

By: Representatives Foster, Barnett (92nd), To: Appropriations  
Bowles, Broomfield, Coleman (29th), Denny,  
Flaggs, Livingston, Maples, McCoy, McInnis

HOUSE BILL NO. 1589  
(As Passed the House)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION; AND FOR RELATED  
4 PURPOSES, FOR THE FISCAL YEAR 2000.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. The following sum, or so much thereof as may be  
7 necessary, is hereby appropriated out of any money in the State  
8 Treasury to the credit of the Department of Transportation Funds,  
9 for the purpose of defraying the administrative expenses of the  
10 Mississippi Department of Transportation for the fiscal year  
11 beginning July 1, 1999, and ending June 30, 2000.....  
12 ..... \$ 963,727,779.00.

13 SECTION 2. The following offices are supported by the funds  
14 appropriated in Section 1: The Office of Administrative Services,  
15 the Office of Highways, the Office of Aeronautics and Rails and  
16 the Office of Enforcement. Of the funds appropriated under the  
17 provisions of Section 1, not more than the amounts set forth below  
18 shall be expended for the respective major objects or purposes of  
19 expenditure:

20 MAJOR OBJECTS OF EXPENDITURE:

21 Personal Services:

22 Salaries, Wages and Fringe Benefits.. \$ 117,240,878.00  
23 Travel and Subsistence..... 3,595,253.00  
24 Contractual Services..... 87,530,284.00  
25 Commodities..... 26,405,943.00

26 Capital Outlay:

27 Other Than Equipment..... 617,687,268.00

28	Equipment.....	13,414,153.00
29	Subsidies, Loans and Grants.....	<u>97,854,000.00</u>
30	Total.....	\$ 963,727,779.00

31 AUTHORIZED POSITIONS:

32	Permanent: Full Time. . . . .	3,450
33	Part Time. . . . .	17
34	Time-Limited: Full Time. . . . .	0
35	Part Time. . . . .	0

36 From the funds provided in the budget category "Personal  
37 Services: Salaries, Wages and Fringe Benefits," funds may be  
38 expended for the following purposes, in compliance with the  
39 policies established by the State Personnel Board and any  
40 conditions placed on such expenditures:

41 (a) The components of the Variable Compensation Plan  
42 shall be maintained within the constraints of the funds  
43 appropriated herein.

44 (b) Funds are provided to adjust the Variable  
45 Compensation Plan, including realignment, to ensure that all  
46 full-time employees with at least six (6) months of continuous  
47 current service, as of June 30, 1999, receive an increase of One  
48 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to  
49 adjust critical job classes up to an additional One Thousand  
50 Dollars (\$1,000.00).

51 (c) If an employee is currently at or above the end  
52 salary for his or her job classification, then the increase shall  
53 be built into the employee's base salary. To be eligible for any  
54 increase authorized in this section, employees may not have a  
55 current performance rating below "meets expectations" as of the  
56 effective date of the increase. Employees who subsequently  
57 receive a performance rating of "meets expectations" or above  
58 during Fiscal Year 2000 shall receive the salary increase  
59 effective the date of the rating.

60 It is the agency's responsibility to make certain that funds

61 required to be appropriated for "Personal Services" for Fiscal  
62 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for  
63 that purpose unless programs or positions are added to the  
64 agency's budget by the Mississippi Legislature.

65 Any transfers or escalations shall be made in accordance with  
66 the terms, conditions and procedures established by law.

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

71 SECTION 3. Of the funds appropriated to the Mississippi  
72 Department of Transportation under the provisions of Section 1 and  
73 authorized for expenditure in Section 2, the following amounts  
74 shall be available for expenditure in the program budgets as  
75 required by Section 27-103-127, Mississippi Code of 1972:

76	Administration and Other Expenses.....	\$ 48,295,796.00
77	Construction.....	\$ 746,499,940.00
78	Maintenance.....	\$ 132,213,903.00
79	Debt Service.....	\$ 24,750,000.00
80	Law Enforcement.....	\$ 8,295,680.00
81	Aeronautics and Rails.....	\$ 3,672,460.00

82 SECTION 4. Of the funds appropriated in Section 1 and  
83 authorized for expenditure in Section 2, it is the intention of  
84 the Legislature that One Hundred Thousand Dollars (\$100,000.00)  
85 shall be transferred to the Department of Wildlife, Fisheries and  
86 Parks for the Beaver Control or Eradication Program during the  
87 Fiscal Year 2000.

88 SECTION 5. With the funds provided herein, it is the  
89 intention of the Legislature that the department set aside One  
90 Million Dollars (\$1,000,000.00) for the Emergency Contingency  
91 Fund. These funds will be taken from existing funds at the  
92 department's discretion from July 1, 1999, through March 31, 2000,  
93 at which time any unexpended funds can be utilized by the

94 department for normal operations. These funds may be used for the  
95 correcting of hazardous road conditions due to inclement weather  
96 or acts of God.

97 SECTION 6. Of the funds appropriated to the Mississippi  
98 Department of Transportation, Three Hundred Thousand Dollars  
99 (\$300,000.00) shall be used for the Statewide Litter Prevention  
100 Program.

101 SECTION 7. It is the intention of the Legislature that the  
102 Mississippi Department of Transportation shall have the authority  
103 to escalate and expend funds from any proceeds arising from  
104 participation in drug seizure activities not to exceed Fifty  
105 Thousand Dollars (\$50,000.00).

106 SECTION 8. Of the construction funds appropriated in Section  
107 1 and allocated in Section 2, it is the intention of the  
108 Legislature that priority shall be given in letting paving  
109 contracts on grade, drain and bridge projects which have been  
110 completed for six (6) months or more. This action will not  
111 prohibit the Department of Transportation from letting paving  
112 contracts on grade, drain and bridge projects which have been  
113 completed for less than six (6) months.

114 SECTION 9. Of the funds appropriated in Section 1 and  
115 allocated in Section 2, it is the intention of the Legislature  
116 that an amount no less than One Million Dollars (\$1,000,000.00)  
117 shall be utilized to repair and maintain welcome centers,  
118 hospitality centers and rest areas located on the highways of  
119 Mississippi.

120 SECTION 10. It is the intention of the Legislature that the  
121 Executive Director of the Department of Transportation may  
122 transfer between the various programs authorized in Section 3  
123 funds not to exceed five percent (5%) of the total funds  
124 authorized in Section 1, except that transfers cannot be made into  
125 the "Administration and Other Expense Program." The Executive  
126 Director of the Department of Transportation shall submit written

127 justification for the transfer to the Legislative Budget Office  
128 and the Department of Finance and Administration on or before the  
129 fifteenth of the month prior to the effective date of the  
130 transfer.

131 SECTION 11. It is the intention of the Legislature that the  
132 Department of Transportation be allowed to escalate its budget in  
133 the "Capital Outlay" major object of expenditure and the  
134 appropriate corresponding program, with funds generated as a  
135 result of third party damages an amount not to exceed Two Million  
136 Dollars (\$2,000,000.00).

137 SECTION 12. The money herein appropriated shall be paid by  
138 the State Treasurer out of any money in the State Treasury to the  
139 credit of the proper fund or funds as set forth in this act, upon  
140 warrants issued by the State Fiscal Officer; and the State Fiscal  
141 Officer shall issue his warrants upon requisitions signed by the  
142 proper person, officer or officers, in the manner provided by law.

143 SECTION 13. This act shall take effect and be in force from  
144 and after July 1, 1999.