

By: Senator(s) Canon, Bryan, Hewes, Walls,  
Dearing

To: Highways and  
Transportation; Finance

SENATE BILL NO. 3007

1 AN ACT TO AMEND SECTIONS 65-1-8 AND 65-1-10, MISSISSIPPI CODE  
2 OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
3 TO ENGAGE IN CERTAIN PROJECT PLANNING ACTIVITIES FOR ANY  
4 PRELIMINARY ENGINEERING, RIGHT-OF-WAY ACQUISITION OR CONSTRUCTION  
5 PROJECT ACTIVITIES OF THE DEPARTMENT; TO AMEND SECTIONS 65-3-97  
6 AND 65-39-1, MISSISSIPPI CODE OF 1972, TO REVISE THE MANNER IN  
7 WHICH HIGHWAY SEGMENTS IN PHASE FOUR OF THE 1987 FOUR-LANE HIGHWAY  
8 PROGRAM AND HIGHWAY SEGMENTS IN THE GAMING COUNTIES STATE-ASSISTED  
9 INFRASTRUCTURE PROGRAM ARE PRIORITIZED AND TO REVISE THE MANNER IN  
10 WHICH AND REASONS FOR WHICH THE MISSISSIPPI TRANSPORTATION  
11 COMMISSION MAY AUTHORIZE HIGHWAY SEGMENTS OF LESS THAN 10 MILES IN  
12 LENGTH; TO AMEND SECTION 65-39-35, MISSISSIPPI CODE OF 1972, TO  
13 AUTHORIZE THE REPEAL OF CERTAIN FUEL TAX INCREASES 25 YEARS AFTER  
14 THE COMPLETION OF THE LAST SEGMENT IN PHASE FOUR OF THE 1987  
15 FOUR-LANE HIGHWAY PROGRAM; TO AMEND SECTION 75-76-129, MISSISSIPPI  
16 CODE OF 1972, TO REMOVE THE DIVERSION OF CERTAIN GAMING FEES TO  
17 THE GAMING COUNTIES BOND SINKING FUND AND THE STATE HIGHWAY FUND  
18 UPON CERTIFICATION BY THE DEPARTMENT OF TRANSPORTATION THAT THE  
19 HIGHWAY SEGMENTS AUTHORIZED IN THE GAMING COUNTIES STATE-ASSISTED  
20 INFRASTRUCTURE PROGRAM ARE COMPLETE; AND FOR RELATED PURPOSES.

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

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

24 65-1-8. (1) The Mississippi Transportation Commission shall  
25 have the following general powers, duties and responsibilities:

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

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

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

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

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

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

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

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

57           (b) To enforce by mandamus, or other proper legal  
58 remedies, all legal rights or rights of action of the Mississippi  
59 Transportation Commission with other public bodies, corporations  
60 or persons;

61           (c) To make and publish rules, regulations and  
62 ordinances for the control of and the policing of the traffic on  
63 the state highways, and to prevent their abuse by any or all  
64 persons, natural or artificial, by trucks, tractors, trailers or  
65 any other heavy or destructive vehicles or machines, or by any

66 other means whatsoever, by establishing weights of loads or of  
67 vehicles, types of tires, width of tire surfaces, length and width  
68 of vehicles, with reasonable variations to meet approximate  
69 weather conditions, and all other proper police and protective  
70 regulations, and to provide ample means for the enforcement of  
71 same. The violation of any of the rules, regulations or  
72 ordinances so prescribed by the commission shall constitute a  
73 misdemeanor. No rule, regulation or ordinance shall be made that  
74 conflicts with any statute now in force or which may hereafter be  
75 enacted, or with any ordinance of municipalities. A monthly  
76 publication giving general information to the boards of  
77 supervisors, employees and the public may be issued under such  
78 rules and regulations as the commission may determine;

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

87 (e) To make proper and reasonable rules, regulations  
88 and ordinances for the placing, erection, removal or relocation of  
89 telephone, telegraph or other poles, signboards, fences, gas,  
90 water, sewerage, oil or other pipelines, and other obstructions  
91 that may, in the opinion of the commission, contribute to the  
92 hazards upon any of the state highways, or in any way interfere  
93 with the ordinary travel upon such highways, or the construction,  
94 reconstruction or maintenance thereof, and to make reasonable  
95 rules and regulations for the proper control thereof. Any  
96 violation of such rules or regulations or noncompliance with such  
97 ordinances shall constitute a misdemeanor.

