

By: Representatives Green (34th), Miles

To: Transportation

HOUSE BILL NO. 786

1 AN ACT TO AMEND SECTIONS 65-11-5, 65-11-9 AND 65-11-11,
2 MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN APPORTIONMENT OF
3 FEDERAL ROAD FUNDS TO COUNTIES BY THE MISSISSIPPI TRANSPORTATION
4 COMMISSION FROM FUNDS RECEIVED UNDER THE SURFACE TRANSPORTATION
5 PROGRAM OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF
6 1991 AND TO ALLOCATE SUCH FUNDS AMONG COUNTIES ACCORDING TO THE
7 STATE AID ROAD FORMULA; AND FOR RELATED PURPOSES.

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

9 SECTION 1. Section 65-11-5, Mississippi Code of 1972, is
10 amended as follows:

11 65-11-5. It being recognized that county highways generally
12 have deteriorated to a considerable extent during the past several
13 years, and it being further recognized that the selection,
14 construction and improvement of a system of all-weather rural
15 secondary, feeder or farm-to-market roads is a matter of primary
16 statewide concern, it is hereby declared to be the purpose of
17 Sections 65-11-1 through 65-11-37 to provide for a more
18 comprehensive rural-road program through cooperation between the
19 federal government, the Mississippi Transportation Commission, and
20 the county boards of supervisors; and it is further the purpose
21 and intent of such sections to provide the means, manner and funds
22 whereby the counties of this state will be enabled to participate
23 in the federal aid program, and will be enabled to participate in
24 and avail themselves of the funds apportioned to the State of
25 Mississippi for the construction and improvement of secondary and
26 feeder roads, including farm-to-market roads, rural mail routes
27 and public school bus routes, under the terms of the Federal Aid
28 Highway Act of 1944 [58 U.S. Stat. 838, Ch. 626]. It is hereby

29 declared to be the intent and purpose of the cited sections that,
30 insofar as permissible under federal laws, rules and regulations,
31 not less than fifty percent (50%) of the funds apportioned to
32 Mississippi for the Surface Transportation Program that may be
33 obligated in any area of the state under the terms of Section 1007
34 of Public Law 102-240 (the Intermodal Surface Transportation
35 Efficiency Act of 1991) should be expended for the construction
36 and improvement of county highways as defined in such sections.

37 SECTION 2. Section 65-11-9, Mississippi Code of 1972, is
38 amended as follows:

39 65-11-9. The Mississippi Transportation Commission shall
40 determine what proportion of the funds allotted to the State of
41 Mississippi for the Surface Transportation Program, and any area
42 funds, shall be expended upon the improvement of highways on the
43 county federal aid highway system; however, not less than fifty
44 percent (50%) of the thirty-seven and one-half percent (37.5%) so
45 apportioned to Mississippi under that act shall be apportioned for
46 expenditure among the counties for the improvement of roads on the
47 county federal aid highway system; if the amount apportioned by
48 the state to the State Highway Fund to carry out the purposes of
49 Sections 65-11-1 through 65-11-37 should be less than fifty
50 percent (50%) of the amount apportioned to Mississippi for the
51 Surface Transportation Program, then the amount of federal funds
52 apportioned to the counties for the improvement of roads on the
53 county federal aid highway system may be less than fifty percent
54 (50%) of such federal funds, but shall not be less than the amount
55 of such state appropriation.

56 SECTION 3. Section 65-11-11, Mississippi Code of 1972, is
57 amended as follows:

58 65-11-11. The amount of federal funds made available to the
59 State of Mississippi for secondary and feeder roads under Public
60 Law 102-240, the Intermodal Surface Transportation Efficiency Act
61 of 1991, which is allotted to the counties as provided in Section
62 65-11-9, shall be apportioned among the counties of this state by
63 the Mississippi Transportation Commission in accordance with the
64 formula established in Section 27-65-75(4)(a), (b) and (c). The
65 amount of federal funds so apportioned to each county shall be

66 matched by state funds apportioned to the State Highway Fund to
67 carry out the purposes of Sections 65-11-1 through 65-11-37 as
68 hereinafter provided; in the event the amount so appropriated for
69 such State Highway Fund is insufficient to entirely match the
70 federal funds allotted to county highways, then the amount of such
71 fund shall be apportioned among the counties in the same manner as
72 herein provided. "Rural population" and "rural delivery" routes
73 as used in this section shall have the same meaning ascribed to
74 them in the Federal Aid Highway Act of 1944 (58 U.S. Stat. 838,
75 Ch. 626).

76 SECTION 4. This act shall take effect and be in force from
77 and after July 1, 1999.