

By: Read, Eakes, Broomfield, Brown, Coleman To: Appropriations
(29th), Denny, Flaggs, Gadd, Livingston,
Martinson, Mitchell

HOUSE BILL NO. 1663
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION; AND FOR RELATED
4 PURPOSES, FOR THE FISCAL YEAR 2001.

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

6 SECTION 1. The following sum, or so much thereof as may be
7 necessary, is hereby appropriated out of any money in the State
8 Treasury to the credit of the Department of Transportation Funds,
9 for the purpose of defraying the administrative expenses of the
10 Mississippi Department of Transportation for the fiscal year
11 beginning July 1, 2000, and ending June 30, 2001.....
12\$ 948,008,743.00.

13 SECTION 2. The following offices are supported by the funds
14 appropriated in Section 1: The Office of Administrative Services,
15 the Office of Highways, the Office of Aeronautics and Rails and
16 the Office of Enforcement. Of the funds appropriated under the
17 provisions of Section 1, not more than the amounts set forth below
18 shall be expended for the respective major objects or purposes of
19 expenditure:

20 MAJOR OBJECTS OF EXPENDITURE:

21 Personal Services:

22 Salaries, Wages and Fringe Benefits...\$ 119,940,583.00
23 Travel and Subsistence..... 3,000,000.00
24 Contractual Services..... 89,300,000.00
25 Commodities..... 23,400,000.00

26 Capital Outlay:

27 Other Than Equipment..... 587,019,191.00

| | | |
|----|----------------------------------|-----------------------|
| 28 | Equipment..... | 12,000,000.00 |
| 29 | Subsidies, Loans and Grants..... | <u>113,348,969.00</u> |
| 30 | Total..... | \$ 948,008,743.00 |

31 AUTHORIZED POSITIONS:

| | | |
|----|------------------------------|-------|
| 32 | Permanent: Full Time..... | 3,505 |
| 33 | Part Time..... | 19 |
| 34 | Time-Limited: Full Time..... | 0 |
| 35 | Part Time..... | 0 |

36 With the funds herein appropriated, it is the intention of
37 the Legislature that it shall be the agency's responsibility to
38 make certain that funds required to be appropriated for "Personal
39 Services" for Fiscal Year 2002 do not exceed Fiscal Year 2001
40 funds appropriated for that purpose, unless programs or positions
41 are added to the agency's Fiscal Year 2002 budget by the
42 Mississippi Legislature. Based on data provided by the
43 Legislative Budget Office, the State Personnel Board shall
44 determine and publish the projected annual cost to fully fund all
45 appropriated positions in compliance with the provisions of this
46 act. It shall be the responsibility of the agency head to insure
47 that no single personnel action increases this projected annual
48 cost and/or the Fiscal Year 2001 appropriation for "Personal
49 Services" when annualized. If, at the end of any calendar month,
50 the State Personnel Board determines that the agency has taken
51 action(s) which would cause the agency to exceed this projected
52 annual cost or the Fiscal Year 2001 "Personal Services"
53 appropriated level, when annualized, then only those actions which
54 reduce the projected annual cost and/or the appropriation
55 requirement will be processed by the State Personnel Board until
56 such time as the requirements of this provision are met.

57 Any transfers or escalations shall be made in accordance with
58 the terms, conditions and procedures established by law.

59 No general funds authorized to be expended herein shall be
60 used to replace federal funds and/or other special funds which are

61 being used for salaries authorized under the provisions of this
62 act and which are withdrawn and no longer available.

63 SECTION 3. Of the funds appropriated to the Mississippi
64 Department of Transportation under the provisions of Section 1 and
65 authorized for expenditure in Section 2, the following amounts
66 shall be available for expenditure in the program budgets as
67 required by Section 27-103-127, Mississippi Code of 1972:

| | | |
|----|--|-------------------|
| 68 | Administration and Other Expenses..... | \$ 55,868,733.00 |
| 69 | Construction..... | \$ 694,768,787.00 |
| 70 | Maintenance..... | \$ 133,833,640.00 |
| 71 | Debt Service..... | \$ 45,146,169.00 |
| 72 | Law Enforcement..... | \$ 8,498,761.00 |
| 73 | Aeronautics, Rails and other..... | \$ 9,892,653.00 |

74 SECTION 4. Of the funds appropriated in Section 1 and
75 authorized for expenditure in Section 2, it is the intention of
76 the Legislature that One Hundred Thousand Dollars (\$100,000.00)
77 shall be transferred to the Department of Agriculture and Commerce
78 for the Beaver Control or Eradication Program during the Fiscal
79 Year 2001.

