

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

House Bill NO. 1596

By Senator(s) Committee

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

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, 2001, and ending June 30, 2002.....
12 \$ 931,705,342.00.

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.. \$ 116,273,420.00

23	Travel and Subsistence.....	2,000,000.00
24	Contractual Services.....	84,959,409.00
25	Commodities.....	27,913,000.00
26	Capital Outlay:	
27	Other Than Equipment.....	600,385,763.00
28	Equipment.....	3,500,000.00
29	Subsidies, Loans and Grants.....	<u>96,673,750.00</u>
30	Total.....	\$ 931,705,342.00

31 AUTHORIZED POSITIONS:

32	Permanent: Full Time.....	3,406
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 2003 do not exceed Fiscal Year 2002
40 funds appropriated for that purpose, unless programs or positions
41 are added to the agency's Fiscal Year 2003 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 2002 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 2002 "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.....	\$ 29,890,822.00
69	Construction.....	\$ 684,215,316.00
70	Maintenance - Roadway.....	\$ 132,561,202.00
71	Maintenance - Property.....	\$ 19,062,130.00
72	Debt Service.....	\$ 49,870,000.00
73	Law Enforcement.....	\$ 7,529,487.00
74	Aeronautics, Rails and other.....	\$ 8,576,385.00

75 SECTION 4. Of the funds appropriated in Section 1 and
76 authorized for expenditure in Section 2, it is the intention of
77 the Legislature that One Hundred Thousand Dollars (\$100,000.00)
78 shall be transferred to the Department of Agriculture and Commerce
79 for the Beaver Control or Eradication Program during the Fiscal
80 Year 2002.

81 SECTION 5. Of the funds appropriated in Section 1 of this
82 act, the Mississippi Department of Transportation shall expend

83 such funds as necessary to acquire and implement a highway segment
84 budget and project management system which shall capture and
85 implement the following for all preliminary engineering,
86 right-of-way and construction contracts:

87 (a) Establishment of a master budget for each segment
88 of highway to be constructed, reconstructed or repaired.

89 (b) Oversight and management of the master budget for
90 segments which will:

91 (i) Establish a reasonable cost estimate to serve
92 as a budget for each project within a segment. For purposes of
93 this provision, projects include preliminary engineering,
94 right-of-way acquisition and construction.

95 (ii) Capture and retain the initial project
96 budgets for comparison with final actual expenditures.

97 (iii) Capture and retain the initial segment
98 budget for comparison with final segment actual expenditures.

99 (iv) Require that any changes to a budget for a
100 project will be reviewed and approved by district or central
101 office personnel. Such personnel shall be responsible for signing
102 any revision, providing a narrative description of the reasons for
103 approving a revision and why other alternative(s) were
104 inappropriate.

105 (v) With existing resources, develop an
106 information system to provide the Legislature, managers and the
107 public with up-to-date segment cost and status information.

108 (vi) Capture the costs of consultants, engineers,
109 attorneys, contract appraisers and other technical and
110 professional contractors used in preliminary engineering,
111 right-of-way acquisition and construction projects.

112 (vii) Ensure that projects for preliminary

113 engineering, right-of-way acquisition and construction do not
114 overlap segments.

115 (viii) Track and report the final segment cost and
116 a comparison to the bid cost.

117 (ix) Track and compare actual completion dates
118 with the bid completion date.

119 (x) Track and report all construction contract
120 change orders and the impact they have had on the bid price for a
121 segment.

122 SECTION 6. Of the funds appropriated in Section 1 of this
123 act, the Mississippi Department of Transportation shall expend
124 such funds as necessary to compile and deliver to the Legislature
125 by December 10, 2001, the following reports on the highway
126 segments authorized under Sections 65-3-97 and 65-39-1,
127 Mississippi Code of 1972, and any nonprogram segments:

128 (a) All preapproved contractors who subsequently
129 receive contracts from the department. Such reports shall include
130 the name of the contractor, the amount paid, the title of the
131 project on which the contractor worked and the description of
132 services provided.

