

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 2436**

**By Representative(s) Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

14 SECTION 1. Section 65-3-97, Mississippi Code of 1972, is  
15 amended as follows:

16 65-3-97. (1) In addition to and including all other  
17 highways designated as a part of the state highway system, there  
18 is hereby designated as a part thereof a four-lane highway system  
19 to connect various areas of the state with interstate and primary  
20 highways. The Mississippi Department of Transportation shall  
21 construct and reconstruct four-lane highways, that is, not less  
22 than two (2) lanes for traffic flowing in each direction, along  
23 the routes designated in this section.

24 (2) In the construction and reconstruction of the four-lane  
25 highway system designated in this section, the Mississippi  
26 Department of Transportation may utilize the roadway of any  
27 existing highway under its jurisdiction and control and shall do  
28 so when such utilization is feasible, provided that such highways  
29 which are utilized shall be constructed to current standards for  
30 such roadways. When it is not feasible to utilize existing

31 designated highways, the Transportation Department shall relocate  
32 such highways and construct entirely new facilities whether in  
33 urban or rural areas.

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

39 (a) Of the following group of highway segments not less  
40 than fifteen percent (15%) of all contracts necessary to be let  
41 for completion of all segments within the group shall be let by  
42 June 30, 1988, not less than thirty percent (30%) of such  
43 contracts shall be let by June 30, 1989, not less than fifty  
44 percent (50%) of such contracts shall be let by June 30, 1990, not  
45 less than seventy percent (70%) of such contracts shall be let by  
46 June 30, 1991, not less than ninety percent (90%) of such  
47 contracts shall be let by June 30, 1992, and one hundred percent  
48 (100%) of such contracts shall be let by June 30, 1993:

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

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

60 (iii) A highway segment along or near U.S. 49W

61 beginning at U.S. 49 and extending westerly through Yazoo City to  
62 the Yazoo River.

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

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

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

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

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

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

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

89 (b) Of the following group of highway segments not less  
90 than five percent (5%) of all contracts necessary to be let for

91 completion of all segments within the group shall be let by June  
92 30, 1991, not less than ten percent (10%) of such contracts shall  
93 be let by June 30, 1992, not less than twenty-five percent (25%)  
94 of such contracts shall be let by June 30, 1993, not less than  
95 forty percent (40%) of such contracts shall be let by June 30,  
96 1994, not less than fifty-five percent (55%) of such contracts  
97 shall be let by June 30, 1995, not less than seventy percent (70%)  
98 of such contracts shall be let by June 30, 1996, not less than  
99 eighty-five percent (85%) of such contracts shall be let by June  
100 30, 1997, and one hundred percent (100%) of such contracts shall  
101 be let by June 30, 1998:

102 (i) Highway segments along or near Mississippi 25  
103 beginning at Mississippi 471 and extending northeasterly to  
104 Mississippi 43; then beginning at the Winston/Oktibbeha county  
105 line and extending northeasterly to Starkville.

106 (ii) A highway segment along or near Mississippi  
107 63 beginning at the Jackson/George county line and extending  
108 northerly to Lucedale.

109 (iii) A highway segment along or near Mississippi  
110 302 beginning at I-55 in Southaven and extending easterly to U.S.  
111 72 at or near Mt. Pleasant.

112 (iv) Highway segments along or near U.S. 45  
113 beginning at the Alabama state line and extending northerly to the  
114 Clarke/Lauderdale county line; then beginning at Lauderdale and  
115 extending northerly to Macon; then beginning at Aberdeen and  
116 extending northerly to U.S. 278.

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

120 (vi) A highway segment beginning at Brooksville

121 along or near U.S. 45 or U.S. 45A and extending northerly to U.S.  
122 82, such segment having been designated by the Transportation  
123 Commission pursuant to the provisions of paragraph (1)(c) of this  
124 section.

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

127 (viii) Highway segments along or near U.S. 61  
128 beginning at the Louisiana state line and extending northerly to  
129 the Wilkinson/Adams county line; then beginning at Washington and  
130 extending northerly to Port Gibson; then beginning at Merigold and  
131 extending northerly to Shelby; then beginning at the north end of  
132 the Clarksdale bypass and extending northerly to the Tennessee  
133 state line.

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

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

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

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

150 (xiii) Highway segments along or near U.S. 98

151 beginning at the Pike/Walthall county line and extending easterly  
152 to Columbia; then beginning at the Marion/Lamar county line and  
153 extending easterly to the four-lane west of Hattiesburg.

