To: Transportation

MISSISSIPPI LEGISLATURE  REGULAR SESSION 2001
By: Representatives Compretta, McCoy, Mitchell, Frierson, Bowles, Clarke, Horne, Stevens, Cameron, Eaton, Formby, Jennings, Morris, Perkins, Pierce, Read, Smith (39th), Young, Ellis, Maples

HOUSE BILL NO. 1488

AN ACT TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI TRANSPORTATION COMMISSION TO ESTABLISH BUDGETING FOR HIGHWAY SEGMENTS, TO ESTABLISH AN OFFICE OF VALUE ENGINEERING, TO REPORT ON ROADBED DETERIORATION PROBLEMS, AND TO IMPOSE ADMINISTRATIVE FINES ON CONTRACTORS WHOSE WORK FAILS TO MEET CONTRACT SPECIFICATIONS; TO AMEND SECTION 65-1-10, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO ENGAGE IN CERTAIN PROJECT PLANNING ACTIVITIES FOR ANY PRELIMINARY ENGINEERING, RIGHT-OF-WAY ACQUISITION OR CONSTRUCTION PROJECT ACTIVITIES OF THE DEPARTMENT; TO REQUIRE THE TRANSPORTATION DEPARTMENT TO COLLECT AND REPORT CERTAIN MANAGEMENT INFORMATION; TO CREATE AN OFFICE OF VALUE ENGINEERING AND A DIRECTOR OF THE OFFICE, AND TO PRESCRIBE THE POWERS AND DUTIES OF THE OFFICE AND THE DIRECTOR; TO AMEND SECTIONS 65-3-97 AND 65-39-1, MISSISSIPPI CODE OF 1972, TO REVOKE THE MANNER IN WHICH HIGHWAY SEGMENTS IN PHASE FOUR OF THE 1987 FOUR-LANE HIGHWAY PROGRAM AND HIGHWAY SEGMENTS IN THE GAMING COUNTIES STATE-ASSISTED INFRASTRUCTURE PROGRAM ARE PRIORITIZED AND TO REVISE THE MANNER IN WHICH AND REASONS FOR WHICH THE MISSISSIPPI TRANSPORTATION COMMISSION MAY AUTHORIZE HIGHWAY SEGMENTS OF LESS THAN 10 MILES IN LENGTH; TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO MAKE REPORTS ON THE CONSTRUCTION AND COMPLETION OF HIGHWAY SEGMENTS AUTHORIZED UNDER THE GAMING COUNTIES STATE-ASSISTED INFRASTRUCTURE PROGRAM; TO AMEND SECTION 65-39-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE REPEAL OF CERTAIN FUEL TAX INCREASES TWENTY-FIVE YEARS AFTER THE COMPLETION OF THE LAST SEGMENT IN PHASE FOUR OF THE 1987 FOUR-LANE HIGHWAY PROGRAM; TO AMEND SECTION 75-76-129, MISSISSIPPI CODE OF 1972, TO REMOVE THE DIVERSION OF CERTAIN GAMING FEES TO THE GAMING COUNTIES BOND SINKING FUND AND THE STATE HIGHWAY FUND UPON CERTIFICATION BY THE DEPARTMENT OF TRANSPORTATION THAT THE HIGHWAY SEGMENTS AUTHORIZED IN THE GAMING COUNTIES STATE-ASSISTED INFRASTRUCTURE PROGRAM ARE COMPLETE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 65-1-8, Mississippi Code of 1972, is amended as follows:

65-1-8. (1) The Mississippi Transportation Commission shall have the following general powers, duties and responsibilities:

(a) To coordinate and develop a comprehensive, balanced transportation policy for the State of Mississippi;

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(b) To promote the coordinated and efficient use of all available and future modes of transportation;

(c) To make recommendations to the Legislature regarding alterations or modifications in any existing transportation policies;

(d) To study means of encouraging travel and transportation of goods by the combination of motor vehicle and other modes of transportation;

(e) To take such actions as are necessary and proper to discharge its duties pursuant to the provisions of Laws, 1992, Chapter 496, and any other provision of law;

(f) To receive and provide for the expenditure of any funds made available to it by the Legislature, the federal government, or any other source.

(2) In addition to the general powers, duties and responsibilities listed in subsection (1) of this section, the Mississippi Transportation Commission shall have the following specific powers:

(a) To make rules and regulations whereby the transportation department shall change or relocate any and all highways herein or hereafter fixed as constituting a part of the state highway system, as may be deemed necessary or economical in the construction or maintenance thereof; to acquire by gift, purchase, condemnation, or otherwise, land or other property whatsoever that may be necessary for a state highway system as herein provided, with full consideration to be given to the stimulation of local public and private investment when acquiring such property in the vicinity of Mississippi towns, cities and population centers;

(b) To enforce by mandamus, or other proper legal remedies, all legal rights or rights of action of the Mississippi Transportation Commission with other public bodies, corporations or persons;
(c) To make and publish rules, regulations and ordinances for the control of and the policing of the traffic on the state highways, and to prevent their abuse by any or all persons, natural or artificial, by trucks, tractors, trailers or any other heavy or destructive vehicles or machines, or by any other means whatsoever, by establishing weights of loads or of vehicles, types of tires, width of tire surfaces, length and width of vehicles, with reasonable variations to meet approximate weather conditions, and all other proper police and protective regulations, and to provide ample means for the enforcement of same. The violation of any of the rules, regulations or ordinances so prescribed by the commission shall constitute a misdemeanor. No rule, regulation or ordinance shall be made that conflicts with any statute now in force or which may hereafter be enacted, or with any ordinance of municipalities. A monthly publication giving general information to the boards of supervisors, employees and the public may be issued under such rules and regulations as the commission may determine;

(d) To give suitable numbers to highways and to change the number of any highway that shall become a part of the state highway system. However, nothing herein shall authorize the number of any highway to be changed so as to conflict with any designation thereof as a U.S. numbered highway. Where, by a specific act of the Legislature, the commission has been directed to give a certain number to a highway, the commission shall not have the authority to change such number;