98                   Whenever the order of the commission shall require the  
99 removal of, or other changes in the location of telephone,  
100 telegraph or other poles, signboards, gas, water, sewerage, oil or  
101 other pipelines; or other similar obstructions on the right-of-way  
102 or such other places where removal is required by law, the owners  
103 thereof shall at their own expense move or change the same to  
104 conform to the order of the commission. Any violation of such  
105 rules or regulations or noncompliance with such orders shall  
106 constitute a misdemeanor;

107                   (f) To regulate and abandon grade crossings on any road  
108 fixed as a part of the state highway system, and whenever the  
109 commission, in order to avoid a grade crossing with the railroad,  
110 locates or constructs said road on one side of the railroad, the  
111 commission shall have the power to abandon and close such grade  
112 crossing, and whenever an underpass or overhead bridge is  
113 substituted for a grade crossing, the commission shall have power  
114 to abandon such grade crossing and any other crossing adjacent  
115 thereto. Included in the powers herein granted shall be the power  
116 to require the railroad at grade crossings, where any road of the  
117 state highway system crosses the same, to place signal posts with  
118 lights or other warning devices at such crossings at the expense  
119 of the railroad, and to regulate and abandon underpass or overhead  
120 bridges and, where abandoned because of the construction of a new  
121 underpass or overhead bridge, to close such old underpass or  
122 overhead bridge, or, in its discretion, to return the same to the  
123 jurisdiction of the county board of supervisors;

124                   (g) To make proper and reasonable rules and regulations  
125 to control the cutting or opening of the road surfaces for  
126 subsurface installations;

127                   (h) To make proper and reasonable rules and regulations  
128 for the removal from the public rights-of-way of any form of  
129 obstruction, to cooperate in improving their appearance, and to  
130 prescribe minimum clearance heights for seed conveyors, pipes,

131 passageways or other structure of private or other ownership above  
132 the highways;

133           (i) To establish, and have the Transportation  
134 Department maintain and operate, and to cooperate with the state  
135 educational institutions in establishing, enlarging, maintaining  
136 and operating a laboratory or laboratories for testing materials  
137 and for other proper highway purposes;

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

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

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

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

162           (n) To cooperate with the Department of Archives and  
163 History in having placed and maintained suitable historical

164 markers, including those which have been approved and purchased by  
165 the State Historical Commission, along state highways, and to have  
166 constructed and maintained roadside driveways for convenience and  
167 safety in viewing them when necessary; however, no highway or  
168 bridge shall ever be memorialized to a man while living;

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

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

185           (q) To cooperate with the Federal Highway  
186 Administration in the matter of location, construction and  
187 maintenance of the Great River Road, to expend such funds paid to  
188 the commission by the Federal Highway Administration or other  
189 federal agency, and to authorize the Transportation Department to  
190 erect suitable signs marking this highway, the cost of such signs  
191 to be paid from state highway funds other than earmarked  
192 construction funds;

193           (r) To cooperate, in its discretion, with the  
194 Mississippi Forestry Commission and the School of Forestry,  
195 Mississippi State University, in a forestry management program,  
196 including planting, thinning, cutting and selling, upon the

197 right-of-way of any highway, constructed, acquired or maintained  
198 by the Transportation Department, and to sell and dispose of any  
199 and all growing timber standing, lying or being on any  
200 right-of-way acquired by the commission for highway purposes in  
201 the future; such sale or sales to be made in accordance with the  
202 sale of personal property which has become unnecessary for public  
203 use as provided for in Section 65-1-123, Mississippi Code of 1972;

