HOUSE BILL NO. 1152

1. AN ACT TO AMEND SECTION 19-13-21, MISSISSIPPI CODE OF 1972,
   TO INCREASE THE MAXIMUM AMOUNT THAT MAY BE EXPENDED BY THE BOARD
   OF SUPERVISORS OF ANY COUNTY FOR THE REPAIR OF COUNTY VEHICLES,
   ROAD MACHINERY OR EQUIPMENT AFTER THE FIRST DAY OF JULY IN THE
   LAST YEAR OF A TERM OF OFFICE FOR MEMBERS OF THE BOARD OF
   SUPERVISORS; TO AMEND SECTION 23-15-881, MISSISSIPPI CODE OF 1972,
   TO INCREASE THE MAXIMUM NUMBER OF PERSONS THAT THE BOARD OF
   SUPERVISORS OF ANY COUNTY OR A MEMBER OF A BOARD OF SUPERVISORS
   MAY AUTHORIZE DURING AN ELECTION YEAR FOR MEMBERS OF THE BOARD OF
   SUPERVISORS TO BE EMPLOYED TO PERFORM ROAD WORK IN THE COUNTY OR A
   SUPERVISORS DISTRICT; TO INCREASE THE MAXIMUM AMOUNT OF WAGES OR
   OTHER COMPENSATION THAT THE BOARD OF SUPERVISORS OF ANY COUNTY OR
   A MEMBER OF A BOARD OF SUPERVISORS MAY AUTHORIZE DURING AN
   ELECTION YEAR FOR MEMBERS OF THE BOARD OF SUPERVISORS TO BE PAID
   FOR LABOR PERFORMED IN WORKING AND MAINTAINING THE PUBLIC ROADS OF
   THE COUNTY OR A SUPERVISORS DISTRICT OF THE COUNTY; AND FOR
   RELATED PURPOSES.

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

SECTION 1. Section 19-13-21, Mississippi Code of 1972, is
amended as follows:

19-13-21. The board of supervisors of any county which owns
any tractor, truck, or other road machinery or equipment, or any
district which owns any such machinery or equipment, may at any
time have the same repaired, or purchase necessary repair parts
therefor, where it is necessary to use such machinery or equipment
in constructing, reconstructing, or maintaining the public roads,
whether or not there is then a sufficient amount in the fund out
of which the cost thereof must be paid to pay the same. The claim
for such repairs or repair parts shall be allowed in due course
when filed, and be paid in its proper order as other claims.
However, if any repairs herein permitted to be made after the
first day of July of the last year of the term of office of the
members of the board making such repairs shall exceed the sum of
Two Thousand Five Hundred Dollars ($2,500.00), such repairs shall
not be made unless and until the board of supervisors, or a majority of the members thereof, shall have authorized the making of such repairs at a regular meeting of such board, or a special meeting called for that purpose.

SECTION 2. Section 23-15-881, Mississippi Code of 1972, is amended as follows:

23-15-881. (1) It shall be unlawful for the Mississippi Transportation Commission or any member of the Mississippi Transportation Commission ** to employ, during the months of May, June, July and August of any year in which a general primary election is held for the nomination and election of members of the Transportation Commission ** a greater number of persons to work and maintain the state highways, in any highway district ** than the average number of persons employed for similar purposes in such highway district ** during the months of May, June, July and August of the three (3) years immediately preceding the year in which such general primary election is held.

It shall be unlawful for the Mississippi Transportation Commission ** to expend out of the state highway funds **, in the payment of wages or other compensation for labor performed in working and maintaining the highways of any highway district, ** during the months of May, June, July and August of such election year, a total amount in excess of the average total amount expended for such labor, in such highway district ** during the corresponding four (4) months' period of the three (3) years immediately preceding.

(2) It shall be the duty of the Transportation Commission ** to keep sufficient records of the numbers of employees and expenditures made for labor on the state highways of each highway district ** for the months of May, June, July and August of each year, to show the number of persons employed for such work in each highway district ** during said four (4) months' period, and the total amount expended in the payment of
salaries and other compensation to such employees, so that it may be ascertained, from an examination of such records, whether or not the provisions of this chapter have been violated.

(3) (a) It shall be unlawful for the board of supervisors of any county or any member of the board of supervisors of a county, to employ, during the months of May, June, July and August of any year in which a general primary election is held for the nomination and election of members of the boards of supervisors, a number of persons to work and maintain the public roads of the county or of any supervisors district of the county, as the case may be, that exceeds ten percent (10%) of the number of persons employed for similar purposes in such county or supervisors district during the corresponding four (4) months' period of the first year of that term of office.

(b) It shall be unlawful for the board of supervisors of any county to expend out of the road funds of the county or any supervisors district of the county, as the case may be, in the payment of wages or other compensation for labor performed in working and maintaining the public roads of the county or any supervisors district of the county, as the case may be, during the months of May, June, July and August of any year in which a general primary election is held for the nomination and election of members of the boards of supervisors, a total amount that exceeds by more than twenty-five percent (25%) the total amount expended for such labor in the county or such supervisors district during the corresponding four (4) months' period of the first year of that term of office.

(4) It is provided, however, because of the abnormal conditions existing in certain counties of the state due to recent floods in which roads and bridges have been materially damaged or washed away and destroyed, if the board of supervisors in any county passes a resolution as provided in Section 19-9-11, Mississippi Code of 1972, for the emergency issuance of road and...
SECTION 3. This act shall take effect and be in force from and after its passage.