(e) To make proper and reasonable rules, regulations, and ordinances for the placing, erection, removal or relocation of telephone, telegraph or other poles, signboards, fences, gas, water, sewerage, oil or other pipelines, and other obstructions that may, in the opinion of the commission, contribute to the hazards upon any of the state highways, or in any way interfere with the ordinary travel upon such highways, or the construction,
reconstruction or maintenance thereof, and to make reasonable
rules and regulations for the proper control thereof. Any
violation of such rules or regulations or noncompliance with such
ordinances shall constitute a misdemeanor.
Whenever the order of the commission shall require the
removal of, or other changes in the location of telephone,
telegraph, or other poles, signboards, gas, water, sewerage, oil
or other pipelines; or other similar obstructions on the
right-of-way or such other places where removal is required by
law, the owners thereof shall at their own expense move or change
the same to conform to the order of the commission. Any violation
of such rules or regulations or noncompliance with such orders
shall constitute a misdemeanor;
(f) To regulate and abandon grade crossings on any road
fixed as a part of the state highway system, and whenever the
commission, in order to avoid a grade crossing with the railroad,
locates or constructs said road on one side of the railroad, the
commission shall have the power to abandon and close such grade
crossing, and whenever an underpass or overhead bridge is
substituted for a grade crossing, the commission shall have power
to abandon such grade crossing and any other crossing adjacent
thereto. Included in the powers herein granted shall be the power
to require the railroad at grade crossings, where any road of the
state highway system crosses the same, to place signal posts with
lights or other warning devices at such crossings at the expense
of the railroad, and to regulate and abandon underpass or overhead
bridges and, where abandoned because of the construction of a new
underpass or overhead bridge, to close such old underpass or
overhead bridge, or, in its discretion, to return the same to the
jurisdiction of the county board of supervisors;
(g) To make proper and reasonable rules and regulations
to control the cutting or opening of the road surfaces for
subsurface installations;
(h) To make proper and reasonable rules and regulations for the removal from the public rights-of-way of any form of obstruction, to cooperate in improving their appearance, and to prescribe minimum clearance heights for seed conveyors, pipes, passageways or other structure of private or other ownership above the highways;

(i) To establish, and have the transportation department maintain and operate, and to cooperate with the state educational institutions in establishing, enlarging, maintaining and operating a laboratory or laboratories for testing materials and for other proper highway purposes;

(j) To provide, under the direction and with the approval of the Department of Finance and Administration, suitable offices, shops and barns in the City of Jackson;

(k) To establish and have enforced set-back regulations;

(l) To cooperate with proper state authorities in producing limerock for highway purposes and to purchase same at cost;

(m) To provide for the purchase of necessary equipment and vehicles and to provide for the repair and housing of same, to acquire by gift, purchase, condemnation or otherwise, land or lands and buildings in fee simple, and to authorize the Transportation Department to construct, lease or otherwise provide necessary and proper permanent district offices for the construction and maintenance divisions of the department, and for the repair and housing of the equipment and vehicles of the department; however, in each Supreme Court district only two (2) permanent district offices shall be set up, but a permanent status shall not be given to any such offices until so provided by act of the Legislature and in the meantime, all shops of the department shall be retained at their present location. As many local or subdistrict offices, shops or barns may be provided as is
essential and proper to economical maintenance of the state highway system;

(n) To cooperate with the Department of Archives and History in having placed and maintained suitable historical markers, including those which have been approved and purchased by the State Historical Commission, along state highways, and to have constructed and maintained roadside driveways for convenience and safety in viewing them when necessary; however, no highway or bridge shall ever be memorialized to a man while living;

(o) To cooperate, in its discretion, with the Mississippi Department of Wildlife, Fisheries and Parks in planning and constructing roadside parks upon the right-of-way of state highways, whether constructed, under construction, or planned; said parks to utilize where practical barrow pits used in construction of state highways for use as fishing ponds. Said parks shall be named for abundant flora and fauna existing in the area or for the first flora or fauna found on the site;

(p) Unless otherwise prohibited by law, to make such contracts and execute such instruments containing such reasonable and necessary appropriate terms, provisions and conditions as in its absolute discretion it may deem necessary, proper or advisable, for the purpose of obtaining or securing financial assistance, grants or loans from the United States of America or any department or agency thereof, including contracts with several counties of the state pertaining to the expenditure of such funds;

(q) To cooperate with the Federal Highway Administration in the matter of location, construction and maintenance of the Great River Road, to expend such funds paid to the commission by the Federal Highway Administration or other federal agency, and to authorize the Transportation Department to erect suitable signs marking this highway, the cost of such signs to be paid from state highway funds other than earmarked construction funds;
(r) To cooperate, in its discretion, with the
Mississippi Forestry Commission and the School of Forestry,
Mississippi State University, in a forestry management program,
including planting, thinning, cutting and selling, upon the
right-of-way of any highway, constructed, acquired or maintained
by the Transportation Department, and to sell and dispose of any
and all growing timber standing, lying or being on any
right-of-way acquired by the commission for highway purposes in
the future; such sale or sales to be made in accordance with the
sale of personal property which has become unnecessary for public
use as provided for in Section 65-1-123, Mississippi Code of 1972;

(s) To expend funds in cooperation with the Division of
Plant Industry, Mississippi Department of Agriculture and
Commerce, the United States government or any department or agency
thereof, or with any department or agency of this state, to
control, suppress or eradicate serious insect pests, rodents,
plant parasites and plant diseases on the state highway
rights-of-way;

(t) To provide for the placement, erection and
maintenance of motorist services business signs and supports
within state highway rights-of-way in accordance with current
state and federal laws and regulations governing the placement of
traffic control devices on state highways, and to establish and
collect reasonable fees from the businesses having information on
such signs;

(u) To request and to accept the use of persons
convicted of an offense, whether a felony or a misdemeanor, for
work on any road construction, repair or other project of the
Transportation Department. The commission is also authorized to
request and to accept the use of persons who have not been
convicted of an offense but who are required to fulfill certain
court-imposed conditions pursuant to Section 41-29-150(d)(1) or
99-15-26, Mississippi Code of 1972, or the Pretrial Intervention
Act, being Sections 99-15-101 through 99-15-127, Mississippi Code of 1972. The commission is authorized to enter into any agreements with the Department of Corrections, the State Parole Board, any criminal court of this state, and any other proper official regarding the working, guarding, safekeeping, clothing and subsistence of such persons performing work for the Transportation Department. Such persons shall not be deemed agents, employees or involuntary servants of the Transportation Department while performing such work or while going to and from work or other specified areas;

