

**House Amendments to Senate Bill No. 3095**

**TO THE SECRETARY OF THE SENATE:**

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

**AMENDMENT NO. 1**

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

5       **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 Treasury to the credit of the Office of State Aid Road  
8 Construction Fund, for the purpose of defraying the expenses of  
9 the Office of State Aid Road Construction of the Mississippi  
10 Department of Transportation for the fiscal year beginning  
11 July 1, 2005, and ending June 30, 2006..... \$   118,458,365.00.

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..	\$	2,305,264.00
19           Travel and Subsistence.....		21,643.00
20           Contractual Services.....		173,040.00
21           Commodities.....		36,780.00
22       Capital Outlay:		
23           Other Than Equipment.....		0.00
24           Equipment.....		5,000.00
25           Subsidies, Loans and Grants.....		<u>115,916,638.00</u>
26           Total.....	\$	118,458,365.00

27       **FUNDING:**

28           General Funds.....	\$	0.00
29           Special Funds.....		<u>118,458,365.00</u>
30           Total.....	\$	118,458,365.00

31 AUTHORIZED POSITIONS:

32	Permanent:	Full Time.....	42
33		Part Time.....	1
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 2007 do not exceed Fiscal Year 2006  
40 funds appropriated for that purpose, unless programs or positions  
41 are added to the agency's Fiscal Year 2007 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 2006 appropriation for "Personal  
49 Services" when annualized, with the exception of escalated funds.  
50 If, at the time the agency takes any action to change "Personal  
51 Services," the State Personnel Board determines that the agency  
52 has taken an action which would cause the agency to exceed this  
53 projected annual cost or the Fiscal Year 2006 "Personal Services"  
54 appropriated level, when annualized, then only those actions which  
55 reduce the projected annual cost and/or the appropriation  
56 requirement will be processed by the State Personnel Board until  
57 such time as the requirements of this provision are met.

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

65 without proof of availability of new or additional funds above the  
66 appropriated level.

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

71 **SECTION 3.** It is the intention of the Legislature that the  
72 Office of State Aid Road Construction shall maintain complete  
73 accounting and personnel records related to the expenditure of all  
74 funds appropriated under this act and that such records shall be  
75 in the same format and level of detail as maintained for Fiscal  
76 Year 2005. It is further the intention of the Legislature that  
77 the agency's budget request for Fiscal Year 2007 shall be  
78 submitted to the Joint Legislative Budget Committee in a format  
79 and level of detail comparable to the format and level of detail  
80 provided during the Fiscal Year 2006 budget request process.

81 **SECTION 4.** It is the intention of the Legislature that the  
82 Office of State Aid Road Construction shall have the authority to  
83 accept, budget and expend funds, comprised of special funds to the  
84 office, not to exceed Thirty-five Million Dollars (\$35,000,000.00)  
85 for the purpose of replacement of structurally deficient bridges  
86 on the state's county roads. Such funds are to be escalated in  
87 accordance with procedures for federal fund escalations as  
88 established in Section 27-104-21, Mississippi Code of 1972, and  
89 expended for the purposes of performing such duties as set forth  
90 by law in accordance with applicable rules and regulations of the  
91 State Fiscal Officer.

92 **SECTION 5.** It is the intention of the Legislature that none  
93 of the funds appropriated above shall be expended unless members  
94 of the Mississippi House of Representatives and Mississippi Senate  
95 are notified at least five (5) days prior to a public ceremony  
96 announcing the award of any grant in their district or any public  
97 announcement or ceremony regarding the groundbreaking or opening  
98 of a facility, roadway or bridge for which the Legislature has  
99 made funds available. Any signage regarding any public event or

100 any new facility, roadway or bridge shall include the following  
101 language: "Funds were made available for this project by the  
102 Mississippi State Legislature."

103         **SECTION 6.** The money herein appropriated shall be paid by  
104 the State Treasurer out of any money in the State Treasury to the  
105 credit of the proper fund or funds as set forth in this act, upon  
106 warrants issued by the State Fiscal Officer; and the State Fiscal  
107 Officer shall issue his warrants upon requisitions signed by the  
108 proper person, officer or officers in the manner provided by law.

109         **SECTION 7.** This act shall take effect and be in force from  
110 and after July 1, 2005.

HR05\SB3095A.1J

Don Richardson  
Clerk of the House of Representatives