

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

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

H.B. No. 1589: Appropriation; Mississippi Department of Transportation.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.**
- 2. That the House and Senate adopt the following amendment:**

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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..... 97,854,000.00
 30 Total..... \$ 963,727,779.00

31 AUTHORIZED POSITIONS:

32	Permanent:	Full Time.	3,470
33		Part Time.	19
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.....	\$ 43,572,069.00
77	Construction.....	\$ 712,536,340.00
78	Maintenance.....	\$ 137,607,052.00
79	Debt Service.....	\$ 51,770,000.00
80	Law Enforcement.....	\$ 9,249,542.00
81	Aeronautics, Rails and other.....	\$ 8,992,776.00

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 Agriculture and Commerce
86 for the Beaver Control or Eradication Program during the Fiscal
87 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 ten percent (10%) 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 Mississippi Department of Transportation is
138 hereby authorized and directed to conduct a pilot maintenance
139 project on U. S. Highway 78 between the Tennessee and Alabama
140 state lines that is projected to save the department monies over a
141 five-year period.

142 SECTION 13. Of the funds herein appropriated, funds in the
143 amount of Two Hundred Thousand Dollars (\$200,000.00) are provided
144 to construct turn lanes to Highway 145 to improve safety and
145 accessibility to Saltillo High School at Saltillo.

146 SECTION 14. With the funds provided herein, the department
147 may reallocate the appropriate existing positions to the following
148 titles: One (1) DOT-Assistant to the Commissioner and six (6)
149 DOT-District Surveyors.

150 SECTION 15. In addition to all other sums heretofore
151 appropriated, the following sum, or so much thereof as may be
152 necessary, is hereby appropriated out of any money in the State
153 Treasury to the credit of the Department of Transportation, for
154 the purpose of defraying the expenses to the Department of
155 Transportation in the Major Objects Of Expenditure "Contractual
156 Services" and the appropriate corresponding program for the fiscal
157 year ending June 30, 1999..... \$ 15,000,000.00,
158 and in the Major Objects Of Expenditure "Capital Outlay: Other
159 Than Equipment" and the appropriate corresponding program for the
160 fiscal year ending June 30, 1999..... \$ 40,000.000.00.

161 SECTION 16. Of the funds appropriated, whatever amount as
162 may be necessary shall be used to begin the process of
163 reestablishing and reopening the rest area at Pocahontas on
164 Highway 49 North.

165 SECTION 17. Funds are provided herein to establish new job
166 classifications of DOT - Rails Inspectors, as approved by the
167 State Personnel Board.

168 SECTION 18. The following sum, or so much thereof as may be

169 necessary, is hereby reappropriated out of any money not expended
170 in Fiscal Year 1999 by the Department of Transportation in the
171 equipment category for the fiscal year beginning July 1, 1999, and
172 ending June 30, 2000..... \$ 3,400,000.00.

173 SECTION 19. Of the funds appropriated under the provisions
174 of Section 1 and allocated under the provisions of Section 2 to
175 the budget category "Salaries, Wages and Fringe Benefits," funds
176 are provided to establish the following positions: One (1)
177 Database Analyst I, two (2) Programmer Analysts II, one (1)
178 Business Systems Analyst II, two (2) Systems Administrators II,
179 one (1) Senior Systems Specialist, one (1) Senior Network
180 Specialist, one (1) Systems Manager II, one (1) Business Systems
181 Analyst II, two (2) DOT-Assistants to the Commissioner and one (1)
182 DOT-State Surveyor.

183 SECTION 20. The money herein appropriated shall be paid by
184 the State Treasurer out of any money in the State Treasury to the
185 credit of the proper fund or funds as set forth in this act, upon
186 warrants issued by the State Fiscal Officer; and the State Fiscal
187 Officer shall issue his warrants upon requisitions signed by the
188 proper person, officer or officers, in the manner provided by law.

189 SECTION 21. This act shall take effect and be in force from
190 and after July 1, 1999, except Section 15 which shall be in force
191 from and after its passage.

**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 FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE

3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION; AND FOR RELATED
4 PURPOSES, FOR THE FISCAL YEARS 1999 AND 2000.

CONFEREES FOR THE HOUSE:

CONFEREES FOR THE SENATE:

X
Charlie Capps, Jr.

X
Terry C. Burton

X
Ted Foster

X
Tommy A. Gollott

X
Percy L. Maples

X
William R. Minor