(v) To provide for the administration of the railroad revitalization program pursuant to Section 57-43-1 et seq.;

(w) The Mississippi Transportation Commission is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Mississippi Transportation Department;

(x) To cooperate with the State Tax Commission by providing for weight enforcement field personnel to collect and assess taxes, fees and penalties and to perform all duties as required pursuant to Section 27-55-501 et seq., Sections 27-19-1 et seq., 27-55-1 et seq., 27-59-1 et seq. and 27-61-1 et seq., Mississippi Code of 1972, with regard to vehicles subject to the jurisdiction of the Office of Weight Enforcement. All collections and assessments shall be transferred daily to the State Tax Commission;

(y) The Mississippi Transportation Commission may delegate the authority to enter into a supplemental agreement to a contract previously approved by the commission if the supplemental agreement involves an additional expenditure not to exceed One Hundred Thousand Dollars ($100,000.00);

(z) (i) The Mississippi Transportation Commission, in its discretion, may enter into agreements with any county, municipality, county transportation commission, business,
corporation, partnership, association, individual or other legal entity, for the purpose of accelerating the completion date of scheduled highway construction projects.

(ii) Such an agreement may permit the cost of a highway construction project to be advanced to the commission by a county, municipality, county transportation commission, business, corporation, partnership, association, individual or other legal entity, and repaid to such entity by the commission when highway construction funds become available; provided, however, that repayment of funds advanced to the Mississippi Transportation Commission shall be made no sooner than the commission's identified projected revenue schedule for funding of that particular construction project, and no other scheduled highway construction project established by statute or by the commission may be delayed by an advanced funding project authorized under this paragraph (z). Repayments to an entity that advances funds to the Mississippi Transportation Commission under this paragraph (z) may not include interest or other fees or charges, and the total amount repaid shall not exceed the total amount of funds advanced to the commission by the entity.

(iii) In considering whether to enter into such an agreement, the commission shall consider the availability of financial resources, the effect of such agreement on other ongoing highway construction, the urgency of the public's need for swift completion of the project and any other relevant factors.

(iv) Such an agreement shall be executed only upon a finding by the commission, spread upon its minutes, that the acceleration of the scheduled project is both feasible and beneficial. The commission shall also spread upon its minutes its findings with regard to the factors required to be considered pursuant to item (iii) of this paragraph (z).

(3) The Mississippi Transportation Commission shall require the executive director to carry out project planning as required
under Section 65-1-10 for any preliminary engineering, right-of-way acquisition or construction project activities of the department.

(4) The Mississippi Transportation Commission shall establish, as provided for in Section 3 of this act, an Office of Value Engineering whose director shall report and be subordinate to the commission. The commission shall not delegate to the executive director the authority to hire, direct, manage, discipline, or terminate the director of this office or any personnel assigned to the office.

(5) The Mississippi Transportation Commission shall report to the Legislature no later than June 30, 2002, on causes of roadbed deterioration for all highways in the state highway system and include proposed remedies for these problems.

(6) In addition to its other powers and duties, the Mississippi Transportation Commission shall institute a procedure for the post-acceptance inspection and investigation of new segments built in the state highway system, including, but not limited to, segments authorized in Sections 65-3-97 and 65-39-1. If the commission finds that a segment was accepted by the department that did not conform to construction specifications, the commission may fine the contractor, after notice and hearing, an amount equal to ten percent (10%) of the contract amount paid to the contractor. Any administrative proceedings authorized under this subsection must be brought within three (3) years after acceptance by the Department of Transportation of the highway segment.

(7) The commission may not let paving contracts for a segment separately from grade, drain or bridge contracts.

SECTION 2. Section 65-1-10, Mississippi Code of 1972, is amended as follows:
65-1-10. Under the authority of the Mississippi
Transportation Commission, and in conformity with its orders as
spread on its minutes, the executive director shall:

(a) Unless otherwise provided by law, appoint a
director in charge of each operating office of the department who
shall be responsible to the executive director for the operation
of such office. Each such director shall be qualified and
experienced in the functions performed by the office under his
charge;

(b) Administer the policies promulgated by the
commission;

(c) Supervise and direct all administrative and
technical activities of the department;

(d) Organize the offices and bureaus of the department;

(e) Coordinate the activities of the various offices of
the department;

(f) Fix the compensation of employees of the department
and require any employee to give bond to the State of Mississippi
for the faithful performance of his duties in an amount the
executive director deems appropriate. Premiums on all bonds so
required shall be paid out of any funds available to the
department;

(g) Recommend such studies and investigations as he may
deem appropriate and carry out the approved recommendations in
conjunction with the various offices;

(h) Prepare and deliver to the Legislature and the
Governor on or before January 1 of each year, and at such other
times as may be required by the Legislature or Governor, a full
report of the work of the department and the offices thereof,
including a detailed statement of expenditures of the department
and any recommendations the department may have;

(i) Have full and general supervision over all matters
relating to the construction or maintenance of the state highways,
letting of contracts therefor, and the selection of materials to
be used in the construction of state highways under the authority
congered by this chapter as herein set forth and the employment,
promotion, demotion, reprimand, suspension, termination,
reassignment, transfer, moving or relocation of all personnel not
specifically authorized by statute to be employed by the
commission. The executive director may authorize the payment of
expenses of any personnel reassigned, transferred, moved or
relocated in accordance with such rules and regulations as are
promulgated by the commission;

(j) Approve all bids, sign all vouchers and
requisitions, issue all orders for supplies and materials, sign
all contracts and agreements in the name of the State of
Mississippi, and subscribe to all other matters which may arise in
the carrying out of the intent and purpose of this chapter;

(k) Receive and assume control, for the benefit of the
state, of any and all highways herein or hereafter fixed as roads
constituting a part of the state highway system;

