

AMENDMENT PROPOSED TO

Am # 2

HOUSE ~~BILL NO.~~ CR 85

By Johnson, Scott, B. Clark

Amend by striking lines 41 through 79  
in their entirety & inserting in lieu thereof  
the following: See Insert. #1  
~~Amend further by striking line~~  
~~& inserting~~

AMEND TITLE (to conform) (as follows):

Insert #1

119 TO AMEND SECTION 49-17-421, MISSISSIPPI CODE OF 1972, TO PROVIDE  
120 THAT THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL CHARGE AN  
121 ADDITIONAL FEE FOR UNDERGROUND STORAGE TANKS; TO PROVIDE THAT  
122 WHERE A FEE IS NOT SET BY LAW, THE DEPARTMENT OF ENVIRONMENTAL  
123 QUALITY SHALL CHARGE FEES FOR GENERAL PERMITS, OTHER PERMITS AND  
124 MONITORING ACTIVITIES; TO AMEND SECTIONS 51-3-31, 53-7-7, 53-7-21,  
125 53-7-25, 53-7-27 AND 53-7-69, MISSISSIPPI CODE OF 1972, TO PROVIDE  
126 THAT THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL CHARGE FEES FOR  
127 CERTAIN ACTIVITIES UNDER ITS JURISDICTION; TO BRING FORWARD  
128 SECTION 55-3-33, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR  
129 CERTAIN POWERS AND DUTIES OF THE DEPARTMENT OF WILDLIFE, FISHERIES  
130 AND PARKS REGARDING PARKS OPERATED BY THE DEPARTMENT; TO AMEND  
131 SECTION 45-35-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEE FOR  
132 IDENTIFICATION CARDS ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY; TO  
133 AMEND SECTION 45-35-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
134 FEE FOR THE ISSUANCE OF DUPLICATE IDENTIFICATION CARDS BY THE  
135 DEPARTMENT; TO AMEND SECTION 63-1-43, MISSISSIPPI CODE OF 1972, TO  
136 INCREASE THE FEES FOR REGULAR DRIVER'S LICENSES AND CLASS D  
137 COMMERCIAL DRIVER'S LICENSES; TO AMEND SECTIONS 63-1-21, 63-1-37,  
138 63-1-46 AND 63-1-82, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
139 FEES FOR THE ISSUANCE OF TEMPORARY DRIVING PERMITS, DUPLICATE  
140 COPIES OF DRIVERS' LICENSES OR TEMPORARY DRIVING PERMITS,  
141 REINSTATEMENT OF SUSPENDED DRIVERS' LICENSES, AND CLASS A, CLASS B  
142 AND CLASS C COMMERCIAL DRIVERS' LICENSES; TO BRING FORWARD SECTION  
143 63-1-81, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR APPLICATION  
144 FEES FOR COMMERCIAL DRIVER'S LICENSES; TO BRING FORWARD SECTION  
145 63-15-4, MISSISSIPPI CODE OF 1972, WHICH REQUIRES MOTOR VEHICLE  
146 OWNERS OR OPERATORS TO HAVE INSURANCE CARDS IN THEIR MOTOR  
147 VEHICLES; TO AMEND SECTION 63-21-63, MISSISSIPPI CODE OF 1972, TO  
148 INCREASE THE FEES FOR ISSUING AND PROCESSING MOTOR VEHICLE  
149 CERTIFICATES OF TITLE AND RELATED DOCUMENTS; TO CODIFY NEW SECTION  
150 7-3-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF  
151 STATE SHALL PROVIDE FOR THE ANNUAL PUBLICATION OF A JUDICIARY  
152 DIRECTORY AND COURT CALENDAR, WHICH SHALL BE MADE AVAILABLE FOR  
153 SALE FOR NOT LESS THAN A SPECIFIED PRICE PER COPY; TO AMEND  
154 SECTION 25-7-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
155 SECRETARY OF STATE SHALL CHARGE AN ADDITIONAL FEE FOR THE  
156 COMMISSIONING OF NOTARIES PUBLIC; TO AMEND SECTION 79-4-1.22,  
157 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE  
158 SHALL CHARGE ADDITIONAL FEES FOR FILING CERTAIN DOCUMENTS; TO  
159 AMEND SECTION 75-9-525, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
160 THE SECRETARY OF STATE SHALL CHARGE ADDITIONAL FILING FEES FOR  
161 SECURED TRANSACTIONS UNDER THE UNIFORM COMMERCIAL CODE; TO AMEND  
162 SECTION 75-63-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
163 SECRETARY OF STATE SHALL CHARGE FEES FOR CERTAIN ACTIONS RELATING  
164 TO SALES OF PRE-NEED CONTRACTS; TO AMEND SECTION 75-71-409,  
165 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE  
166 SHALL CHARGE FEES FOR CERTAIN ACTIONS RELATING TO SECURITIES; TO  
167 AMEND SECTION 79-11-109, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
168 THE SECRETARY OF STATE SHALL CHARGE ADDITIONAL FEES FOR FILING  
169 CERTAIN DOCUMENTS; TO AMEND SECTION 79-11-504, MISSISSIPPI CODE OF  
170 1972, TO PROVIDE THAT THE SECRETARY OF STATE SHALL CHARGE  
171 ADDITIONAL FEES FOR CERTAIN ACTIONS RELATING TO CHARITABLE  
172 SOLICITATIONS; TO AMEND SECTION 79-29-1203, MISSISSIPPI CODE OF  
173 1972, TO PROVIDE THAT THE SECRETARY OF STATE SHALL CHARGE  
174 ADDITIONAL FEES FOR CERTAIN ACTIONS RELATING TO LIMITED LIABILITY  
175 COMPANIES; TO BRING FORWARD SECTION 75-76-131, MISSISSIPPI CODE OF  
176 1972, WHICH PROVIDES FOR THE ISSUANCE OF WORK PERMITS BY THE  
177 MISSISSIPPI GAMING COMMISSION BEFORE A PERSON MAY BE EMPLOYED AS A  
178 GAMING EMPLOYEE; AND FOR RELATED PURPOSES."