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

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

218 (u) To request and to accept the use of persons  
219 convicted of an offense, whether a felony or a misdemeanor, for  
220 work on any road construction, repair or other project of the  
221 Transportation Department. The commission is also authorized to  
222 request and to accept the use of persons who have not been  
223 convicted of an offense but who are required to fulfill certain  
224 court-imposed conditions pursuant to Section 41-29-150(d)(1) or  
225 99-15-26, Mississippi Code of 1972, or the Pretrial Intervention  
226 Act, being Sections 99-15-101 through 99-15-127, Mississippi Code  
227 of 1972. The commission is authorized to enter into any  
228 agreements with the Department of Corrections, the State Parole  
229 Board, any criminal court of this state and any other proper

230 official regarding the working, guarding, safekeeping, clothing  
231 and subsistence of such persons performing work for the  
232 Transportation Department. Such persons shall not be deemed  
233 agents, employees or involuntary servants of the Transportation  
234 Department while performing such work or while going to and from  
235 work or other specified areas;

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

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

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

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

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



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

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

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

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

294 SECTION 2. Section 65-1-10, Mississippi Code of 1972, is  
295 amended as follows:

296 65-1-10. Under the authority of the Mississippi  
297 Transportation Commission, and in conformity with its orders as  
298 spread on its minutes, the executive director shall:

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

305 (b) Administer the policies promulgated by the  
306 commission;

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

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

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

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

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

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

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

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

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

347           (l) Provide for boulevard stops, restricted entrances  
348 to main highways and access driveways, neutral grounds, and  
349 roadside parks, erect all suitable direction and warning signs,  
350 and provide access roads in or to municipalities where necessary;  
351 provide limited access facilities when and where deemed necessary,  
352 such a facility being defined as a highway or street especially  
353 designed or designated for through traffic and over, from or to  
354 which owners or occupants of abutting land or other persons have  
355 only such limited right or easement of access as may be prescribed  
356 by the commission, and provide that certain highways or streets  
357 may be parkways from which trucks, buses and other commercial  
358 vehicles shall be excluded or may be freeways open to customary  
359 forms of highway and street traffic and use, and such limited

360 access facilities or parkways may be planned, designated,  
361 established, regulated, vacated, altered, improved, constructed  
362 and maintained and rights-of-way therefor specifically obtained,  
363 either by purchase, gift, condemnation or other form of  
364 acquisition;

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

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

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

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

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

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

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

391 B. Capture and retain the initial project  
392 budgets for comparison with final actual expenditures.

393 C. Capture and retain the initial segment  
394 budget for comparison with final segment actual expenditures.

395 D. Require that any changes to a budget for a  
396 project will be reviewed and approved by district or central  
397 office personnel. Such personnel shall be responsible for signing  
398 any revision, providing a narrative description of the reasons for  
399 approving a revision and why other alternatives were  
400 inappropriate.

401 E. With existing resources, develop an  
402 information system to provide the Legislature, managers and the  
403 public with up to date segment cost information.

404 F. Capture the cost of consultants,  
405 engineers, attorneys, contract appraisers and other technical and  
406 professional contractors used in preliminary engineering,  
407 right-of-way acquisition and construction projects.

408 G. Ensure that projects for preliminary  
409 engineering, right-of-way acquisition and construction do not  
410 overlap segments.

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

413 65-3-97. (1) In addition to and including all other  
414 highways designated as a part of the state highway system, there  
415 is hereby designated as a part thereof a four-lane highway system  
416 to connect various areas of the state with interstate and primary  
417 highways. The Mississippi Department of Transportation shall  
418 construct and reconstruct four-lane highways, that is, not less  
419 than two (2) lanes for traffic flowing in each direction, along  
420 the routes designated in this section.

421 (2) In the construction and reconstruction of the four-lane  
422 highway system designated in this section, the Mississippi  
423 Department of Transportation may utilize the roadway of any  
424 existing highway under its jurisdiction and control and shall do  
425 so when such utilization is feasible, provided that such highways

426 which are utilized shall be constructed to current standards for  
427 such roadways. When it is not feasible to utilize existing  
428 designated highways, the Transportation Department shall relocate  
429 such highways and construct entirely new facilities whether in  
430 urban or rural areas.