80 SECTION 5. Of the funds appropriated under the provisions of
81 this act, the Mississippi Department of Transportation may expend
82 out of these funds such sums as may be necessary to provide
83 transportation and transportation related services, including the
84 operation or use of buses, vans or other vehicles owned or leased
85 by the Mississippi Department of Transportation, in support of the
86 annual meeting of the Southern Legislative Conference hosted by
87 the State of Mississippi.

88 SECTION 6. Of the funds appropriated to the Mississippi
89 Department of Transportation, Three Hundred Thousand Dollars
90 (\$300,000.00) shall be used for the Statewide Litter Prevention
91 Program.

92 SECTION 7. It is the intention of the Legislature that the
93 Mississippi Department of Transportation shall have the authority

94 to escalate and expend funds from any proceeds arising from
95 participation in drug seizure activities not to exceed Fifty
96 Thousand Dollars (\$50,000.00).

97 SECTION 8. It is the intention of the Legislature that the
98 Executive Director of the Department of Transportation may
99 transfer between the various programs authorized in Section 3
100 funds not to exceed ten percent (10%) of the total funds
101 authorized in Section 1, except that transfers cannot be made into
102 the "Administration and Other Expense Program." The Executive
103 Director of the Department of Transportation shall submit written
104 justification for the transfer to the Legislative Budget Office
105 and the Department of Finance and Administration on or before the
106 fifteenth of the month prior to the effective date of the
107 transfer.

108 SECTION 9. It is the intention of the Legislature that the
109 Department of Transportation be allowed to escalate its budget in
110 the "Capital Outlay" major object of expenditure and the
111 appropriate corresponding program, with funds generated as a
112 result of third party damages an amount not to exceed Two Million
113 Dollars (\$2,000,000.00).

114 SECTION 10. It is the intention of the Legislature that the
115 Department of Transportation be allowed to escalate its budget in
116 either the "Capital Outlay" or "Commodities" major object of
117 expenditure and the Maintenance Program, with funds which were
118 obligated in Fiscal Year 2000 for maintenance overlay projects and
119 maintenance repair projects but not completed before the end of
120 the Fiscal Year 2000.

121 SECTION 11. The following sum, or so much thereof as may be
122 necessary, is hereby reappropriated out of any money not expended
123 in Fiscal Year 2000 by the Department of Transportation in the
124 equipment category for the fiscal year beginning July 1, 2000, and
125 ending June 30, 2001.....\$ 1,100,000.00.

126 SECTION 12. Of the funds appropriated in Section 1, One

127 Million Five Hundred Thousand Dollars (\$1,500,000.00) shall come
128 from the Mississippi Public Service Special Fund 3811 and Ten
129 Million Dollars (\$10,000,000.00) shall come from the Mississippi
130 Public Service Commission Special Fund 3812, it is the intention
131 of the Legislature that the Department of Transportation shall
132 transfer from any special funds available to the State Department
133 of Transportation except the funds provided by the Mississippi
134 Public Service Commission Eleven Million Five Hundred Thousand
135 Dollars (\$11,500,000.00) to the State General Fund.

136 SECTION 13. The money herein appropriated shall be paid by
137 the State Treasurer out of any money in the State Treasury to the
138 credit of the proper fund or funds as set forth in this act, upon
139 warrants issued by the State Fiscal Officer; and the State Fiscal
140 Officer shall issue his warrants upon requisitions signed by the
141 proper person, officer or officers, in the manner provided by law.

142 SECTION 14. This act shall take effect and be in force from
143 and after July 1, 2000.