179 ~~BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE~~  
180 ~~OF MISSISSIPPI, THE SENATE CONCURRING THEREIN, That the Joint~~  
181 Rules of the House and the Senate, including all the deadlines and



182 other provisions imposed by Joint Rule No. 40, are suspended for  
183 the purpose of permitting the further consideration and passage of  
184 House Bill 1718, Regular Session of 2005, entitled "AN ACT TO  
185 CREATE A STUDY COMMITTEE TO STUDY THE TAX SYSTEM OF THIS STATE AND  
186 TO MAKE RECOMMENDATIONS THEREON TO THE LEGISLATURE; TO REQUIRE THE  
187 BUDGET OF STATE AGENCIES BE REDUCED BY 5% IN FISCAL YEAR 2006; TO  
188 AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO REVISE THE TAX  
189 BRACKETS UNDER THE INCOME TAX LAW; TO AMEND SECTIONS 27-7-901 AND  
190 27-7-903, MISSISSIPPI CODE OF 1972, TO INCREASE THE TAX LEVIED  
191 UPON AMOUNTS THAT ARE PAID OR CREDITED BY GAMING ESTABLISHMENTS TO  
192 THEIR PATRONS; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI  
193 CODE OF 1972, TO INCREASE THE FRANCHISE TAX LEVY; TO AMEND  
194 SECTIONS 27-15-103 AND 27-15-109, MISSISSIPPI CODE OF 1972, TO  
195 INCREASE THE INSURANCE PREMIUM TAX; TO AMEND SECTION 27-19-43,  
196 MISSISSIPPI CODE OF 1972, TO INCREASE THE REGISTRATION FEE ON  
197 MOTOR VEHICLES; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF  
198 1972, TO INCREASE THE SALES TAX ON RETAIL SALES OF PRIVATE  
199 CARRIERS OF PASSENGERS AND LIGHT CARRIERS OF PROPERTY; TO AMEND  
200 SECTION 27-65-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES  
201 TAX ON SALES OF ELECTRICITY AND OTHER FUELS TO MANUFACTURERS,  
202 CUSTOM PROCESSORS OR PUBLIC SERVICE COMPANIES FOR INDUSTRIAL  
203 PURPOSES; TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO  
204 INCREASE THE CONTRACTOR'S TAX; TO AMEND SECTION 27-65-33,  
205 MISSISSIPPI CODE OF 1972, TO REMOVE THE DISCOUNT GIVEN FOR TIMELY  
206 FILING AND PAYING SALES TAXES; TO AMEND SECTION 27-65-75,  
207 MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE SALES TAX  
208 DIVERSION TO CITIES AND TO PROVIDE THAT THE ADDITIONAL SALES TAX  
209 ON MOTOR VEHICLES SHALL NOT BE DEPOSITED INTO THE MOTOR VEHICLE AD  
210 VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-65-111,  
211 MISSISSIPPI CODE OF 1972, TO REMOVE THE SALES TAX EXEMPTION ON  
212 SALES OF MOTOR FUEL AND TO EXEMPT RETAIL SALES OF CERTAIN  
213 GROCERIES FROM SALES TAXATION; TO AMEND SECTION 27-67-5,  
214 MISSISSIPPI CODE OF 1972, TO INCREASE THE USE TAX; TO AMEND