(l) Provide for boulevard stops, restricted entrances
to main highways and access driveways, neutral grounds, and
roadside parks, erect all suitable direction and warning signs,
and provide access roads in or to municipalities where necessary;
provide limited access facilities when and where deemed necessary,
such a facility being defined as a highway or street especially
designed or designated for through traffic and over, from or to
which owners or occupants of abutting land or other persons have
only such limited right or easement of access as may be prescribed
by the commission, and provide that certain highways or streets
may be parkways from which trucks, buses and other commercial
vehicles shall be excluded or may be freeways open to customary
forms of highway and street traffic and use, and such limited
access facilities or parkways may be planned, designated,
established, regulated, vacated, altered, improved, constructed
and maintained and rights-of-way therefor specifically obtained, either by purchase, gift, condemnation or other form of acquisition;

(m) Construct bridges with or without footways, and sidewalks where deemed essential to decrease hazards;

(n) Perform services for the Department of Finance and Administration on state property, including, but not limited to, engineering services, and to advance such funds to defray the cost of the expenses incurred in performing such services from out of transportation department funds until such department is reimbursed by the Department of Finance and Administration;

(o) Perform all duties authorized by Section 27-19-136, Mississippi Code of 1972, concerning the assessment and collection of permit fees, fines and penalties;

(p) Conduct project planning as provided for in this paragraph (p). Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of:

(i) Establishment of a master budget for each segment of highway to be constructed, reconstructed or repaired. For purposes of this requirement, no segment shall be less than ten (10) miles in length unless a shorter segment is specifically authorized or required by law; and

(ii) Policies for the oversight and management of the master budget for segments which:

1. Establish a reasonable cost estimate to serve as a budget for each project within a segment. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

2. Capture and retain the initial project budgets for comparison with final actual expenditures;

3. Capture and retain the initial segment budget for comparison with final segment actual expenditures,
4. Require that any changes to a budget for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision and the reasons for rejecting other alternatives;

5. With existing resources, develop an information system to provide the Legislature, managers and the public with up-to-date segment cost information;

6. Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects; and

7. Ensure that projects for preliminary engineering, right-of-way acquisition and construction do not overlap segments;

(q) Annually report to the Legislature, on or before December 15 of each year, all preapproved contractors who subsequently receive contracts from the department. The reports must include the name of the contractor, the amount paid and the project on which the contractor worked.

SECTION 3. (1) There is created within the Mississippi Department of Transportation an office to be known as the Office of Value Engineering. This office shall be directed by a person who is a professional engineer registered in the State of Mississippi and who has ten (10) years of experience in civil engineering. The director of the office shall be selected by the Mississippi Transportation Commission and shall not be supervised by the executive director of the department. The director of the office shall have the authority to hire staff who shall be subject to the director's management and control. The Transportation Department shall be responsible for providing equipment, supplies and office space as required by the office.
(2) The Office of Value Engineering shall:

(a) Review all plans and specifications for preliminary engineering, right-of-way acquisition and construction projects of the department and make reports on such plans to the Mississippi Transportation Commission;

(b) Audit and evaluate the construction processes of the Mississippi Department of Transportation and report on these activities to the Mississippi Transportation Commission; and

(c) Conduct any inspection or investigation necessary to assist the commission in carrying out its duties under law.

SECTION 4. Section 65-3-97, Mississippi Code of 1972, is amended as follows:

65-3-97. (1) In addition to and including all other highways designated as a part of the state highway system, there is hereby designated as a part thereof a four-lane highway system to connect various areas of the state with interstate and primary highways. The Mississippi Department of Transportation shall construct and reconstruct four-lane highways, that is, not less than two (2) lanes for traffic flowing in each direction, along the routes designated in this section.

(2) In the construction and reconstruction of the four-lane highway system designated in this section, the Mississippi Department of Transportation may utilize the roadway of any existing highway under its jurisdiction and control and shall do so when such utilization is feasible, provided that such highways which are utilized shall be constructed to current standards for such roadways. When it is not feasible to utilize existing designated highways, the Transportation Department shall relocate such highways and construct entirely new facilities whether in urban or rural areas.

(3) Construction of the four-lane highway system designated in this subsection shall commence, proceed and be performed by the Mississippi Department of Transportation strictly in accordance
with the following set of priorities established for the letting
of contracts on and along various segments thereof:

(a) Of the following group of highway segments not less
than fifteen percent (15%) of all contracts necessary to be let
for completion of all segments within the group shall be let by
June 30, 1988, not less than thirty percent (30%) of such
contracts shall be let by June 30, 1989, not less than fifty
percent (50%) of such contracts shall be let by June 30, 1990, not
less than seventy percent (70%) of such contracts shall be let by
June 30, 1991, not less than ninety percent (90%) of such
contracts shall be let by June 30, 1992, and one hundred percent
(100%) of such contracts shall be let by June 30, 1993:

(i) Highway segments along or near U.S. 45
beginning at the Clarke/Lauderdale county line and extending
northerly to I-59; then beginning at Macon and extending northerly
to Brooksville; then beginning at Columbus Air Force Base and
extending northerly to Aberdeen; then beginning at U.S. 278 and
extending northerly to Shannon; then beginning at Saltillo and
extending northerly to Corinth.

(ii) Highway segments along or near U.S. 45A
beginning at U.S. 82 and extending northerly to West Point; then
beginning four (4) miles south of Okolona and extending northerly
to Shannon.

(iii) A highway segment along or near U.S. 49W
beginning at U.S. 49 and extending westerly through Yazoo City to
the Yazoo River.

(iv) A highway segment along or near U.S. 49W
beginning at Inverness and extending northerly to Indianola.

(v) A highway segment along or near U.S. 61
beginning at Port Gibson and extending northerly to the four-lane
south of Vicksburg.

(vi) Highway segments along or near U.S. 72
beginning at or near Mt. Pleasant and extending southeasterly to
Mississippi 5; then beginning at Walnut and extending southeasterly to Corinth; then beginning at Strickland and extending southeasterly to Burnsville.

(vii) Highway segments along or near U.S. 78 beginning at Holly Springs and extending southeasterly to the New Albany bypass; then beginning at Mississippi 25 and extending southeasterly to Tremont.

(viii) Highway segments along or near U.S. 82 beginning at I-55 and extending easterly to Kilmichael; then beginning at Eupora and extending easterly to Mathiston; then beginning at Mississippi 12 and extending easterly to the Alabama state line.

(ix) A highway segment along or near U.S. 84 beginning at I-59 and extending easterly to the Jones/Wayne county line.

