

By: Senator(s) Clarke, Hopson, Wilemon,  
Butler, McDaniel, Seymour

To: Appropriations

SENATE BILL NO. 2979

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 2019.

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, 2018, and ending  
11 June 30, 2019.....\$ 354,956.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of  
13 this act, the following positions are authorized:

14 AUTHORIZED POSITIONS:

15	Permanent:	Full Time.....	3
16		Part Time.....	0
17	Time-Limited:	Full Time.....	0
18		Part Time.....	0



19           With the funds herein appropriated, it shall be the agency's  
20 responsibility to make certain that funds required to be  
21 appropriated for "Personal Services" for Fiscal Year 2020 do not  
22 exceed Fiscal Year 2019 funds appropriated for that purpose,  
23 unless programs or positions are added to the agency's Fiscal Year  
24 2019 budget by the Mississippi Legislature. Based on data  
25 provided by the Legislative Budget Office, the State Personnel  
26 Board shall determine and publish the projected annual cost to  
27 fully fund all appropriated positions in compliance with the  
28 provisions of this act. It shall be the responsibility of the  
29 agency head to ensure that no single personnel action increases  
30 this projected annual cost and/or the Fiscal Year 2019  
31 appropriations for "Personal Services" when annualized, with the  
32 exception of escalated funds and the award of benchmarks. If, at  
33 the time the agency takes any action to change "Personal  
34 Services," the State Personnel Board determines that the agency  
35 has taken an action which would cause the agency to exceed this  
36 projected annual cost or the Fiscal Year 2019 "Personal Services"  
37 appropriated level, when annualized, then only those actions which  
38 reduce the projected annual cost and/or the appropriation  
39 requirement will be processed by the State Personnel Board until  
40 such time as the requirements of this provision are met.

41           Any transfers or escalations shall be made in accordance with  
42 the terms, conditions and procedures established by law or  
43 allowable under the terms set forth within this act. The State



44 Personnel Board shall not escalate positions without written  
45 approval from the Department of Finance and Administration. The  
46 Department of Finance and Administration shall not provide written  
47 approval to escalate any funds for salaries and/or positions  
48 without proof of availability of new or additional funds above the  
49 appropriated level.

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

54 None of the funds herein appropriated shall be used in  
55 violation of Internal Revenue Service's Publication 15-A relating  
56 to the reporting of income paid to contract employees, as  
57 interpreted by the Office of the State Auditor.

58 **SECTION 3.** It is the intention of the Legislature that  
59 whenever two (2) or more bids are received by this agency for the  
60 purchase of commodities or equipment, and whenever all things  
61 stated in such received bids are equal with respect to price,  
62 quality and service, the Mississippi Industries for the Blind  
63 shall be given preference. A similar preference shall be given to  
64 the Mississippi Industries for the Blind whenever purchases are  
65 made without competitive bids.

66 **SECTION 4.** It is the intention of the Legislature that this  
67 agency shall have the authority to expend funds from any source  
68 that may become available to the agency in accordance with the



69 rules and regulations of the Department of Finance and  
70 Administration in a manner consistent with the escalation of  
71 federal funds for the purpose of funding any increase in health  
72 insurance costs for Fiscal Year 2019, or for the purpose of  
73 funding additional fees, costs or assessments received by the  
74 agency from the Department of Information Technology Services or  
75 the Department of Finance and Administration for Fiscal Year 2019  
76 that may be incurred by the agency as a result of legislation  
77 passed during the 2018 Regular Session of the Legislature and  
78 approved by the Governor. The agency is authorized to escalate  
79 other special funds for the limited purposes provided in this  
80 section in an amount not to exceed Thirteen Thousand Fifty-four  
81 Dollars (\$13,054.00).

82       **SECTION 5.** It is the intention of the Legislature that the  
83 funds herein appropriated shall be expended in compliance with  
84 Section 27-104-25, Mississippi Code of 1972, that no state agency  
85 shall incur obligations or indebtedness in excess of their  
86 appropriation and that the responsible officers, either personally  
87 or upon their official bonds, shall be held responsible for  
88 actions contrary to this provision.

89       **SECTION 6.** The money herein appropriated shall be paid by  
90 the State Treasurer out of any money in the State Treasury to the  
91 credit of the proper fund or funds as set forth in this act, upon  
92 warrants issued by the State Fiscal Officer; and the State Fiscal



93 Officer shall issue his warrants upon requisitions signed by the  
94 proper person, officer or officers in the manner provided by law.

95         **SECTION 7.** This act shall take effect and be in force from  
96 and after July 1, 2018.