154 (c) Of the following group of highway segments not less  
155 than ten percent (10%) of all contracts necessary to be let for  
156 completion of all segments within the group shall be let by June  
157 30, 1996, not less than twenty percent (20%) of such contracts  
158 shall be let by June 30, 1997, not less than forty percent (40%)  
159 of such contracts shall be let by June 30, 1998, and one hundred  
160 percent (100%) of such contracts shall be let by June 30, 1999:

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

164 (ii) A highway segment along or near Mississippi  
165 63 beginning at Lucedale and extending northerly to U.S. 45 at  
166 State Line.

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

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

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

177 (d) (i) Of the following group of highway segments not  
178 less than five percent (5%) of all contracts necessary to be let  
179 for completion of all segments within the group shall be let by  
180 June 30, 2002, not less than fifteen percent (15%) of such

181 contracts shall be let by June 30, 2003, not less than twenty-five  
182 percent (25%) of such contracts shall be let by June 30, 2004, not  
183 less than thirty-five percent (35%) of such contracts shall be let  
184 by June 30, 2005, not less than forty-five percent (45%) of such  
185 contracts shall be let by June 30, 2006, not less than sixty  
186 percent (60%) of such contracts shall be let by June 30, 2007, not  
187 less than seventy percent (70%) of such contracts shall be let by  
188 June 30, 2008, not less than eighty percent (80%) of such  
189 contracts shall be let by June 30, 2009, not less than ninety  
190 percent (90%) of such contracts shall be let by June 30, 2010, and  
191 one hundred percent (100%) of such contracts shall be let by June  
192 30, 2011:

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

196                   B. A highway segment along or near  
197 Mississippi 12 beginning at I-55 and extending easterly to  
198 Kosciusko.

199                   C. A highway segment along or near  
200 Mississippi 15 beginning at I-10 and extending northerly to  
201 Mississippi 26; then beginning at U.S. Highway 98 and extending  
202 northerly to the Mississippi/Tennessee state line.

203                   D. A highway segment consisting of two (2)  
204 lanes of construction and two (2) lanes of right-of-way  
205 acquisition along or near Mississippi 15 beginning at Mississippi  
206 26 and extending northerly to U.S. Highway 98.

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

210                   F. Highway segments along or near Mississippi

211 25 beginning at Aberdeen and extending northerly to Fulton; then  
212 beginning at the Alabama state line and extending northerly to  
213 U.S. Highway 72.

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

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

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

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

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

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

231 (ii) Contracts for the construction and/or  
232 reconstruction of highway segments designated within this group  
233 shall be let by the Transportation Commission strictly in  
234 accordance with the volume capacity of the highway segment. If  
235 the volume capacity of a highway segment is less than the volume  
236 capacity threshold at which the Transportation Department  
237 recommends the construction of a four-lane highway, then the  
238 Transportation Department shall make other improvements and  
239 highway modifications to such highway segment as needed, such as  
240 straightening and realignment of the existing roadway, the



241 addition of passing lanes and the widening of existing lanes, and  
242 may acquire any necessary right-of-way for such purposes and for  
243 the purpose of future construction of four-lane highways along  
244 such segments.

245 (4) The construction priorities established in this section  
246 shall not be construed as prohibiting the completion of highway  
247 segments which, on July 1, 1987, are included in the current  
248 three-year plan under Section 65-1-141, and for which, on July 1,  
249 1987, grade and drainage has been completed or contracts for grade  
250 and drainage have been let.

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

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

265 (b) It is the intent of the Legislature that not less  
266 than ten percent (10%) of the amounts authorized to be expended  
267 for construction and reconstruction of the four-lane highway  
268 segments designated in this section shall be expended with small  
269 business concerns owned and controlled by socially and  
270 economically disadvantaged individuals. The term "socially and

271 economically disadvantaged individuals" shall have the meaning  
272 ascribed to such term under Section 8(d) of the Small Business Act  
273 (15 USCS, Section 637(d)) and relevant subcontracting regulations  
274 promulgated pursuant thereto; except that women shall be presumed  
275 to be socially and economically disadvantaged individuals for the  
276 purposes of this paragraph (b).