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

436 (a) Of the following group of highway segments not less  
437 than fifteen percent (15%) of all contracts necessary to be let  
438 for completion of all segments within the group shall be let by  
439 June 30, 1988, not less than thirty percent (30%) of such  
440 contracts shall be let by June 30, 1989, not less than fifty  
441 percent (50%) of such contracts shall be let by June 30, 1990, not  
442 less than seventy percent (70%) of such contracts shall be let by  
443 June 30, 1991, not less than ninety percent (90%) of such  
444 contracts shall be let by June 30, 1992, and one hundred percent  
445 (100%) of such contracts shall be let by June 30, 1993:

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

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

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

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

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

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

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

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

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

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

486 (b) Of the following group of highway segments not less  
487 than five percent (5%) of all contracts necessary to be let for  
488 completion of all segments within the group shall be let by June  
489 30, 1991, not less than ten percent (10%) of such contracts shall

490 be let by June 30, 1992, not less than twenty-five percent (25%)  
491 of such contracts shall be let by June 30, 1993, not less than  
492 forty percent (40%) of such contracts shall be let by June 30,  
493 1994, not less than fifty-five percent (55%) of such contracts  
494 shall be let by June 30, 1995, not less than seventy percent (70%)  
495 of such contracts shall be let by June 30, 1996, not less than  
496 eighty-five percent (85%) of such contracts shall be let by June  
497 30, 1997, and one hundred percent (100%) of such contracts shall  
498 be let by June 30, 1998:

499 (i) Highway segments along or near Mississippi 25  
500 beginning at Mississippi 471 and extending northeasterly to  
501 Mississippi 43; then beginning at the Winston/Oktibbeha county  
502 line and extending northeasterly to Starkville.

503 (ii) A highway segment along or near Mississippi  
504 63 beginning at the Jackson/George county line and extending  
505 northerly to Lucedale.

506 (iii) A highway segment along or near Mississippi  
507 302 beginning at I-55 in Southaven and extending easterly to U.S.  
508 72 at or near Mt. Pleasant.

509 (iv) Highway segments along or near U.S. 45  
510 beginning at the Alabama state line and extending northerly to the  
511 Clarke/Lauderdale county line; then beginning at Lauderdale and  
512 extending northerly to Macon; then beginning at Aberdeen and  
513 extending northerly to U.S. 278.

514 (v) A highway segment along or near U.S. 45A  
515 beginning at West Point and extending northerly to four (4) miles  
516 south of Okolona.

517 (vi) A highway segment beginning at Brooksville  
518 along or near U.S. 45 or U.S. 45A and extending northerly to U.S.  
519 82, such segment having been designated by the Transportation  
520 Commission pursuant to the provisions of paragraph (1)(c) of this  
521 section.



522 (vii) A highway segment along or near U.S. 49W  
523 beginning at the Yazoo River and extending northerly to Inverness.

524 (viii) Highway segments along or near U.S. 61  
525 beginning at the Louisiana state line and extending northerly to  
526 the Wilkinson/Adams county line; then beginning at Washington and  
527 extending northerly to Port Gibson; then beginning at Merigold and  
528 extending northerly to Shelby; then beginning at the north end of  
529 the Clarksdale bypass and extending northerly to the Tennessee  
530 state line.

531 (ix) A highway segment along or near U.S. 72  
532 beginning at Mississippi 5 and extending southeasterly to Walnut.

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

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

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

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

551 (c) Of the following group of highway segments not less  
552 than ten percent (10%) of all contracts necessary to be let for  
553 completion of all segments within the group shall be let by June  
554 30, 1996, not less than twenty percent (20%) of such contracts

555 shall be let by June 30, 1997, not less than forty percent (40%)  
556 of such contracts shall be let by June 30, 1998, and one hundred  
557 percent (100%) of such contracts shall be let by June 30, 1999:

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

561 (ii) A highway segment along or near Mississippi  
562 63 beginning at Lucedale and extending northerly to U.S. 45 at  
563 State Line.

