

**REPORT OF CONFERENCE COMMITTEE**

**# 2**

**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.....		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                 Vehicles.....		0.00
26                 Wireless Communication Devices.....		0.00



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.

65 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.

74 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.

85 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

91 directed to undertake appropriate legal action to enforce the  
92 provisions of this act and to recover said funds.

93         **SECTION 4.** It is the intention of the Legislature that  
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  
98 shall be given preference. A similar preference shall be given to  
99 the Mississippi Industries for the Blind whenever purchases are  
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  
104 warrants issued by the State Fiscal Officer; and the State Fiscal  
105 Officer shall issue his warrants upon requisitions signed by the  
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.

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

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

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X (SIGNED)  
Gordon

X (SIGNED)  
Stringer

X (SIGNED)  
Gollott

X (SIGNED)  
Read

X (SIGNED)  
Moffatt

X (SIGNED)  
Miles