

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

Committee Sub. for SB NO. 2506

By Senator(s) Gordon

8 **Amend by striking all after the enacting clause and inserting**
9 **in lieu thereof the following:**

10

11 SECTION 1. Section 25-1-85, Mississippi Code of 1972, is
12 amended as follows:

13 25-1-85. The following state departments, agencies or
14 institutions are hereby allowed to purchase, own and operate, in
15 strict accordance with the provisions hereof, passenger vehicles
16 not to exceed the following numbers:

17	Office of the Attorney General.....	10
18	Agriculture and Commerce.....	23
19	Department of Economic and Community Development.....	14
20	Experiment Stations.....	16
21	Extension Service.....	1
22	Forestry Commission.....	48
23	Department of Transportation.....	115
24	Military Department.....	5
25	Department of Corrections.....	13
26	Parole Board.....	2
27	Mississippi Department of Public Safety.....	600
28	Division of Plant Industry.....	23
29	State Board of Mental Health.....	2
30	East Mississippi State Hospital.....	1

31 Mississippi State Hospital.....2

32 Alcoholic Beverage Control Division of the

33 Mississippi State Tax Commission.....30

34 Soil and Water Conservation Commission.....3

35 Ellisville State School.....1

36 North Mississippi Retardation Center.....1

37 South Mississippi Retardation Center.....1

38 Board of Health.....10

39 State Oil and Gas Board.....3

40 Each institution of higher learning, for police

41 purposes, provided each institution with

42 more than 6,000 students may have 4.....2

43 Wildlife, Fisheries and Parks.....60

44 Surplus Property Procurement Commission.....4

45 State Tax Commission-station wagons.....2

46 State Tax Commission-automobiles.....6

47 Mississippi Gaming Commission.....60

48 Department of Environmental Quality.....12

49 Pearl River Valley Water Supply District.....7

50 Pearl River Basin Development District.....2

51 Pat Harrison Waterway District.....1

52 Department of Transportation -

53 Office of State Aid Road Construction.....10

54 Tennessee-Tombigbee Waterway Development Authority.....2

55 Fair Commission.....1

56 State Civil Defense Office (including

57 communications vehicle).....4

58 Bureau of Narcotics.....167

59 Mississippi State Port Authority at Gulfport.....6

60 Tombigbee Water Supply District.....3

61 Board of Pharmacy.....4

62 Yellow Creek State Inland Port Authority.....1

63 Boat and Water Safety Commission.....2

64 Department of Archives and History.....2

65 State Fire Fighters Academy (station wagon.....1

66 Office of Capitol Facilities - Capitol Police.....5

67 Office of Building, Grounds and Real Property.....1

68 State Veterans Affairs Board.....15

69 Employment Security Commission.....1

70 Forest Product Utilization Lab.....1

71 Mississippi Board of Nursing.....3

72 Certified Development Company of Mississippi, Inc.....1

73 State Board of Medical Licensure.....4

74 Mississippi Public Employees' Retirement System.....4

75 Mississippi Public Service Commission.....42

76 Department of Human Services.....2

77 Department of Rehabilitation Services.....4

78 Real Estate Commission.....2

79 Mississippi Library Commission - station wagons.....5

80 Boswell Regional Center.....1

81 Hudspeth Regional Center.....1

82 North Mississippi State Hospital.....1

83 South Mississippi State Hospital.....1

84 Motor Vehicle Commission.....1

85 Office of the State Auditor.....20

86 Division of Medicaid, Office of the Governor.....3

87 Department of Marine Resources.....3

88 Central Mississippi Residential Center.....1

89 Juvenile Rehabilitation Center.....1

90 Department of Education.....1

91 Office of the State Fire Marshal.....15

92 Liquefied Compressed Gas Division.....10

93 Except as provided in Sections 25-1-77 through 25-1-93, no
94state department, institution or agency shall purchase, operate or
95maintain any passenger vehicle out of any funds available for the
96use of such department, institution or agency, unless same has
97been or may be donated.

98 All new passenger vehicles purchased by any state department,
99institution, agency, university, community or junior college, or
100local governing authority, except vehicles purchased to be used

101for law enforcement purposes by the law enforcement departments of
102the Mississippi Highway Safety Patrol, Mississippi Department of
103Transportation, Public Service Commission, Mississippi
104Agricultural and Livestock Theft Bureau within the Department of
105Agriculture and Commerce, Tax Commission, State Institutions of
106Higher Learning, Attorney General, and Department of Wildlife,
107Fisheries & Parks, and vehicles used for law enforcement purposes
108or for emergency response purposes by local governing authorities,
109shall be of a fuel-efficient model which meets the needs of the
110using entity. No such new passenger vehicles purchased shall be
111luxury vehicles, utility, carryall or full-size vehicles as
112defined by the industry, unless the executive head of the
113purchasing entity first declares that a special need exists and/or
114special circumstances exist which require transportation of
115passengers in conditions requiring a luxury, utility, carryall or
116full-size vehicle. Upon receipt of such declaration, the Public
117Procurement Review Board created under Section 27-104-7 shall
118disallow the purchase by state agencies if adequate justification
119is not provided. Approval from the Public Procurement Review
120Board is not required for purchases by local governing
121authorities. Furthermore, power windows, power door locks and
122power seats may not be added as options to any vehicle purchased
123by any state agency unless adequate justification is provided. It
124is the intent of the Legislature that each such passenger vehicle
125purchased be the most prudent possible and still adequately meet
126the needs for which the vehicle is purchased. The term "passenger
127vehicle" shall not be construed to mean trucks or motor-driven
128equipment whose primary use is not the transportation of
129passengers.

