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MADAM PRESIDENT AND MR. SPEAKER:

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

S. B. No. 3158: 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, 2007, and ending
11	June 30, 2008\$ 291,946.00.
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 \$ 199,932.00
19	Travel and Subsistence
20	Contractual Services
21	Commodities
22	Capital Outlay:
23	Other Than Equipment
24	Equipment
25	Vehicles
26	Wireless Communication Devices 0.00
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27	Subsidies, Loans and Grants
28	Total\$ 291,946.00
29	AUTHORIZED POSITIONS:
30	Permanent: Full Time 3
31	Part Time0
32	Time-Limited: Full Time
33	Part Time 0
34	Funds are provided herein to adjust the Variable Compensation
35	Plan to ensure that all full-time employees receive a pay increase
36	equal to the realignment component of the Variable Compensation
37	Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
38	is greater, to be awarded on July 1, 2007.
39	With the funds herein appropriated, it is the intention of
40	the Legislature that it shall be the agency's responsibility to
41	make certain that funds required to be appropriated for "Personal
42	Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
43	funds appropriated for that purpose, unless programs or positions
44	are added to the agency's Fiscal Year 2008 budget by the
45	Mississippi Legislature. Based on data provided by the
46	Legislative Budget Office, the State Personnel Board shall
47	determine and publish the projected annual cost to fully fund all
48	appropriated positions in compliance with the provisions of this
49	act. It shall be the responsibility of the agency head to insure
50	that no single personnel action increases this projected annual
51	cost and/or the Fiscal Year 2008 appropriations for "Personal
52	Services" when annualized, with the exception of escalated funds
53	and educational benchmarks. If, at the time the agency takes any
54	action to change "Personal Services", the State Personnel Board
55	determines that the agency has taken an action which would cause
56	the agency to exceed this projected annual cost or the Fiscal Year
57	2008 "Personal Services" appropriated level, when annualized, then
58	only those actions which reduce the projected annual cost and/or

- 59 the appropriation requirement will be processed by the State
- 60 Personnel Board until such time as the requirements of this
- 61 provision are met. On January 1, 2008, the State Personnel Board
- 62 will make adjustments to the structure side of the compliance
- 63 report based on data provided by the Legislative Budget Office in
- 64 order for agencies to award educational benchmarks.
- Any transfers or escalations shall be made in accordance with
- 66 the terms, conditions and procedures established by law or
- 67 allowable under the terms set forth within this act. The State
- 68 Personnel Board shall not escalate positions without written
- 69 approval from the Department of Finance and Administration. The
- 70 Department of Finance and Administration shall not provide written
- 71 approval to escalate any funds for salaries and/or positions
- 72 without proof of availability of new or additional funds above the
- 73 appropriated level.
- No general funds authorized to be expended herein shall be
- 75 used to replace federal funds and/or other special funds which are
- 76 being used for salaries authorized under the provisions of this
- 77 act and which are withdrawn and no longer available.
- 78 **SECTION 3.** It is the intention of the Legislature that none
- 79 of the funds appropriated under the provisions of this act shall
- 80 be expended to defray any expenses of the Motor Vehicle Commission
- 81 if said commission takes any official actions during Fiscal Year
- 82 2008 that serve directly or indirectly to reduce the payment to
- 83 the State General Fund of any sales tax on motor vehicles sold
- 84 within the State of Mississippi.
- It is further the intention of the Legislature that if such
- 86 actions are taken by the Motor Vehicle Commission during Fiscal
- 87 Year 2008, the executive director and commission members shall be
- 88 held personally liable for repayment of any funds expended under
- 89 the provisions of this act with said repayment to be made to the
- 90 State General Fund. The Attorney General is hereby authorized and

- directed to undertake appropriate legal action to enforce the 91
- 92 provisions of this act and to recover said funds.
- SECTION 4. It is the intention of the Legislature that 93
- 94 whenever two (2) or more bids are received by this agency for the
- 95 purchase of commodities or equipment, and whenever all things
- 96 stated in such received bids are equal with respect to price,
- 97 quality and service, the Mississippi Industries for the Blind
- shall be given preference. A similar preference shall be given to 98
- the Mississippi Industries for the Blind whenever purchases are 99
- 100 made without competitive bids.
- 101 SECTION 5. The money herein appropriated shall be paid by
- 102 the State Treasurer out of any money in the State Treasury to the
- 103 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 104
- Officer shall issue his warrants upon requisitions signed by the 105
- 106 proper person, officer or officers in the manner provided by law.
- 107 SECTION 6. This act shall take effect and be in force from
- 108 and after July 1, 2007.

CONFEREES FOR THE SENATE

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR 2 3 VEHICLE COMMISSION FOR FISCAL YEAR 2008.

X (SIGNED) X (SIGNED) Gordon Stringer X (SIGNED) X (SIGNED)

Gollott Read

X (SIGNED) X (SIGNED) Miles Moffatt

CONFEREES FOR THE HOUSE