

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 3095

BY: Committee

**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.