564 (iii) A highway segment along or near U.S. 61  
565 beginning at Shelby and extending northerly to U.S. 49.

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

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

574 (d) (i) Of the following group of highway segments not  
575 less than five percent (5%) of all contracts necessary to be let  
576 for completion of all segments within the group shall be let by  
577 June 30, 2002, not less than fifteen percent (15%) of such  
578 contracts shall be let by June 30, 2003, not less than twenty-five  
579 percent (25%) of such contracts shall be let by June 30, 2004, not  
580 less than thirty-five percent (35%) of such contracts shall be let  
581 by June 30, 2005, not less than forty-five percent (45%) of such  
582 contracts shall be let by June 30, 2006, not less than sixty  
583 percent (60%) of such contracts shall be let by June 30, 2007, not  
584 less than seventy percent (70%) of such contracts shall be let by  
585 June 30, 2008, not less than eighty percent (80%) of such  
586 contracts shall be let by June 30, 2009, not less than ninety  
587 percent (90%) of such contracts shall be let by June 30, 2010, and

588 one hundred percent (100%) of such contracts shall be let by June  
589 30, 2011:

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

593           B. A highway segment along or near  
594 Mississippi 12 beginning at I-55 and extending easterly to  
595 Kosciusko.

596           C. A highway segment along or near  
597 Mississippi 15 beginning at I-10 and extending northerly to  
598 Mississippi 26; then beginning at U.S. Highway 98 and extending  
599 northerly to the Mississippi/Tennessee state line.

600           D. A highway segment consisting of two (2)  
601 lanes of construction and two (2) lanes of right-of-way  
602 acquisition along or near Mississippi 15 beginning at Mississippi  
603 26 and extending northerly to U.S. Highway 98.

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

607           F. Highway segments along or near Mississippi  
608 25 beginning at Aberdeen and extending northerly to Fulton; then  
609 beginning at the Alabama state line and extending northerly to  
610 U.S. Highway 72.

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

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

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

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

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

625 L. A highway segment along or near  
626 Mississippi 57 beginning at I-10 and extending northerly ten (10)  
627 miles to just north of the community of Van Cleave.

628 (ii) Contracts for the construction and/or  
629 reconstruction of highway segments designated within this group  
630 shall be let by the Transportation Commission strictly in  
631 accordance with the level of service as defined by the  
632 Transportation Research Board of the highway segment. If the  
633 level of service of a highway segment is less than the level of  
634 service threshold at which the Transportation Department  
635 recommends the construction of a four-lane highway, then the  
636 Transportation Department shall make other improvements and  
637 highway modifications to such highway segment as needed, such as  
638 straightening and realignment of the existing roadway, the  
639 addition of passing lanes and the widening of existing lanes, and  
640 may acquire any necessary right-of-way for such purposes and for  
641 the purpose of future construction of four-lane highways along  
642 such segments.

643 (iii) With respect to the segments authorized in  
644 this paragraph (d), the Transportation Department shall consider  
645 the level of service of the projects together with all projects  
646 authorized in Section 65-39-1 and nonprogram highway construction  
647 and shall devise a priority schedule for preliminary engineering,  
648 right-of-way acquisition and construction which established a  
649 schedule for completion of these projects and reflects the  
650 relative need for the projects authorized in this paragraph (d)  
651 and in Section 65-39-1 and nonprogram highways. The department

652 shall accord to Federal Highway Administration standards great  
653 weight in setting priorities and may also consider other factors  
654 as the department considers relevant where such is not a violation  
655 of federal law. No funds deposited into the special funds created  
656 in Sections 65-39-3 or 65-39-17 shall be expended on any project  
657 authorized in this paragraph (d).

658 (4) The construction priorities established in this section  
659 shall not be construed as prohibiting the completion of highway  
660 segments which, on July 1, 1987, are included in the current  
661 three-year plan under Section 65-1-141, and for which, on July 1,  
662 1987, grade and drainage has been completed or contracts for grade  
663 and drainage have been let.