(x) Highway segments along or near U.S. 98 beginning at Columbia and extending easterly to the Marion/Lamar county line; then beginning at U.S. 49 and extending southeasterly to the Alabama state line.

(b) Of the following group of highway segments not less than five percent (5%) of all contracts necessary to be let for completion of all segments within the group shall be let by June 30, 1991, not less than ten percent (10%) of such contracts shall be let by June 30, 1992, not less than twenty-five percent (25%) of such contracts shall be let by June 30, 1993, not less than forty percent (40%) of such contracts shall be let by June 30, 1994, not less than fifty-five percent (55%) of such contracts shall be let by June 30, 1995, not less than seventy percent (70%) of such contracts shall be let by June 30, 1996, not less than eighty-five percent (85%) of such contracts shall be let by June 30, 1997, and one hundred percent (100%) of such contracts shall be let by June 30, 1998:
(i) Highway segments along or near Mississippi 25
beginning at Mississippi 471 and extending northeasterly to
Mississippi 43; then beginning at the Winston/Oktibbeha county
line and extending northeasterly to Starkville.
(ii) A highway segment along or near Mississippi
63 beginning at the Jackson/George county line and extending
northerly to Lucedale.
(iii) A highway segment along or near Mississippi
302 beginning at I-55 in Southaven and extending easterly to U.S.
72 at or near Mt. Pleasant.
(iv) Highway segments along or near U.S. 45
beginning at the Alabama state line and extending northerly to the
Clarke/Lauderdale county line; then beginning at Lauderdale and
extending northerly to Macon; then beginning at Aberdeen and
extending northerly to U.S. 278.
(v) A highway segment along or near U.S. 45A
beginning at West Point and extending northerly to four (4) miles
south of Okolona.
(vi) A highway segment beginning at Brooksville
along or near U.S. 45 or U.S. 45A and extending northerly to U.S.
82, such segment having been designated by the Transportation
Commission pursuant to the provisions of paragraph (1)(c) of this
section.
(vii) A highway segment along or near U.S. 49W
beginning at the Yazoo River and extending northerly to Inverness.
(viii) Highway segments along or near U.S. 61
beginning at the Louisiana state line and extending northerly to
the Wilkinson/Adams county line; then beginning at Washington and
extending northerly to Port Gibson; then beginning at Merigold and
extending northerly to Shelby; then beginning at the north end of
the Clarksdale bypass and extending northerly to the Tennessee
state line.
(ix) A highway segment along or near U.S. 72
beginning at Mississippi 5 and extending southeasterly to Walnut.

(x) A highway segment along or near U.S. 78
beginning at Tremont and extending southeasterly to the Alabama state line.

(xi) Highway segments along or near U.S. 82
beginning at the Montgomery/Webster county line and extending easterly to Eupora; then beginning at Mathiston and extending easterly to Starkville.

(xii) Highway segments along or near U.S. 84
beginning at Leesdale and extending easterly to Roxie; then beginning at Auburn Road and extending easterly to I-55; then beginning at the east end of the Brookhaven bypass and extending easterly to Prentiss; then beginning at the Jones/Covington county line and extending easterly to Horse Creek; then beginning at the Jones/Wayne county line and extending easterly to Waynesboro.

(xiii) Highway segments along or near U.S. 98
beginning at the Pike/Walthall county line and extending easterly to Columbia; then beginning at the Marion/Lamar county line and extending easterly to the four-lane west of Hattiesburg.

(c) Of the following group of highway segments not less than ten percent (10%) of all contracts necessary to be let for completion of all segments within the group shall be let by June 30, 1996, not less than twenty percent (20%) of such contracts shall be let by June 30, 1997, not less than forty percent (40%) of such contracts shall be let by June 30, 1998, and one hundred percent (100%) of such contracts shall be let by June 30, 1999:

(i) A highway segment along or near Mississippi 25 beginning at Mississippi 43 and extending northeasterly to the Winston/Oktibbeha county line.

(ii) A highway segment along or near Mississippi 63 beginning at Lucedale and extending northerly to U.S. 45 at State Line.
(iii) A highway segment along or near U.S. 61
beginning at Shelby and extending northerly to U.S. 49.

(iv) A highway segment along or near U.S. 82
beginning at Kilmichael and extending easterly to the
Montgomery/Webster county line.

(v) Highway segments along or near U.S. 84
beginning at Eddiceton and extending easterly to Auburn Road; then
beginning at Prentiss and extending easterly to Collins; then
beginning at Waynesboro and extending easterly to the Alabama
state line.

(d) (i) Of the following group of highway segments not
less than five percent (5%) of all contracts necessary to be let
for completion of all segments within the group shall be let by
June 30, 2002, not less than fifteen percent (15%) of such
contracts shall be let by June 30, 2003, not less than twenty-five
percent (25%) of such contracts shall be let by June 30, 2004, not
less than thirty-five percent (35%) of such contracts shall be let
by June 30, 2005, not less than forty-five percent (45%) of such
contracts shall be let by June 30, 2006, not less than sixty
percent (60%) of such contracts shall be let by June 30, 2007, not
less than seventy percent (70%) of such contracts shall be let by
June 30, 2008, not less than eighty percent (80%) of such
contracts shall be let by June 30, 2009, not less than ninety
percent (90%) of such contracts shall be let by June 30, 2010, and
one hundred percent (100%) of such contracts shall be let by June
30, 2011:

A. A highway segment along or near
Mississippi 6 beginning at the Clarksdale bypass and extending
easterly to Batesville.

B. A highway segment along or near
Mississippi 12 beginning at I-55 and extending easterly to
Kosciusko.
C. A highway segment along or near Mississippi 15 beginning at I-10 and extending northerly to Mississippi 26; then beginning at U.S. Highway 98 and extending northerly to the Mississippi/Tennessee state line.

D. A highway segment consisting of two (2) lanes of construction and two (2) lanes of right-of-way acquisition along or near Mississippi 15 beginning at Mississippi 26 and extending northerly to U.S. Highway 98.

E. A highway segment along or near Mississippi 19 beginning at Collinsville and extending northwesterly to Kosciusko.

F. Highway segments along or near Mississippi 25 beginning at Aberdeen and extending northerly to Fulton; then beginning at the Alabama state line and extending northerly to U.S. Highway 72.