133 (b) A compilation of all segments which were authorized
134 by the Mississippi Transportation Commission. This listing shall
135 include:

136 (i) Contract let date;

137 (ii) The highway on which the contract was let;

138 (iii) A description of the segment, including the
139 beginning and end point of the contract;

140 (iv) The length of the segment in miles; and

141 (v) Name of the contractor selected to perform
142 contract work;

143 (c) A compilation of costs for all preliminary
144 engineering, right-of-way and construction contracts entered
145 during the reporting period;

146 (d) A listing of all segments completed or in progress
147 by topographical area of the state for the reporting period;

148 (e) A status report of road segments to include road
149 segment description, the date of construction of the road, and the
150 pavement condition rating, which includes roadbed rutting and
151 condition factors; and

152 (f) A report on the causes of roadbed deterioration for
153 all highways in the state highway system and any proposed remedies
154 for these problems.

155 SECTION 7. None of the funds appropriated in Section 1 of
156 this act may be expended by the Department of Transportation for
157 new segment construction except through contracts which
158 incorporate paving, grade, drain and bridge work into a single
159 contract for each segment.

160 SECTION 8. Of the funds appropriated to the Mississippi
161 Department of Transportation, Three Hundred Thousand Dollars
162 (\$300,000.00) shall be used for the Statewide Litter Prevention
163 Program.

164 SECTION 9. It is the intention of the Legislature that the
165 Mississippi Department of Transportation shall have the authority
166 to escalate and expend funds from any proceeds arising from
167 participation in drug seizure activities not to exceed Fifty
168 Thousand Dollars (\$50,000.00).

169 SECTION 10. It is the intention of the Legislature that the
170 Mississippi Department of Transportation shall have the authority
171 to escalate its budget and expend funds obtained from the "buy
172 back" option offered by equipment manufacturers and/or suppliers

173 of certain types of equipment not to exceed One Million Dollars
174 (\$1,000,000.00) in accordance with the rules and regulations of
175 the Department of Finance and Administration in a manner
176 consistent with the escalation of federal funds.

177 SECTION 11. It is the intention of the Legislature that the
178 Executive Director of the Mississippi Department of Transportation
179 may transfer between the various programs authorized in Section 3
180 of this act, an amount not to exceed ten percent (10%) of the
181 amount appropriated in Section 1, except that no transfers shall
182 be authorized which increase the "Administration and Other
183 Expenses" Program or which decrease the "Maintenance" Programs.
184 The Executive Director of the Mississippi Department of
185 Transportation shall submit written justification for any
186 transfers authorized in this Section to the Legislative Budget
187 Office and the Department of Finance and Administration on or
188 before the fifteenth of the month prior to the effective date of
189 the transfer.

190 SECTION 12. It is the intention of the Legislature that the
191 Mississippi Department of Transportation is hereby authorized to
192 receive, budget and expend in the Capital Outlay major object of
193 expenditure an amount not to exceed Two Million Dollars
194 (\$2,000,000.00) resulting from funds received from third party
195 damages.

196 SECTION 13. It is the intention of the Legislature that the
197 Mississippi Department of Transportation is hereby authorized to
198 receive, budget and expend any federal funds made available to the
199 State of Mississippi resulting from the passage of the Mississippi
200 Primary Seatbelt Law.

201 SECTION 14. It is the intention of the Legislature that the
202 Mississippi Department of Transportation shall reissue Payroll

203 Warrant No. 802109924 which was originally issued on April 26,
204 1995, to Wilburn L. Stephens in the amount of Six Hundred Twenty-
205 four Dollars and Thirty-three Cents (\$624.33) which was not
206 presented for payment within a one year period and is now void.

207 SECTION 15. The money herein appropriated shall be paid by
208 the State Treasurer out of any money in the State Treasury to the
209 credit of the proper fund or funds as set forth in this act, upon
210 warrants issued by the State Fiscal Officer; and the State Fiscal
211 Officer shall issue his warrants upon requisitions signed by the
212 proper person, officer or officers, in the manner provided by law.

213 SECTION 16. This act shall take effect and be in force from
214 and after July 1, 2001.