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

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

678 (b) It is the intent of the Legislature that not less  
679 than ten percent (10%) of the amounts authorized to be expended  
680 for construction and reconstruction of the four-lane highway  
681 segments designated in this section shall be expended with small  
682 business concerns owned and controlled by socially and  
683 economically disadvantaged individuals. The term "socially and  
684 economically disadvantaged individuals" shall have the meaning

685 ascribed to such term under Section 8(d) of the Small Business Act  
686 (15 USCS, Section 637(d)) and relevant subcontracting regulations  
687 promulgated pursuant thereto; except that women shall be presumed  
688 to be socially and economically disadvantaged individuals for the  
689 purposes of this paragraph (b).

690 (7) (a) Notwithstanding the provisions of subsection (6)(a)  
691 of this section, the Mississippi Transportation Commission may  
692 construct highway segments of less than ten (10) miles in length  
693 if:

694 (i) The segment as described in subsection (3) of  
695 this section is less than ten (10) miles in length;

696 (ii) The segment will connect two (2) \* \* \*  
697 highways which were existing four-lane highways on July 1, 2001;  
698 \* \* \*

699 (iii) For a particular project, the costs of  
700 constructing a single segment of at least ten (10) miles in length  
701 would \* \* \* exceed the aggregate costs of constructing two (2) or  
702 more segments by more than ten percent (10%). \* \* \*  
703 \* \* \*

704 (b) In any case in which the Transportation Commission  
705 authorizes the construction of a highway segment of less than ten  
706 (10) miles in length, the commission shall set forth and record in  
707 its official minutes, on at least a quarterly basis. A  
708 prospective explanation and justification therefor based upon one  
709 or more of the conditions prescribed in paragraph (7)(a) of this  
710 section. Nothing in this paragraph (b) shall be construed as  
711 authorizing the commission to approve a segment of less than ten  
712 (10) miles in length after a contract for such section has been  
713 let.

714 (8) To assist in defraying the costs and expenses for  
715 construction, reconstruction and relocation of the four-lane  
716 highway system described in this section, the following revenues

717 shall be paid out of such funds made available to the  
718 Transportation Commission and the Transportation Department:

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

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

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

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

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

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

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

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

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

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

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

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

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

759 (k) A complete recap of all program receipts by source,  
760 and of all disbursements for the prior fiscal year and cumulative  
761 totals since the inception of the program as compared to  
762 projections; and

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

766 (m) A listing of all segments of less than ten (10)  
767 miles in length which were authorized by the commission. This  
768 listing shall include:

769 (i) Contract let by date;

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

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

773 (iv) The name of the contractor selected to  
774 perform the contract work.

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

778 SECTION 4. Section 65-39-1, Mississippi Code of 1972, is  
779 amended as follows:

780 65-39-1. (1) The Mississippi Transportation Commission is  
781 authorized, subject to the availability of funds in the Gaming  
782 Counties State-Assisted Infrastructure Fund created in Section



783 65-39-17, to conduct feasibility studies and, pursuant to  
784 information gathered in such studies, select routes and locations,  
785 perform preliminary engineering, acquire necessary right-of-way  
786 and property, construct and/or reconstruct and improve existing or  
787 new highways, roads, streets and bridges, including two-lane,  
788 four-lane and multi-lane roads (or segments thereof), perform  
789 intersection improvements, provide signal retiring, turnbay  
790 extensions, additional interchanges and other traffic  
791 modifications, within and approaching those counties in this state  
792 where legal gaming is being conducted or is authorized. Any  
793 highway, road, street or bridge that is authorized to be  
794 constructed, reconstructed or improved shall meet design standards  
795 established by the Mississippi Department of Transportation, shall  
796 be constructed to bear a load limit of at least eighty thousand  
797 (80,000) pounds and, upon completion, shall become a part of the  
798 state highway system, and thereafter shall be under the  
799 jurisdiction of the Mississippi Transportation Commission and the  
800 Mississippi Department of Transportation for construction and  
801 maintenance.