G. A highway segment along or near U.S. Highway 61 beginning at Redwood and extending northerly to Leland.

H. A highway segment along or near U.S. Highway 98 beginning at Meadville and extending southeasterly to Summit.

I. A highway segment along or near Mississippi Highway 24/48 beginning at Woodville and extending easterly to McComb.

J. A highway segment along or near Mississippi 35 beginning at the Mississippi/Louisiana state line and extending northerly to or near Foxworth.

K. A highway segment along or near Mississippi 27 beginning at I-20 and extending southeasterly to I-55.

L. A highway segment along or near Mississippi 57 beginning at I-10 and extending northerly ten (10) miles to just north of the community of Van Cleave.
(ii) Contracts for the construction and/or reconstruction of highway segments designated within this group shall be let by the Transportation Commission strictly in accordance with the level of service of the highway segment as defined by the Transportation Research Board, or any successor board or agency. If the level of service of a highway segment is less than the level of service threshold at which the Transportation Department recommends the construction of a four-lane highway, then the Transportation Department shall make other improvements and highway modifications to such highway segment as needed, such as straightening and realignment of the existing roadway, the addition of passing lanes and the widening of existing lanes, and may acquire any necessary right-of-way for such purposes and for the purpose of future construction of four-lane highways along such segments.

(iii) With respect to the segments authorized in this paragraph (d), the Transportation Department shall consider the level of service of the projects together with all projects authorized in Section 65-39-1 and nonprogram highway construction and shall devise a priority schedule for preliminary engineering, right-of-way acquisition and construction which establishes a schedule for completion of these projects and reflects the relative need for the projects authorized in this paragraph (d) and in Section 65-39-1 and nonprogram highways. The department shall accord great weight to Federal Highway Administration standards in setting priorities and also may consider other factors, not in violation of federal law, as the Department considers relevant. No funds deposited into the special funds created in Sections 65-39-3 of 65-39-17 may be expended on any project authorized in this paragraph (d).

(4) The construction priorities established in this section shall not be construed as prohibiting the completion of highway segments which, on July 1, 1987, are included in the current
three-year plan under Section 65-1-141, and for which, on July 1, 1987, grade and drainage has been completed or contracts for grade and drainage have been let.

(5) Contracts may be let and construction may commence and be performed concurrently on any of the highway segments designated in subsection (3) of this section, notwithstanding the priorities established for the letting of contracts on the various segments designated therein, provided that funds are available and, provided that, at all times, the percentages of all contracts required to be let on the segments designated in paragraphs (3)(a), (3)(b), (3)(c) and (3)(d), respectively, are, in fact, let no later than the dates established therein.

(6) (a) All highway construction and reconstruction authorized under this section shall be performed by contract let on competitive bid in the manner provided by statute; however, highway segments shall be constructed in lengths of not less than ten (10) miles.

(b) It is the intent of the Legislature that not less than ten percent (10%) of the amounts authorized to be expended for construction and reconstruction of the four-lane highway segments designated in this section shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals. The term "socially and economically disadvantaged individuals" shall have the meaning ascribed to such term under Section 8(d) of the Small Business Act (15 USCS, Section 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for the purposes of this paragraph (b).

(7) (a) Notwithstanding the provisions of subsection (6)(a) of this section, the Mississippi Transportation Commission may construct highway segments of less than ten (10) miles in length if:
(i) The segment as described in subsection (3) of this section is less than ten (10) miles in length;

(ii) The segment will connect two (2) highways which were existing four-lane highways on July 1, 2001;

(iii) For a particular project, the costs of constructing a single segment of at least ten (10) miles in length would exceed the aggregate costs of constructing two (2) or more segments by more than ten percent (10%).

(b) In any case in which the Transportation Commission authorizes the construction of a highway segment of less than ten (10) miles in length, the commission shall set forth and record in its official minutes, on at least a quarterly basis, a prospective explanation and justification therefor based upon one or more of the conditions prescribed in paragraph (7)(a) of this section.

Nothing in this paragraph (b) shall be construed as authorizing the commission to approve a segment of less than ten (10) miles in length after a contract for the segment has been let.

(8) To assist in defraying the costs and expenses for construction, reconstruction and relocation of the four-lane highway system described in this section, the following revenues shall be paid out of such funds made available to the Transportation Commission and the Transportation Department:

(a) From matched federal funds or other federal funds, Thirty-two Million Dollars ($32,000,000.00) for fiscal year 1988, Twenty-five Million Dollars ($25,000,000.00) for fiscal year 1989, Thirty Million Dollars ($30,000,000.00) for fiscal year 1990 and fifty percent (50%) of such federal funds for fiscal year 1991 and each fiscal year thereafter; and

(b) Five Million Dollars ($5,000,000.00) from matched federal bridge replacement funds for fiscal year 1988 and each fiscal year thereafter when the segments proposed for construction...
contain bridges that are eligible for replacement under the Federal Aid Bridge Replacement Program.

(9) The Transportation Department shall submit a report to the Legislature by January 10 of each calendar year setting forth the current status of the construction program set forth in this section to include, but not be limited to, the following information:

(a) Specific segments on which engineering is being performed or has been completed;

(b) Specific segments for which right-of-way has been acquired or is being acquired;

(c) Specific segments for which construction contracts have been let;

(d) Specific segments on which construction is in progress;

(e) Specific segments on which construction has been completed;

(f) Projections for completion of the next step on each segment;

(g) Revenue derived for such construction program from each revenue source contained in Chapter 322, Laws, 1987, and in Chapter 557, Laws, 1994;

(h) For each fiscal year beginning in 1994, a detailed cash flow projection by source of program activities and an estimate of when the program will encounter a funding shortage due to costs exceeding original projections;

(i) A schedule of all complete and open-to-traffic highway segments and the related total cost of each segment;

(j) A schedule of all highway segments on which all contracts necessary for completion of the segments were not let as of the date required by law;

(k) A complete recap of all program receipts by source, and of all disbursements for the prior fiscal year and cumulative

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totals since the inception of the program as compared to
projections; * * *

(l) A statement from the Department of Transportation
regarding the status of the funding of the program based on agency
cost experience and projections for the future;

(m) A list of all segments of less than ten (10) miles
in length which were authorized by the commission during the
preceding year. The list must include:

(i) Contract let by date;

(ii) The highway on which the contract was let;

(iii) A description of the project, including the
beginning and end point of the contract;

(iv) The length of the contract in miles; and

(v) The name of the contractor selected to perform
the contract work;

(n) A compilation of costs for all preliminary
engineering, right-of-way and construction contracts entered
during the reporting period;

(o) A listing of all segments completed or in progress
by topographical area of the state for the reporting period; and

(p) A status report of road segments to include road
segment description, the date of construction of the road and the
pavement condition rating, which includes roadbed rutting and
condition factors.

