

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

To: Appropriations

SENATE BILL NO. 3050  
(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 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..... \$ 285,159.00.

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..	\$	193,145.00
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.....	\$	285,159.00

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 Fifteen Hundred Dollars (\$1,500.00), whichever is greater,  
36 with not more than one-half (1/2) to be awarded on July 1, 2006,  
37 with the remainder to be awarded on January 1, 2007.

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

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

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

73 **SECTION 3.** It is the intention of the Legislature that none  
74 of the funds appropriated under the provisions of this act shall  
75 be expended to defray any expenses of the Motor Vehicle Commission  
76 if said commission takes any official actions during Fiscal Year  
77 2007 that serve directly or indirectly to reduce the payment to  
78 the State General Fund of any sales tax on motor vehicles sold  
79 within the State of Mississippi.

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

88 **SECTION 4.** It is the intention of the Legislature that  
89 whenever two (2) or more bids are received by this agency for the  
90 purchase of commodities or equipment, and whenever all things  
91 stated in such received bids are equal with respect to price,  
92 quality and service, the Mississippi Industries for the Blind

93 shall be given preference. A similar preference shall be given to  
94 the Mississippi Industries for the Blind whenever purchases are  
95 made without competitive bids.

96       **SECTION 5.** The money herein appropriated shall be paid by  
97 the State Treasurer out of any money in the State Treasury to the  
98 credit of the proper fund or funds as set forth in this act, upon  
99 warrants issued by the State Fiscal Officer; and the State Fiscal  
100 Officer shall issue his warrants upon requisitions signed by the  
101 proper person, officer or officers in the manner provided by law.

102       **SECTION 6.** This act shall take effect and be in force from  
103 and after July 1, 2006.