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

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

809 (b) Mississippi 4 from U.S. Highway 61 to Mississippi  
810 3;

811 (c) Mississippi 4 from Mississippi 3 to Senatobia;

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

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

815           (f) Mississippi 304 beginning at the Tennessee state  
816 line at or near U.S. 72 and thence running in a southwesterly  
817 direction to intersect with U.S. 78 at or near Byhalia and thence  
818 running in a westerly direction to intersect I-55 at or near  
819 Hernando and thence running in a westerly direction to intersect  
820 with U.S. 61 in DeSoto County, with a spur extending southwesterly  
821 to or near Robinsonville in Tunica County;

822           (g) I-10 from Exit 28 to Exit 57;

823           (h) A new location from the northernmost point on I-110  
824 to U.S. 49;

825           (i) U.S. Highway 61 from the Tunica County line to the  
826 Tennessee state line;

827           (j) (i) Four-lanes for traffic along Mississippi 16  
828 beginning at its intersection with Mississippi 25 and extending  
829 easterly to join the existing four-lane on the west side of  
830 Carthage within the corporate boundaries;

831                   (ii) Passing lanes and turn lanes, as needed,  
832 along Mississippi 16 beginning at a point on the east side of  
833 Carthage within the corporate boundaries where the existing  
834 four-lane ends and extending easterly to the Leake/Neshoba county  
835 line; and

836                   (iii) Four-lanes for traffic along Mississippi 16  
837 beginning at the Leake/Neshoba county line and extending easterly  
838 to not more than ten (10) miles east of Mississippi 15;

839           (k) Lorraine/Cowan Road Extension from I-10 north to  
840 relocated/reconstructed Mississippi 67;

841           (l) At various locations on and along U.S. Highway 82  
842 and Mississippi 1 in the City of Greenville;

843           (m) At various locations on and along I-20, U.S.  
844 Highway 61 and U.S. Highway 80 in the City of Vicksburg, including  
845 a truck route from Harbor Industrial Park to U.S. Highway 61 North  
846 and an extension of South Frontage Road with railroad bridge to  
847 Interstate Highway 20;

848 (n) At various locations on and along U.S. Highway 61,  
849 U.S. Highway 65 and Washington Street in the City of Natchez;

850 (o) At various locations on and along U.S. Highway 90  
851 in the City of Pass Christian;

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

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

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

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

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

868 (3) Authorization for the project described in paragraph  
869 (2)(s) of this section is conditioned upon receipt by the  
870 Mississippi Transportation Commission of a written commitment by  
871 the Mississippi Development Authority to make available for such  
872 project not less than Six Million Dollars (\$6,000,000.00).

873 (4) All planning, construction, reconstruction and  
874 performance of the projects authorized under this section,  
875 including the letting of contracts, shall commence, proceed and be  
876 performed by the Mississippi Transportation Commission and the  
877 Mississippi Department of Transportation according to priorities  
878 based on volume capacity and traffic congestion in comparative  
879 project areas; however, if a project authorized in this section is  
880 also included in the four-lane highway program under Section

881 65-3-97, then all contracts necessary to be let for the completion  
882 of the project under this section shall be let not later than the  
883 priorities established for the letting of contracts for the  
884 project under Section 65-3-97. Prioritization of construction for  
885 the projects authorized in this section shall be conducted as  
886 provided for in Section 65-3-97(3)(d)(iii).

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

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

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

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

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

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

910 (b) In any case in which the Transportation Commission  
911 authorizes the construction of a highway segment of less than ten  
912 (10) miles in length, the commission shall set forth and record in  
913 its official minutes, on at least a quarterly basis, a prospective

914 explanation and justification therefor based on one or more of the  
915 conditions prescribed in subsection (6)(a) of this section.  
916 Nothing in this subsection shall be construed as authorizing the  
917 commission to approve a segment of less than ten (10) miles in  
918 length after a contract for such segment has been let.

