

By: Senator(s) Gordon, Thames, Gollott,
Carlton, Farris, Frazier, Harden, Jackson,
Walden

To: Appropriations

SENATE BILL NO. 2963
(As Sent to Governor)

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 2004.

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

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, 2003, and ending
11 June 30, 2004..... \$ 239,890.00.

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..	\$	155,090.00
19	Travel and Subsistence.....		15,000.00
20	Contractual Services.....		63,800.00
21	Commodities.....		6,000.00
22	Capital Outlay:		
23	Other Than Equipment.....		0.00
24	Equipment.....		0.00
25	Subsidies, Loans and Grants.....		0.00
26	Total.....	\$	239,890.00

27 AUTHORIZED POSITIONS:



28	Permanent:	Full Time.....	3
29		Part Time.....	0
30	Time-Limited:	Full Time.....	0
31		Part Time.....	0

32 With the funds herein appropriated, it is the intention of
33 the Legislature that it shall be the agency's responsibility to
34 make certain that funds required to be appropriated for "Personal
35 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
36 funds appropriated for that purpose, unless programs or positions
37 are added to the agency's Fiscal Year 2005 budget by the
38 Mississippi Legislature. Based on data provided by the
39 Legislative Budget Office, the State Personnel Board shall
40 determine and publish the projected annual cost to fully fund all
41 appropriated positions in compliance with the provisions of this
42 act. It shall be the responsibility of the agency head to insure
43 that no single personnel action increases this projected annual
44 cost and/or the Fiscal Year 2004 appropriation for "Personal
45 Services" when annualized. If, at the end of any calendar month,
46 the State Personnel Board determines that the agency has taken
47 action(s) which would cause the agency to exceed this projected
48 annual cost or the Fiscal Year 2004 "Personal Services"
49 appropriated level, when annualized, then only those actions which
50 reduce the projected annual cost and/or the appropriation
51 requirement will be processed by the State Personnel Board until
52 such time as the requirements of this provision are met.

53 Any transfers or escalations shall be made in accordance with
54 the terms, conditions, and procedures established by law, except
55 that no transfers shall be authorized which increase the major
56 object of expenditure "Travel and Subsistence".

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



61 **SECTION 3.** It is the intention of the Legislature that none
62 of the funds appropriated under the provisions of this act shall
63 be expended to defray any expenses of the Motor Vehicle Commission
64 if said commission takes any official actions during Fiscal Year
65 2004 that serve directly or indirectly to reduce the payment to
66 the State General Fund of any sales tax on motor vehicles sold
67 within the State of Mississippi.

68 It is further the intention of the Legislature that if such
69 actions are taken by the Motor Vehicle Commission during Fiscal
70 Year 2004, the executive director and commission members shall be
71 held personally liable for repayment of any funds expended under
72 the provisions of this act with said repayment to be made to the
73 State General Fund. The Attorney General is hereby authorized and
74 directed to undertake appropriate legal action to enforce the
75 provisions of this act and to recover said funds.

76 **SECTION 4.** The money herein appropriated shall be paid by
77 the State Treasurer out of any money in the State Treasury to the
78 credit of the proper fund or funds as set forth in this act, upon
79 warrants issued by the State Fiscal Officer; and the State Fiscal
80 Officer shall issue his warrants upon requisitions signed by the
81 proper person, officer or officers in the manner provided by law.

82 **SECTION 5.** This act shall take effect and be in force from
83 and after July 1, 2003.

