Tax Commission.

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

115       **SECTION 6.** The following sum, or so much thereof as may be  
116 necessary, is hereby appropriated out of any money in the State  
117 General Fund not otherwise appropriated, to the State Tax  
118 Commission for the purpose of reimbursing the counties of the  
119 state, the road districts and school districts therein and the  
120 municipal separate school districts, for tax losses incurred by  
121 reason of the exemption of homes from certain ad valorem taxes  
122 under the provisions of Section 27-33-1 et seq., Mississippi Code  
123 of 1972, for the fiscal year beginning July 1, 2006, and ending  
124 June 30, 2007..... \$       83,300,000.00.

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

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

139           All disbursements from the funds appropriated under the  
140 provisions of Section 6 shall be made strictly in accordance with  
141 the provisions of Section 27-33-1 et seq., Mississippi Code of  
142 1972, and no disbursements other than those clearly authorized by  
143 those sections shall be made, the provisions of any other law to  
144 the contrary notwithstanding.

145           **SECTION 8.** The following sum, or so much thereof as may be  
146 necessary, is hereby appropriated out of any money in the State  
147 General Fund not otherwise appropriated, to the License Tag  
148 Commission for the purchase and delivery of motor vehicle license  
149 tags for the fiscal year beginning July 1, 2006, and ending  
150 June 30, 2007..... \$       1,860,000.00.

151           **SECTION 9.** None of the funds appropriated in Section 8 shall  
152 be expended to purchase motor vehicle license tags made or  
153 manufactured by any department, agency or instrumentality of a  
154 state other than the State of Mississippi. None of the funds  
155 appropriated in this section shall be used for the purchase of  
156 bolts, nuts or other fastening devices for attaching said motor

157 vehicle license tags. Provided, further, that all motor vehicles  
158 belonging to any state department, agency, commission, institution  
159 or any other division of State Government shall have license tags  
160 which shall bear the words "State Property" at the bottom of such  
161 license tags.

162 **SECTION 10.** Of the funds appropriated under the provisions  
163 of Section 8, not more than the amounts set forth below shall be  
164 expended for the respective major objects or purposes of  
165 expenditure:

166 MAJOR OBJECTS OF EXPENDITURE:

167 Personal Services:

168	Salaries, Wages and Fringe Benefits.. \$	0.00
169	Travel and Subsistence.....	0.00
170	Contractual Services.....	200,000.00
171	Commodities.....	1,660,000.00
172	Capital Outlay:	
173	Other Than Equipment.....	0.00
174	Equipment.....	0.00
175	Subsidies, Loans and Grants.....	<u>0.00</u>
176	Total..... \$	<u>1,860,000.00</u>
177	Total.....	1,860,000.00

178 **SECTION 11.** The Executive Director of the State Tax  
179 Commission may authorize increases in any major objects to any  
180 other major objects in any amounts deemed necessary for the  
181 efficient management and operation of their budget, provided that  
182 the total spending authority remains unchanged after such  
183 transfers and the total of such transfers into any major object do  
184 not exceed twenty-five percent (25%) of the original appropriated  
185 amount for that major object plus any escalations of spending  
186 authority that have occurred during any given fiscal year.  
187 However, no transfers shall be authorized which increase the major  
188 object of expenditure "Salaries, Wages and Fringe Benefits."

189           **SECTION 12.** It is the intention of the Legislature that  
190 whenever two (2) or more bids are received by this agency for the  
191 purchase of commodities or equipment, and whenever all things  
192 stated in such received bids are equal with respect to price,  
193 quality and service, the Mississippi Industries for the Blind  
194 shall be given preference. A similar preference shall be given to  
195 the Mississippi Industries for the Blind whenever purchases are  
196 made without competitive bids.

197           **SECTION 13.** The money herein appropriated shall be paid by  
198 the State Treasurer out of any money in the State Treasury to the  
199 credit of the proper fund or funds as set forth in this act, upon  
200 warrants issued by the State Fiscal Officer; and the State Fiscal  
201 Officer shall issue his warrants upon requisitions signed by the  
202 proper person, officer or officers, in the manner provided by law.

203           **SECTION 14.** This act shall take effect and be in force from  
204 and after July 1, 2006.