919 SECTION 5. Section 65-39-35, Mississippi Code of 1972, is  
920 amended as follows:

921 65-39-35. The date upon which the taxes and fees levied and  
922 charged under the provisions of Sections 27-55-11, 27-57-37,  
923 27-59-11, 27-19-43, 27-19-309, 27-65-75 and Sections 27-55-519 and  
924 27-55-521 are reduced under such sections shall be the first day  
925 of the month immediately following the date upon which:

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

928 (i) The Four-Lane Highway Program created under  
929 Section 65-3-97 and the Gaming Counties Infrastructure Program  
930 created under Section 65-39-3, are completed and no funds are any  
931 longer necessary to pay the costs of such programs or twenty-five  
932 (25) years have elapsed since the completion of the last segment  
933 of highway authorized in Section 65-3-97, whichever occurs first;  
934 and

935 (ii) The Mississippi Transportation Commission  
936 will not declare the necessity for additional borrowings under  
937 Section 65-9-27, or for additional bonds under Sections 65-39-5  
938 through 65-39-33; and

939 (b) The State Treasurer certifies:

940 (i) That the amount on deposit in the Gaming  
941 Counties Bond Sinking Fund, together with earnings on investments  
942 to accrue to such fund, is equal to or greater than the aggregate  
943 of the entire principal, redemption premium (if any), and interest  
944 due and to become due (until the final maturity date or earlier  
945 scheduled redemption date) on all general obligation bonds issued  
946 under Sections 65-39-5 through 65-39-33; and

947 (ii) That all principal, interest, cost and other  
948 expenses for all bonds, notes or other borrowings under Section  
949 65-9-27 and Section 31-17-127 (including redemption notes, if any)  
950 have been paid and are completely satisfied.

951 SECTION 6. Section 75-76-129, Mississippi Code of 1972, is  
952 amended as follows:

953 75-76-129. **Until the highway segments authorized in Section**  
954 **65-39-1 are certified as complete by the Mississippi Department of**  
955 **Transportation, this section shall read as follows:]**

956 75-76-129. On or before the last day of each month all  
957 taxes, fees, interest, penalties, damages, fines or other monies  
958 collected by the State Tax Commission during that month under the  
959 provisions of this chapter, with the exception of (a) the local  
960 government fees imposed under Section 75-76-195, and (b) an amount  
961 equal to Three Million Dollars (\$3,000,000.00) of the revenue  
962 collected pursuant to the fee imposed under Section  
963 75-76-177(1)(c), or an amount equal to twenty-five percent (25%)  
964 of the revenue collected pursuant to the fee imposed under Section  
965 75-76-177(1)(c), whichever is the greater amount, shall be paid by  
966 the State Tax Commission to the State Treasurer to be deposited in  
967 the State General Fund. The local government fees shall be  
968 distributed by the State Tax Commission pursuant to Section  
969 75-76-197. An amount equal to Three Million Dollars  
970 (\$3,000,000.00) of the revenue collected during that month  
971 pursuant to the fee imposed under Section 75-76-177(1)(c) shall be  
972 deposited by the State Tax Commission into the bond sinking fund  
973 created in Section 65-39-3. The revenue collected during that  
974 month pursuant to the fee imposed under Section 75-76-177(1)(c)  
975 that is in excess of Three Million Dollars (\$3,000,000.00), but is  
976 less than twenty-five percent (25%) of the amount of revenue  
977 collected during that month, shall be deposited into the State  
978 Highway Fund to be used exclusively for the reconstruction and  
979 maintenance of highways of the State of Mississippi.

980           [After the highway segments authorized in Section 65-39-1 are  
981 certified as complete by the Mississippi Department of  
982 Transportation, this section shall read as follows:]

983           75-76-129. On or before the last day of each month, all  
984 taxes, fees, interest, penalties, damages, fines or other monies  
985 collected by the State Tax Commission during that month under the  
986 provisions of this chapter, with the exception of the local  
987 government fees imposed under Section 75-76-195, shall be paid by  
988 the State Tax Commission to the State Treasurer to be deposited in  
989 the State General Fund. The local government fees shall be  
990 distributed by the State Tax Commission pursuant to Section  
991 75-76-197.

992           SECTION 7. This act shall take effect and be in force from  
993 and after July 1, 2001.