The report shall be deemed submitted when ten (10) copies are
submitted to the Clerk of the House of Representatives and ten
(10) copies are submitted to the Secretary of the Senate.

SECTION 5. Section 65-39-1, Mississippi Code of 1972, is
amended as follows:

65-39-1. (1) The Mississippi Transportation Commission is
authorized, subject to the availability of funds in the Gaming
Counties State-Assisted Infrastructure Fund created in Section
65-39-17, to conduct feasibility studies and, pursuant to
information gathered in such studies, select routes and locations, perform preliminary engineering, acquire necessary right-of-way and property, construct and/or reconstruct and improve existing or new highways, roads, streets and bridges, including two-lane, four-lane and multi-lane roads (or segments thereof), perform intersection improvements, provide signal retiring, turnbay extensions, additional interchanges and other traffic modifications, within and approaching those counties in this state where legal gaming is being conducted or is authorized. Any highway, road, street or bridge that is authorized to be constructed, reconstructed or improved shall meet design standards established by the Mississippi Department of Transportation, shall be constructed to bear a load limit of at least eighty thousand (80,000) pounds and, upon completion, shall become a part of the state highway system, and thereafter shall be under the jurisdiction of the Mississippi Transportation Commission and the Mississippi Department of Transportation for construction and maintenance.

(2) The projects authorized in subsection (1) of this section shall include, but shall not be limited to, highways, roads, streets and bridges on and along the following locations:

(a) U.S. Highway 90 from its intersection with Mississippi 607 in Hancock County to Ocean Springs, and including Lakeshore Road in Hancock County from its intersection with U.S. Highway 90 to Beach Boulevard;

(b) Mississippi 4 from U.S. Highway 61 to Mississippi 3;

(c) Mississippi 4 from Mississippi 3 to Senatobia;

(d) Lorraine/Cowan Road from U.S. Highway 90 to I-10;

(e) U.S. Highway 49 from U.S. Highway 90 to I-10 in Gulfport;

(f) Mississippi 304 beginning at the Tennessee state line at or near U.S. 72 and thence running in a southwesterly
direction to intersect with U.S. 78 at or near Byhalia and thence
running in a westerly direction to intersect I-55 at or near
Hernando and thence running in a westerly direction to intersect
with U.S. 61 in DeSoto County, with a spur extending southwesterly
to or near Robinsonville in Tunica County;
(g) I-10 from Exit 28 to Exit 57;
(h) A new location from the northernmost point on I-110 to U.S. 49;
(i) U.S. Highway 61 from the Tunica County line to the Tennessee state line;
(j) (i) Four-lanes for traffic along Mississippi 16 beginning at its intersection with Mississippi 25 and extending easterly to join the existing four-lane on the west side of Carthage within the corporate boundaries;
(ii) Passing lanes and turn lanes, as needed, along Mississippi 16 beginning at a point on the east side of Carthage within the corporate boundaries where the existing four-lane ends and extending easterly to the Leake/Neshoba county line; and
(iii) Four-lanes for traffic along Mississippi 16 beginning at the Leake/Neshoba county line and extending easterly to not more than ten (10) miles east of Mississippi 15;
(k) Lorraine/Cowan Road Extension from I-10 North to relocated/reconstructed Mississippi 67;
(l) At various locations on and along U.S. Highway 82 and Mississippi 1 in the City of Greenville;
(m) At various locations on and along I-20, U.S. Highway 61 and U.S. Highway 80 in the City of Vicksburg, including a truck route from Harbor Industrial Park to U.S. Highway 61 north and an extension of South Frontage Road with railroad bridge to I-20;
(n) At various locations on and along U.S. Highway 61, U.S. Highway 65 and Washington Street in the City of Natchez;
(o) At various locations on and along U.S. Highway 90 in the City of Pass Christian;

(p) Mississippi 43/603 beginning where the existing four-lane ends north of I-10 and extending northerly to a point approximately one (1) mile north of Kiln where Mississippi 43/603 divides into Mississippi 43 and Mississippi 603;

(q) Mississippi 43 beginning where Mississippi 43 and Mississippi 603 divide and extending northwesterly to or near Picayune;

(r) U.S. 49 from U.S. 61 west to the Mississippi River bridge;

(s) Subject to the conditions prescribed in subsection (3) of this section, a central Harrison County connector from I-10 to U.S. 90 in the vicinity of Canal Road to the Mississippi State Port at Gulfport; and

(t) An east Harrison County connector from U.S. 90 to I-10 to be located between the Cowan-Lorraine Road interchange and the I-110 interchange.

(3) Authorization for the project described in paragraph (2)(s) of this section is conditioned upon receipt by the Mississippi Transportation Commission of a written commitment by the Department of Economic and Community Development to make available for such project not less than Six Million Dollars ($6,000,000.00).

(4) All planning, construction, reconstruction and performance of the projects authorized under this section, including the letting of contracts, shall commence, proceed and be performed by the Mississippi Transportation Commission and the Mississippi Department of Transportation according to priorities based on volume capacity and traffic congestion in comparative project areas; however, if a project authorized in this section is also included in the four-lane highway program under Section 65-3-97, then all contracts necessary to be let for the completion
of the project under this section shall be let not later than the
priorities established for the letting of contracts for the
project under Section 65-3-97. Prioritization of construction for
the projects authorized in this section shall be conducted as
provided for in Section 65-3-97(3)(d)(iii).

(5) (a) Funds for the projects authorized under this
section may be provided through the issuance of bonds under
Sections 65-39-5 through 65-39-33, through the issuance of notes
for such purposes under Section 31-17-127 or from such monies as
may be available in the Gaming Counties State-Assisted
Infrastructure Fund created under Section 65-39-17.

