

By: Senator(s) Gordon, Little, Gollott,
Kirby, Moffatt, Thames

To: Appropriations

SENATE BILL NO. 3050

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 2007.

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, 2006, and ending
11 June 30, 2007..... \$ 285,513.00.

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..	\$	193,499.00
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	Subsidies, Loans and Grants.....		0.00
26	Total.....	\$	285,513.00

27 AUTHORIZED POSITIONS:

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

32 Funds are provided herein to adjust the Variable Compensation
33 Plan to ensure that all full-time employees receive a pay increase
34 equal to the realignment component of the Variable Compensation
35 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
36 beginning on July 1, 2006.

37 Pursuant to policies established by the State Personnel
38 Board, agency heads may, on a case by case basis and within funds
39 available, recommend equity salary adjustments to Fiscal Year 2006
40 agency appropriation acts where application of limitations result
41 in awarding one employee a salary increase greater than another
42 employee within the same agency, with the same job classification
43 series and greater longevity.

44 With the funds herein appropriated, it is the intention of
45 the Legislature that it shall be the agency's responsibility to
46 make certain that funds required to be appropriated for "Personal
47 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
48 funds appropriated for that purpose, unless programs or positions
49 are added to the agency's Fiscal Year 2008 budget by the
50 Mississippi Legislature. Based on data provided by the
51 Legislative Budget Office, the State Personnel Board shall
52 determine and publish the projected annual cost to fully fund all
53 appropriated positions in compliance with the provisions of this
54 act. It shall be the responsibility of the agency head to insure
55 that no single personnel action increases this projected annual
56 cost and/or the Fiscal Year 2007 appropriation for "Personal
57 Services" when annualized, with the exception of escalated funds.
58 If, at the time the agency takes any action to change "Personal
59 Services," the State Personnel Board determines that the agency
60 has taken an action which would cause the agency to exceed this

61 projected annual cost or the Fiscal Year 2007 "Personal Services"
62 appropriated level, when annualized, then only those actions which
63 reduce the projected annual cost and/or the appropriation
64 requirement will be processed by the State Personnel Board until
65 such time as the requirements of this provision are met.

66 Any transfers or escalations shall be made in accordance with
67 the terms, conditions and procedures established by law or
68 allowable under the terms set forth within this act. The State
69 Personnel Board shall not escalate positions without written
70 approval from the Department of Finance and Administration. The
71 Department of Finance and Administration shall not provide written
72 approval to escalate any funds for salaries and/or positions
73 without proof of availability of new or additional funds above the
74 appropriated level.

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

79 **SECTION 3.** It is the intention of the Legislature that none
80 of the funds appropriated under the provisions of this act shall
81 be expended to defray any expenses of the Motor Vehicle Commission
82 if said commission takes any official actions during Fiscal Year
83 2007 that serve directly or indirectly to reduce the payment to
84 the State General Fund of any sales tax on motor vehicles sold
85 within the State of Mississippi.

86 It is further the intention of the Legislature that if such
87 actions are taken by the Motor Vehicle Commission during Fiscal
88 Year 2007, the executive director and commission members shall be
89 held personally liable for repayment of any funds expended under
90 the provisions of this act with said repayment to be made to the
91 State General Fund. The Attorney General is hereby authorized and
92 directed to undertake appropriate legal action to enforce the
93 provisions of this act and to recover said funds.

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

100 **SECTION 5.** This act shall take effect and be in force from
101 and after July 1, 2006.