

By: Representative Endt

To: Transportation

HOUSE BILL NO. 716

1 AN ACT TO AUTHORIZE THE EXPENDITURE OF STATE AID ROAD FUNDS
2 ALLOCATED TO A COUNTY FOR COSTS INCURRED BY THE COUNTY IN
3 PURCHASING AND ACQUIRING RIGHTS-OF-WAY FOR STATE AID ROAD
4 PROJECTS; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 65-9-19, Mississippi Code of 1972, is
7 amended as follows:

8 65-9-19. Contracts for the construction of state aid road
9 projects shall be advertised and let by the board of supervisors
10 of any county desiring so to do, in the manner now required by law
11 but subject to the approval of the State Aid Engineer; however,
12 during the last six (6) months of the boards of supervisors' terms
13 of office, no contracts for state aid projects shall be awarded
14 unless construction programs embracing such projects shall have
15 been adopted by the boards and approved by the State Aid Engineer
16 in writing prior to July 1 of said year. Before advertising for
17 bids, detailed plans and specifications covering the work proposed
18 to be done shall be prepared and filed in the chancery clerk's
19 office of the interested county and in the office of the State Aid
20 Engineer; and copies shall be subject to inspection by any party
21 during all office hours, and shall be made available to all
22 prospective bidders upon such reasonable terms and conditions as
23 may be required by the State Aid Engineer. All plans and
24 specifications shall be initially prepared by the county engineer,
25 subject to the approval or disapproval of the State Aid Engineer.
26 All rights-of-way necessary for such projects shall be acquired
27 and paid for by the boards of supervisors in the manner now

28 provided by law for the acquisition of rights-of-way, including
29 gift, purchase, deed, dedication, and eminent domain; and the cost
30 of such rights-of-way shall * * * be considered to be a part of
31 the cost of any project within the meaning of Section 65-9-17.
32 However, no state aid funds allocated to a county may be expended
33 for the purpose of acquiring rights-of-way except after two (2)
34 appraisals performed in accordance with procedures prescribed by
35 rules and regulations of the Office of State Aid Road
36 Construction. The acts of the boards of supervisors in heretofore
37 acquiring rights-of-way for such projects, and all rights-of-way
38 heretofore acquired for such projects are hereby ratified,
39 confirmed and validated.

40 SECTION 2. This act shall take effect and be in force from
41 and after July 1, 1999.