277 (7) (a) Notwithstanding the provisions of subsection (6)(a)  
278 of this section, the Mississippi Transportation Commission may  
279 construct highway segments of less than ten (10) miles in length  
280 if:

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

283 (ii) The segment will connect two (2) existing  
284 four-lane highways;

285 (iii) The segment will connect an existing  
286 four-lane highway with an incorporated municipality;

287 (iv) The segment will connect an existing  
288 four-lane highway with a river, the state boundary or any other  
289 natural or man-made barrier;

290 (v) For a particular project, the costs of  
291 constructing a single segment of at least ten (10) miles in length  
292 would greatly exceed the aggregate costs of constructing two (2)  
293 or more segments; or

294 (vi) The segment is in an urban area and involves  
295 the completion of bypasses or other construction which will  
296 facilitate and accommodate major traffic movement.

297 (b) In any case in which the Transportation Commission  
298 authorizes the construction of a highway segment of less than ten  
299 (10) miles in length, the commission shall set forth and record in  
300 its official minutes explanation and justification therefor based

301 upon one or more of the conditions prescribed in paragraph (7)(a)  
302 of this section.

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

308 (i) From matched federal funds or other federal  
309 funds, Thirty-two Million Dollars (\$32,000,000.00) for fiscal year  
310 1988, Twenty-five Million Dollars (\$25,000,000.00) for fiscal year  
311 1989, Thirty Million Dollars (\$30,000,000.00) for fiscal year 1990  
312 and fifty percent (50%) of such federal funds for fiscal year 1991  
313 and each fiscal year thereafter; and

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

319 (b) Federal funds in addition to the federal funds  
320 specified in paragraph (a) of this subsection (8) may be used for  
321 the construction, reconstruction and relocation of the four-lane  
322 highway system described in this section. Such federal funds may  
323 be utilized in lieu of state funding that would otherwise be  
324 utilized for such system; provided, however, that the annual total  
325 amount of funding for the construction, reconstruction and  
326 relocation of the four-lane highway system described in this  
327 section shall not be less than it would have otherwise been  
328 without the utilization of such additional federal funds.

329 (9) The Transportation Department shall submit a report to  
330 the Legislature by January 10 of each calendar year setting forth

331 the current status of the construction program set forth in this  
332 section to include, but not be limited to, the following  
333 information:

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

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

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

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

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

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

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

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

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

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

358 (k) A complete recap of all program receipts by source,  
359 and of all disbursements for the prior fiscal year and cumulative  
360 totals since the inception of the program as compared to

361 projections; and

362 (1) A statement from the Department of Transportation  
363 regarding the status of the funding of the program based on agency  
364 cost experience and projections for the future.

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

368 SECTION 2. The Mississippi Department of Transportation  
369 shall perform such construction, reconstruction and repair,  
370 including resurfacing, as may be necessary to bring the following  
371 highway segment up to state highway standards:

372 That segment of Mississippi Highway 63 in George County  
373 and the City of Lucedale, beginning at or near Sally  
374 Parker Road and extending northerly to U.S. Highway 98,  
375 that has been replaced by the Transportation Department  
376 with a municipal bypass and returned to the jurisdiction  
377 of the Board of Supervisors of George County and the  
378 Governing Authorities of the City of Lucedale.

379 SECTION 3. This act shall take effect and be in force from  
380 and after July 1, 2001.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 65-3-97, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE ADDITIONAL FEDERAL FUNDS TO BE USED FOR THE 1987  
3 FOUR-LANE HIGHWAY PROGRAM; TO PROVIDE THAT SUCH FEDERAL FUNDS MAY  
4 BE UTILIZED IN LIEU OF STATE FUNDING THAT WOULD OTHERWISE BE  
5 UTILIZED FOR SUCH PROGRAM; TO PROVIDE THAT THE ANNUAL TOTAL AMOUNT  
6 OF FUNDING FOR THE 1987 FOUR-LANE HIGHWAY PROGRAM SHALL NOT BE  
7 LESS THAN IT WOULD HAVE OTHERWISE BEEN WITHOUT THE UTILIZATION OF  
8 SUCH ADDITIONAL FEDERAL FUNDS; TO REQUIRE THE MISSISSIPPI  
9 DEPARTMENT OF TRANSPORTATION TO PERFORM SUCH CONSTRUCTION,  
10 RECONSTRUCTION AND REPAIR AS MAY BE NECESSARY TO BRING A CERTAIN  
11 SEGMENT OF MISSISSIPPI HIGHWAY 63 IN GEORGE COUNTY AND THE CITY OF  
12 LUCEDALE UP TO STATE HIGHWAY STANDARDS; AND FOR RELATED PURPOSES.