

Senate Amendments to House Bill No. 1308

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

1 **AMEND** by inserting the following section after line 45 and
2 renumbering any succeeding sections accordingly:

3 **SECTION *.** Section 25-3-41, Mississippi Code of 1972, is
4 amended as follows:

5 25-3-41. (1) When any officer or employee of the State of
6 Mississippi, or any department, agency or institution thereof,
7 after first being duly authorized, is required to travel in the
8 performance of his official duties, the officer or employee shall
9 receive as expenses for each mile actually and necessarily
10 traveled, when the travel is done by a privately-owned automobile
11 or other privately-owned motor vehicle, the mileage reimbursement
12 rate allowable to federal employees for the use of a
13 privately-owned vehicle while on official travel.

14 (2) When any officer or employee of any county or
15 municipality, or of any agency, board or commission thereof, after
16 first being duly authorized, is required to travel in the
17 performance of his official duties, the officer or employee shall
18 receive as expenses Twenty Cents (20¢) for each mile actually and
19 necessarily traveled, when the travel is done by a privately-owned
20 motor vehicle; provided, however, that the governing authorities
21 of a county or municipality may, in their discretion, authorize an
22 increase in the mileage reimbursement of officers and employees of
23 the county or municipality, or of any agency, board or commission
24 thereof, in an amount not to exceed the mileage reimbursement rate
25 authorized for officers and employees of the State of Mississippi
26 in subsection (1) of this section.

27 (3) Where two (2) or more officers or employees travel in
28 one (1) privately-owned motor vehicle, only one (1) travel expense
29 allowance at the authorized rate per mile shall be allowed for any

30 one trip. When the travel is done by means of a public carrier or
31 other means not involving a privately-owned motor vehicle, then
32 the officer or employee shall receive as travel expense the actual
33 fare or other expenses incurred in such travel.

34 (4) In addition to the foregoing, a public officer or
35 employee shall be reimbursed for other actual expenses such as
36 meals, lodging and other necessary expenses incurred in the course
37 of the travel, subject to limitations placed on meals for
38 intrastate and interstate official travel by the Department of
39 Finance and Administration, provided, that the Legislative Budget
40 Office shall place any limitations for expenditures made on
41 matters under the jurisdiction of the Legislature. The Department
42 of Finance and Administration shall set a maximum daily
43 expenditure annually for such meals and shall notify officers and
44 employees of changes to these allowances immediately upon approval
45 of the changes. Travel by airline shall be at the tourist rate
46 unless that space was unavailable. The officer or employee shall
47 certify that tourist accommodations were not available if travel
48 is performed in first-class airline accommodations. Itemized
49 expense accounts shall be submitted by those officers or employees
50 in such number as the department, agency or institution may
51 require; but in any case one (1) copy shall be furnished by state
52 departments, agencies or institutions to the Department of Finance
53 and Administration for preaudit or postaudit. The Department of
54 Finance and Administration shall promulgate and adopt reasonable
55 rules and regulations which it deems necessary and requisite to
56 effectuate economies for all expenses authorized and paid pursuant
57 to this section. Requisitions shall be made on the State Fiscal
58 Officer who shall issue his warrant on the State Treasurer.
59 Provided, however, that the provisions of this section shall not
60 include agencies financed entirely by federal funds and audited by
61 federal auditors.

62 (5) Any officer or employee of a county or municipality, or
63 any department, board or commission thereof, who is required to
64 travel in the performance of his official duties, may receive

65 funds before the travel, in the discretion of the administrative
66 head of the county or municipal department, board or commission
67 involved, for the purpose of paying necessary expenses incurred
68 during the travel. Upon return from the travel, the officer or
69 employee shall provide receipts of transportation, lodging, meals,
70 fees and any other expenses incurred during the travel. Any
71 portion of the funds advanced which is not expended during the
72 travel shall be returned by the officer or employee. The
73 Department of Audit shall adopt rules and regulations regarding
74 advance payment of travel expenses and submission of receipts to
75 ensure proper control and strict accountability for those payments
76 and expenses.