215 SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
216 ADDITIONAL USE TAX ON MOTOR VEHICLES SHALL NOT BE DEPOSITED INTO  
217 THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION  
218 27-69-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE EXCISE TAX  
219 LEVIED ON CIGARETTES; TO ELIMINATE THE DISCOUNT OR COMPENSATION  
220 PROVIDED TO DEALERS AS CONSIDERATION FOR THEIR SERVICES IN  
221 AFFIXING TOBACCO TAX STAMPS REQUIRED UNDER THE STATE TOBACCO TAX  
222 LAW; TO PROHIBIT ANY STATE AGENCY FROM PURCHASING EQUIPMENT,  
223 HIRING NEW EMPLOYEES, OR PROMOTING, RECLASSIFYING, REALLOCATING OR  
224 REALIGNING PAY GRADES WITH REGARD TO ANY OF ITS EMPLOYEES OR JOB  
225 POSITIONS DURING THE CURRENT FISCAL YEAR; TO ESTABLISH AN APPEAL  
226 PROCEDURE TO THE STATE FISCAL OFFICER FOR AGENCIES SEEKING TO TAKE  
227 ANY ACTION THAT OTHERWISE WOULD BE PROHIBITED BY THIS ACT; TO SET  
228 FORTH THE DEMONSTRATION OF THE EMERGENCY THAT MUST BE MADE BY THE  
229 AGENCY IN ITS APPEAL; TO PROVIDE THAT THE JOINT LEGISLATIVE BUDGET  
230 COMMITTEE SHALL BE NOTIFIED OF SUCH AN APPEAL AND THAT COMMITTEE  
231 MEMBERS MAY ATTEND THE HEARING ON SUCH AN APPEAL; TO ALLOW THE  
232 STATE FISCAL OFFICER, IN HIS DISCRETION, TO AUTHORIZE THE ACTION  
233 SOUGHT IN THE APPEAL; TO AMEND SECTION 25-9-116, MISSISSIPPI CODE  
234 OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO PROVIDE  
235 THAT DURING FISCAL YEAR 2006, STATE AGENCIES ARE NOT AUTHORIZED TO  
236 EXPEND FUNDS TO DO CERTAIN THINGS UNLESS SPECIFICALLY AUTHORIZED  
237 IN THE AGENCY'S APPROPRIATION BILL; TO AMEND SECTIONS 7-7-211 AND  
238 7-7-213, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEE CHARGED BY  
239 THE DEPARTMENT OF AUDIT FOR CONDUCTING A POSTAUDIT, PREAUDIT OR  
240 INVESTIGATION OF THE FINANCIAL AFFAIRS OF CERTAIN GOVERNMENTAL  
241 ENTITIES; TO BRING FORWARD SECTION 27-15-83, MISSISSIPPI CODE OF  
242 1972, WHICH PROVIDES FOR CERTAIN PRIVILEGE TAXES TO BE LEVIED ON  
243 INSURANCE COMPANIES; TO BRING FORWARD SECTION 27-15-85,  
244 MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PRIVILEGE TAXES TO BE  
245 LEVIED ON CERTAIN INCORPORATED INSURANCE AGENCIES AND INCORPORATED  
246 GENERAL AGENTS AND INCORPORATED SUPERVISING GENERAL AGENTS; TO  
247 BRING FORWARD SECTION 27-15-87, MISSISSIPPI CODE OF 1972, WHICH



