

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

To: Appropriations

SENATE BILL NO. 3055

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE  
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2007.

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

5 SECTION 1. The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 Treasury to the credit of the Office of State Aid Road  
8 Construction Fund, for the purpose of defraying the expenses of  
9 the Office of State Aid Road Construction of the Mississippi  
10 Department of Transportation for the fiscal year beginning  
11 July 1, 2006, and ending June 30, 2007..... \$ 118,833,449.00.

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..	\$	2,459,845.00
19	Travel and Subsistence.....		38,959.00
20	Contractual Services.....		325,000.00
21	Commodities.....		50,000.00

22 Capital Outlay:

23	Other Than Equipment.....		0.00
24	Equipment.....		43,007.00
25	Subsidies, Loans and Grants.....		<u>115,916,638.00</u>
26	Total.....	\$	118,833,449.00

27 FUNDING:

28	General Funds.....	\$	0.00
29	Special Funds.....		<u>118,833,449.00</u>
30	Total.....	\$	118,833,449.00

31 AUTHORIZED POSITIONS:

32	Permanent: Full Time.....	41
33	Part Time.....	1
34	Time-Limited: Full Time.....	0
35	Part Time.....	0

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

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

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

61 Services" when annualized, with the exception of escalated funds.  
62 If, at the time the agency takes any action to change "Personal  
63 Services," the State Personnel Board determines that the agency  
64 has taken an action which would cause the agency to exceed this  
65 projected annual cost or the Fiscal Year 2007 "Personal Services"  
66 appropriated level, when annualized, then only those actions which  
67 reduce the projected annual cost and/or the appropriation  
68 requirement will be processed by the State Personnel Board until  
69 such time as the requirements of this provision are met.

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

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

83 **SECTION 3.** It is the intention of the Legislature that the  
84 Office of State Aid Road Construction shall maintain complete  
85 accounting and personnel records related to the expenditure of all  
86 funds appropriated under this act and that such records shall be  
87 in the same format and level of detail as maintained for Fiscal  
88 Year 2006. It is further the intention of the Legislature that  
89 the agency's budget request for Fiscal Year 2008 shall be  
90 submitted to the Joint Legislative Budget Committee in a format  
91 and level of detail comparable to the format and level of detail  
92 provided during the Fiscal Year 2007 budget request process.

93           **SECTION 4.** It is the intention of the Legislature that the  
94 Office of State Aid Road Construction shall have the authority to  
95 accept, budget and expend funds, comprised of special funds to the  
96 office, not to exceed Thirty-five Million Dollars (\$35,000,000.00)  
97 for the purpose of replacement of structurally deficient bridges  
98 on the state's county roads. Such funds are to be escalated in  
99 accordance with procedures for federal fund escalations as  
100 established in Section 27-104-21, Mississippi Code of 1972, and  
101 expended for the purposes of performing such duties as set forth  
102 by law in accordance with applicable rules and regulations of the  
103 State Fiscal Officer.

104           **SECTION 5.** Of the funds appropriated in Section 1 of this  
105 act, the Office of State Aid Road Construction is authorized to  
106 reimburse Adams County in the amount of Five Hundred Thousand  
107 Dollars (\$500,000.00) from unobligated State Aid Road funds  
108 allocated to Adams County for the 2004 - 2007 term of office of  
109 members of the board of supervisors to match federal aid funds of  
110 the Surface Transportation Program administered by the Mississippi  
111 Department of Transportation for the project known as Government  
112 Fleet Road Extension that is designated as the Intermodal  
113 Connector Route 83, Adams County, Mississippi.

114           **SECTION 6.** It is the intention of the Legislature that none  
115 of the funds appropriated above shall be expended unless members  
116 of the Mississippi Senate and House of Representatives are  
117 notified at least five (5) days prior to a public ceremony  
118 announcing the award of any grant in their district or any public  
119 announcement or ceremony regarding the groundbreaking or opening  
120 of a facility, roadway or bridge for which the Legislature has  
121 made funds available. Any signage regarding any public event or  
122 any new facility, roadway or bridge shall include the following  
123 language: "Funds were made available for this project by the  
124 Mississippi State Legislature."

125           **SECTION 7.** It is the intention of the Legislature that the  
126 Office of State Aid Road Construction may accept, budget and  
127 expend funds not to exceed Three Hundred Thousand Dollars  
128 (\$300,000.00) out of funds received from the Mississippi  
129 Development Authority as reimbursement for actual expenses  
130 incurred by the Office of State Aid Road Construction for  
131 administering and providing engineering services to political  
132 subdivisions as authorized under Section 65-4-15, Mississippi Code  
133 of 1972, subject to and in accordance with rules and regulations  
134 of the Department of Finance and Administration in a manner  
135 consistent with the escalation of federal funds. Any escalated  
136 funds shall be deposited into the Office of State Aid Roads  
137 Administrative Fund, a special fund hereby created in the State  
138 Treasury, for the fiscal year beginning July 1, 2006, and ending  
139 June 30, 2007.

140           **SECTION 8.** The office of State Aid Road Construction of the  
141 Mississippi Department of Transportation shall be exempt from any  
142 transfer of special funds into the State General Fund or the  
143 Budget Contingency Fund created in Section 27-103-301, that is  
144 directed or authorized by the Department of Finance and  
145 Administration or by the State Treasurer.

146           **SECTION 9.** The money herein appropriated shall be paid by  
147 the State Treasurer out of any money in the State Treasury to the  
148 credit of the proper fund or funds as set forth in this act, upon  
149 warrants issued by the State Fiscal Officer; and the State Fiscal  
150 Officer shall issue his warrants upon requisitions signed by the  
151 proper person, officer or officers in the manner provided by law.

152           **SECTION 10.** This act shall take effect and be in force from  
153 and after July 1, 2006.