130 For purposes of this section, passenger vehicle shall be
131defined as a vehicle which is designed to transport four (4) or
132more persons and/or provides adequate seating for at least four
133(4) persons. The terms "luxury vehicle," "full-size vehicle,"
134"utility vehicle" and "carryall vehicle" shall be as defined by
135the industry.

136 Prior to January 1, 1996, the Department of Finance and
137Administration, Office of Purchasing and Travel, in cooperation
138with the Office of the Auditor, Property Control Division, shall
139prepare an inventory of vehicles owned by all state departments,
140agencies or institutions. The inventory shall include, but is not
141limited to, the name of the agency or institution and the quantity
142and primary use of vehicles in each of the following categories:
143subcompact, compact sedan, mid-size sedan, full-size sedan,
144utility vehicle, carryall vehicle, compact pick-up, mid-size
145pick-up, one-half ton pick-up, three-quarter ton pick-up, one ton
146pick-up, passenger van, cargo van, bus, other. This inventory
147shall be used by the 1996 Legislature to determine the need for
148limitations on the quantities of vehicles in each category for
149each entity.

150 Nothing in Sections 25-1-77 through 25-1-93 shall be
151construed to prohibit agencies, departments and institutions from
152purchasing and operating passenger vehicles when used exclusively
153to transport patients, prisoners, students, faculty or staff of
154state institutions, blind and sighted employees essential to
155operate blind training programs or material, products and
156client-trainees in the sheltered workshop program, or bookmobiles.
157 The superintendents of the Columbia Training School and Oakley
158Training School and the Commissioner of Corrections, or staff
159members designated by them, may use such passenger vehicles for
160other official functions and operations of those institutions at
161their discretion. Passenger vehicles or similar vehicles used for
162any other purposes shall be considered as automobiles and subject
163to the restrictions set forth in the aforesaid sections.

164 In addition to the motor vehicles authorized to be owned and
165operated by the Mississippi Department of Public Safety, said
166department is also authorized to receive, own and operate special
167purpose motor vehicles to be used solely in investigations.

168 Of the motor vehicles authorized to be owned and operated by
169the Mississippi Highway Safety Patrol, no more than twenty-one
170(21) vehicles may be kept for use by administrative personnel of

171the patrol whose principal duties are performed at the Highway
172Safety Patrol Headquarters Building and the Drivers' License
173Examining Station in Hinds County to commute to and from the
174residence of said personnel to the office at which such duties are
175regularly performed.

176 Of the motor vehicles authorized to be owned and operated by
177the Mississippi Department of Transportation, not more than five
178(5) vehicles may be kept for use by administrative personnel of
179the department to commute between their residences and the offices
180at which their duties are regularly performed. The executive
181director of the department is authorized to allow additional
182department personnel to commute to and from their residences in
183department vehicles due to the nature of their job and for the
184safety of the traveling public.

185 Of the motor vehicles authorized to be owned and operated by
186the State Tax Commission, no more than four (4) vehicles may be
187kept for use by administrative personnel whose principal duties
188are performed at State Tax Commission offices in Hinds County to
189commute to and from the residence of said personnel to the office
190at which such duties are regularly performed.

191 The provisions of Chapter 226, Laws of 1964, remain in force
192and are not affected by this section.

193 Any state officer, employee or board member who violates any
194of the foregoing provisions of Sections 25-1-77 through 25-1-85
195shall be liable on his or her official bond for the total amount
196of the purchase price of the passenger vehicle, plus the total
197amount of funds expended in violation of said sections for the
198operating costs of such vehicle.

199 SECTION 2. This act shall take effect and be in force from
200and after July 1, 2000.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 25-1-85, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE NUMBER OF STATE-OWNED PASSENGER AUTOMOBILES
3 AUTHORIZED FOR USE BY THE MISSISSIPPI BUREAU OF NARCOTICS, THE

4MISSISSIPPI PUBLIC EMPLOYEES' RETIREMENT SYSTEM, THE CAPITOL
5POLICE, THE STATE FIRE MARSHAL AND THE LIQUEFIED COMPRESSED GAS
6DIVISION; AND FOR RELATED PURPOSES.