248 PROVIDES FOR PRIVILEGE TAXES TO BE LEVIED ON CERTAIN FIRE,  
249 CASUALTY, LIABILITY, FIDELITY, SURETY, GUARANTY AND INLAND MARINE  
250 INSURANCE AGENTS AND INSURANCE SOLICITORS; TO BRING FORWARD  
251 SECTION 27-15-93, MISSISSIPPI CODE OF 1972, WHICH PROVIDES CERTAIN  
252 PRIVILEGE TAXES TO BE LEVIED ON INCORPORATED LIFE, HEALTH OR  
253 ACCIDENT INSURANCE AGENCIES, SUPERVISING GENERAL AGENTS AND LIFE  
254 INSURANCE AGENTS; TO BRING FORWARD SECTION 27-15-95, MISSISSIPPI  
255 CODE OF 1972, WHICH PROVIDES FOR A PRIVILEGE TAX TO BE LEVIED ON  
256 CERTAIN PERSONS, OTHER THAN AN INCORPORATED INSURANCE AGENCY,  
257 WRITING HEALTH AND ACCIDENT OR INDUSTRIAL LIFE INSURANCE; TO BRING  
258 FORWARD SECTION 83-49-47, MISSISSIPPI CODE OF 1972, WHICH PROVIDES  
259 FOR CERTAIN LICENSE FEES ON PERSONS ACTING AS AGENTS OR  
260 REPRESENTATIVES OF INSURERS WHO ESTABLISH PREPAID LEGAL SERVICES;  
261 TO BRING FORWARD SECTION 83-11-237, MISSISSIPPI CODE OF 1972,  
262 WHICH REQUIRES CERTAIN REGISTRATION FEES FOR AGENTS OF AUTOMOBILE  
263 CLUBS OPERATING IN THE STATE OF MISSISSIPPI; TO AMEND SECTION  
264 27-19-44.4, MISSISSIPPI CODE OF 1972, TO IMPOSE AN ADDITIONAL FEE  
265 ON THE ISSUANCE OF PERSONALIZED MOTOR VEHICLE LICENSE TAGS AND  
266 CERTAIN DISTINCTIVE OR SPECIAL MOTOR VEHICLE LICENSE TAGS; TO  
267 BRING FORWARD SECTION 27-19-89, MISSISSIPPI CODE OF 1972, WHICH  
268 PROVIDES FOR FINES FOR OVERWEIGHT VEHICLES UPON THE PUBLIC  
269 HIGHWAYS; TO BRING FORWARD SECTION 27-65-27, MISSISSIPPI CODE OF  
270 1972, WHICH PROVIDES FOR THE ISSUANCE OF PERMITS TO ENGAGE IN  
271 BUSINESS; TO AMEND SECTION 27-69-13, MISSISSIPPI CODE OF 1972, AND  
272 TO AMEND SECTION 27-69-31, MISSISSIPPI CODE OF 1972, TO ELIMINATE  
273 THE DISCOUNT OR COMPENSATION PROVIDED TO DEALERS AS COMPENSATION  
274 FOR THEIR SERVICES IN AFFIXING TOBACCO TAX STAMPS REQUIRED UNDER  
275 THE STATE TOBACCO TAX LAW; TO AMEND SECTION 27-69-75, MISSISSIPPI  
276 CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND  
277 SECTION 27-71-11, MISSISSIPPI CODE OF 1972, TO INCREASE THE MARKUP  
278 ON THE COST OF ALCOHOLIC BEVERAGES; TO AMEND SECTION 27-71-303,  
279 MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL PRIVILEGE TAX ON  
280 RETAIL AND WHOLESALE SELLERS OF BEER AND LIGHT WINES; TO AMEND