77 (6) No state or federal funds received from any source by
78 any arm or agency of the state shall be expended in traveling
79 outside of the continental limits of the United States until the
80 governing body or head of the agency makes a finding and
81 determination that the travel would be extremely beneficial to the
82 state agency and obtains a written concurrence thereof from the
83 Governor, or his designee, and the Department of Finance and
84 Administration. However, employees of state institutions of
85 higher learning may expend funds for travel outside of the
86 continental limits of the United States upon a written finding by
87 the president or head of the institution that the travel would be
88 extremely beneficial to the institution.

89 (7) Where any officer or employee of the State of
90 Mississippi, or any department, agency or institution thereof, or
91 of any county or municipality, or of any agency, board or
92 commission thereof, is authorized to receive travel reimbursement
93 under any other provision of law, the reimbursement may be paid
94 under the provisions of this section or the other section, but not
95 under both.

96 (8) When the Governor or Lieutenant Governor appoints a
97 person to a board, commission or other position that requires
98 confirmation by the Senate, the person may receive reimbursement
99 for mileage and other actual expenses incurred in the performance

100 of official duties before the appointment is confirmed by the
101 Senate, as reimbursement for those expenses is authorized under
102 this section.

103 (9) (a) The Department of Finance and Administration may
104 contract with one or more commercial travel agencies, after
105 receiving competitive bids or proposals therefor, for that travel
106 agency or agencies to provide necessary travel services for state
107 officers and employees. Municipal and county officers and
108 municipal and county employees may also participate in the state
109 travel agency contract and utilize these travel services for
110 official municipal or county travel. However, the administrative
111 head of each state institution of higher learning may, in his
112 discretion, contract with a commercial travel agency to provide
113 necessary travel services for all academic officials and staff of
114 the university in lieu of participation in the state travel agency
115 contract. Any such decision by a university to contract with a
116 separate travel agency shall be approved by the Board of Trustees
117 of State Institutions of Higher Learning and the Executive
118 Director of the Department of Finance and Administration.

119 (b) Before executing a contract with one or more travel
120 agencies, the Department of Finance and Administration shall
121 advertise for competitive bids or proposals once a week for two
122 (2) consecutive weeks in a regular newspaper having a general
123 circulation throughout the State of Mississippi. If the
124 department determines that it should not contract with any of the
125 bidders initially submitting proposals, the department may reject
126 all those bids, advertise as provided in this paragraph and
127 receive new proposals before executing the contract or contracts.
128 The contract or contracts may be for a period not greater than
129 three (3) years, with an option for the travel agency or agencies
130 to renew the contract or contracts on a one-year basis on the same
131 terms as the original contract or contracts, for a maximum of two
132 (2) renewals. After the travel agency or agencies have renewed
133 the contract twice or have declined to renew the contract for the
134 maximum number of times, the Department of Finance and

135 Administration shall advertise for bids in the manner required by
136 this paragraph and execute a new contract or contracts.

137 (c) Whenever any state officer or employee travels in
138 the performance of his official duties by airline or other public
139 carrier, he may have his travel arrangements handled by that
140 travel agency or agencies. The amount paid for airline
141 transportation for any state officer or employee, whether the
142 travel was arranged by that travel agency or agencies or was
143 arranged otherwise, shall not exceed the amount specified in the
144 state contract established by the Department of Finance and
145 Administration, Office of Purchasing and Travel, unless prior
146 approval is obtained from the office.

147 **FURTHER, amend the title on line 4 by inserting the following**
148 **after the semicolon:**

149 TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO ALLOW
150 EMPLOYEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO EXPEND FUNDS
151 FOR TRAVEL OUTSIDE OF THE CONTINENTAL LIMITS OF THE UNITED STATES
152 UPON APPROVAL BY THE PRESIDENT OR HEAD OF THE INSTITUTION, INSTEAD
153 OF APPROVAL BY THE GOVERNOR AND THE DEPARTMENT OF FINANCE AND
154 ADMINISTRATION;

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John O. Gilbert
Secretary of the Senate