(b) In addition to the funds provided for under
paragraph (a) of this subsection, funds for the project described
in subsection (2)(s) of this section also may be provided from any
available federal, state, county or municipal funds authorized for
such project, including the Economic Development Highway Act.

(6) (a) For all highway segments authorized in this
section, the Mississippi Department of Transportation shall
construct highway segments of at least ten (10) miles in length
unless one or more of the following conditions exist:

(i) The segment as described in this section is
less than ten (10) miles in length;

(ii) The segment will connect two (2) highways
which were existing four-lane highways on July 1, 2001; or

(iii) For a particular project, the costs of
constructing a single segment of at least ten (10) miles in length
would exceed the aggregate costs of constructing two (2) or more
segments by more than ten percent (10%).

(b) If the Transportation Commission authorizes the
construction of a highway segment of less than ten (10) miles in
length, the commission shall set forth and record in its official
minutes, on at least a quarterly basis, a prospective explanation
and justification based on one or more of the condition prescribed
in paragraph (a) of this subsection (6). This subsection does not authorize the commission to approve a segment of less than ten (10) miles in length after a contract for the segment has been let.

(7) The Transportation Department shall submit a report to the Legislature by January 10 of each calendar year setting forth the current status of the construction program set forth in this section to include, but not be limited to, the following information:

(a) Specific segments on which engineering is being performed or has been completed;

(b) Specific segments for which right-of-way has been acquired or is being acquired;

(c) Specific segments for which construction contracts have been let;

(d) Specific segments on which construction is in progress;

(e) Specific segments on which construction has been completed;

(f) Projections for completion of the next step on each segment;

(g) Revenue derived for such construction program from each revenue source contained in Chapter 557, Laws, 1994;

(h) For each fiscal year beginning in 1994, a detailed cash flow projection by source of program activities and an estimate of when the program will encounter a funding shortage due to costs exceeding original projections;

(i) A schedule of all complete and open-to-traffic highway segments and the related total cost of each segment;

(j) A complete recap of all program receipts by source, and of all disbursements for the prior fiscal year and cumulative totals since the inception of the program as compared to projections;
(k) A statement from the Department of Transportation regarding the status of the funding of the program based on agency cost experience and projections for the future;

(l) A list of all segments of less than ten (10) miles in length which were authorized by the commission during the preceding year. The list must include:

(i) Contract let by date;

(ii) The highway on which the contract was let;

(iii) A description of the project, including the beginning and end point of the contract;

(iv) The length of the contract in miles; and

(v) The name of the contractor selected to perform the contract work;

(m) A compilation of costs for all preliminary engineering, right-of-way and construction contracts entered during the reporting period;

(n) A listing of all segments completed or in progress by topographical area of the state for the reporting period; and

(o) A status report of road segments to include road segment description, the date of construction of the road and the pavement condition rating, which includes roadbed rutting and condition factors.

SECTION 6. Section 65-39-35, Mississippi Code of 1972, is amended as follows:

65-39-35. The date upon which the taxes and fees levied and charged under the provisions of Sections 27-55-11, 27-57-37, 27-59-11, 27-19-43, 27-19-309, 27-65-75 and Sections 27-55-519 and 27-55-521 are reduced under such sections shall be the first day of the month immediately following the date upon which:

(a) The Mississippi Transportation Commission certifies to the State Tax Commission that:

(i) The Four-Lane Highway Program created under

Section 65-3-97 and the Gaming Counties Infrastructure Program

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created under Section 65-39-3, are completed and no funds are any
longer necessary to pay the costs of such programs or twenty-five
(25) years have elapsed since the completion of the last segment
of highway authorized in Section 65-3-97, whichever occurs first;
and
(ii) The Mississippi Transportation Commission
will not declare the necessity for additional borrowings under
Section 65-9-27, or for additional bonds under Sections 65-39-5
through 65-39-33; and
(b) The State Treasurer certifies:
(i) That the amount on deposit in the Gaming
Counties Bond Sinking Fund, together with earnings on investments
to accrue to such fund, is equal to or greater than the aggregate
of the entire principal, redemption premium (if any), and interest
due and to become due (until the final maturity date or earlier
scheduled redemption date) on all general obligation bonds issued
under Sections 65-39-5 through 65-39-33; and
(ii) That all principal, interest, cost and other
expenses for all bonds, notes or other borrowings under Section
65-9-27 and Section 31-17-127 (including redemption notes, if any)
have been paid and are completely satisfied.

SECTION 7. Section 75-76-129, Mississippi Code of 1972, is
amended as follows:

[ * * * Until the highway segments authorized in Section
65-39-1 are certified as complete by the Mississippi
Transportation Commission, this section shall read as follows:]
75-76-177(1)(c), or an amount equal to twenty-five percent (25%) of the revenue collected pursuant to the fee imposed under Section 75-76-177(1)(c), whichever is the greater amount, shall be paid by the State Tax Commission to the State Treasurer to be deposited in the State General Fund. The local government fees shall be distributed by the State Tax Commission pursuant to Section 75-76-197. An amount equal to Three Million Dollars ($3,000,000.00) of the revenue collected during that month pursuant to the fee imposed under Section 75-76-177(1)(c) shall be deposited by the State Tax Commission into the bond sinking fund created in Section 65-39-3. The revenue collected during that month pursuant to the fee imposed under Section 75-76-177(1)(c) that is in excess of Three Million Dollars ($3,000,000.00), but is less than twenty-five percent (25%) of the amount of revenue collected during that month, shall be deposited into the State Highway Fund to be used exclusively for the reconstruction and maintenance of highways of the State of Mississippi.

[ * * * After the highway segments authorized in Section 65-39-1 are certified as complete by the Mississippi Transportation Commission, this section shall read as follows:]

75-76-129. On or before the last day of each month, all taxes, fees, interest, penalties, damages, fines or other monies collected by the State Tax Commission during that month under the provisions of this chapter, with the exception of the local government fees imposed under Section 75-76-195, shall be paid by the State Tax Commission to the State Treasurer to be deposited in the State General Fund. The local government fees shall be distributed by the State Tax Commission pursuant to Section 75-76-197.

SECTION 8. This act shall take effect and be in force from and after July 1, 2001.