281 SECTION 39-5-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE  
282 DEPARTMENT OF ARCHIVES AND HISTORY TO CHARGE FEES FOR THE  
283 DEPARTMENT TO PERFORM RESEARCH ON BEHALF OF PERSONS OR ENTITIES;  
284 TO AMEND SECTION 41-3-18, MISSISSIPPI CODE OF 1972, TO PROVIDE  
285 THAT THE STATE BOARD OF HEALTH SHALL CHARGE AN ADDITIONAL FEE FOR  
286 FOOD ESTABLISHMENT PERMITS AND PRIVATE WATER SUPPLY APPROVALS; TO  
287 AMEND SECTION 41-4-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE  
288 STATE BOARD OF MENTAL HEALTH TO CHARGE COUNTIES FOR SERVICES  
289 PROVIDED TO PATIENTS IN MENTAL HEALTH CRISIS INTERVENTION CENTERS;  
290 TO BRING FORWARD SECTIONS 41-7-71, 41-71-73 AND 41-71-79,  
291 MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CHARGING THE COSTS OF  
292 PROVIDING CARE AND TREATMENT TO PERSONS AT STATE MENTAL  
293 INSTITUTIONS; TO AMEND SECTION 45-1-29, MISSISSIPPI CODE OF 1972,  
294 TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO SET AND COLLECT FEES  
295 FOR SERVICES RENDERED BY THE MISSISSIPPI CRIME LABORATORY IN  
296 AMOUNTS THAT WILL RECOVER THE COSTS TO THE CRIME LABORATORY; TO  
297 BRING FORWARD SECTION 49-17-30, MISSISSIPPI CODE OF 1972, WHICH  
298 PROVIDES FOR THE ISSUANCE OF AN AIR OPERATING PERMIT UNDER THE  
299 FEDERAL CLEAN AIR ACT BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY;  
300 TO AMEND SECTION 49-17-421, MISSISSIPPI CODE OF 1972, TO PROVIDE  
301 THAT THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL CHARGE AN  
302 ADDITIONAL FEE FOR UNDERGROUND STORAGE TANKS; TO PROVIDE THAT  
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313 IDENTIFICATION CARDS ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY; TO



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320 FEES FOR THE ISSUANCE OF TEMPORARY DRIVING PERMITS, DUPLICATE  
321 COPIES OF DRIVERS' LICENSES OR TEMPORARY DRIVING PERMITS,  
322 REINSTATEMENT OF SUSPENDED DRIVERS' LICENSES, AND CLASS A, CLASS B  
323 AND CLASS C COMMERCIAL DRIVERS' LICENSES; TO BRING FORWARD SECTION  
324 63-1-81, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR APPLICATION  
325 FEES FOR COMMERCIAL DRIVER'S LICENSES; TO BRING FORWARD SECTION  
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327 OWNERS OR OPERATORS TO HAVE INSURANCE CARDS IN THEIR MOTOR  
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329 INCREASE THE FEES FOR ISSUING AND PROCESSING MOTOR VEHICLE  
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331 7-3-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF  
332 STATE SHALL PROVIDE FOR THE ANNUAL PUBLICATION OF A JUDICIARY  
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340 AMEND SECTION 75-9-525, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
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342 SECURED TRANSACTIONS UNDER THE UNIFORM COMMERCIAL CODE; TO AMEND  
343 SECTION 75-63-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
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359 GAMING EMPLOYEE; AND FOR RELATED PURPOSES."

*cr/js*

