

By: Representatives Frierson, Busby, Arnold, To: Appropriations  
Barker, Bennett, Bounds, Brown, Clarke,  
Coleman, Currie, DeLano, Denny, Gipson,  
Huddleston (30th), Monsour, Moore, Myers,  
Staples, Turner

## HOUSE BILL NO. 1648

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR  
4 2017; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** The following sum, or so much thereof as may be  
7 necessary, is appropriated out of any money in the State Treasury  
8 to the credit of the Department of Transportation Funds, for the  
9 purpose of defraying the administrative expenses of the  
10 Mississippi Department of Transportation for the fiscal year  
11 beginning July 1, 2016, and ending June 30, 2017.....  
12 .....\$ 1,184,818,144.00.

13 **SECTION 2.** The following offices are supported by the funds  
14 appropriated in Section 1: The Office of Administrative Services,  
15 the Office of Highways, the Office of Aeronautics and Rails and  
16 the Office of Enforcement. Of the funds appropriated under the  
17 provisions of Section 1, the following positions are authorized:

18 AUTHORIZED POSITIONS:

19 Permanent: Full Time..... 3,282



20	Part Time.....	9
21	Time-Limited: Full Time.....	0
22	Part Time.....	0

23 With the funds herein appropriated, it shall be the agency's  
24 responsibility to make certain that funds required to be  
25 appropriated for "Personal Services" for Fiscal Year 2018 do not  
26 exceed Fiscal Year 2017 funds appropriated for that purpose,  
27 unless programs or positions are added to the agency's Fiscal Year  
28 2017 budget by the Mississippi Legislature. Based on data  
29 provided by the Legislative Budget Office, the State Personnel  
30 Board shall determine and publish the projected annual cost to  
31 fully fund all appropriated positions in compliance with the  
32 provisions of this act. It shall be the responsibility of the  
33 agency head to ensure that no single personnel action increases  
34 this projected annual cost and/or the Fiscal Year 2017  
35 appropriations for "Personal Services" when annualized, with the  
36 exception of escalated funds and the award of benchmarks. If, at  
37 the time the agency takes any action to change "Personal  
38 Services," the State Personnel Board determines that the agency  
39 has taken an action which would cause the agency to exceed this  
40 projected annual cost or the Fiscal Year 2017 "Personal Services"  
41 appropriated level, when annualized, then only those actions which  
42 reduce the projected annual cost and/or the appropriation  
43 requirement will be processed by the State Personnel Board until  
44 such time as the requirements of this provision are met.



45 Any transfers or escalations shall be made in accordance with  
46 the terms, conditions and procedures established by law or  
47 allowable under the terms set forth within this act. The State  
48 Personnel Board shall not escalate positions without written  
49 approval from the Department of Finance and Administration. The  
50 Department of Finance and Administration shall not provide written  
51 approval to escalate any funds for salaries and/or positions  
52 without proof of availability of new or additional funds above the  
53 appropriated level.

54 No general funds authorized to be expended herein shall be  
55 used to replace federal funds and/or other special funds which are  
56 being used for salaries authorized under the provisions of this  
57 act and which are withdrawn and no longer available.

58 None of the funds herein appropriated shall be used in  
59 violation of Internal Revenue Service's Publication 15-A relating  
60 to the reporting of income paid to contract employees, as  
61 interpreted by the Office of the State Auditor.

62 **SECTION 3.** Of the funds appropriated to the Mississippi  
63 Department of Transportation under the provisions of Section 1,  
64 the following amounts shall be available for expenditure in the  
65 program budgets as required by Section 27-103-127, Mississippi  
66 Code of 1972:

67	Administration and Other Expenses.....	\$ 57,389,176.00
68	Construction.....	\$ 789,074,590.00
69	Maintenance.....	\$ 207,798,103.00



70 Debt Service.....\$ 82,448,500.00  
71 Law Enforcement.....\$ 13,921,906.00  
72 Aeronautics, Rails and other.....\$ 34,185,869.00

73 **SECTION 4.** It is the intention of the Legislature that the  
74 Mississippi Department of Transportation shall maintain complete  
75 accounting and personnel records related to the expenditure of all  
76 funds appropriated under this act and that such records shall be  
77 in the same format and level of detail as maintained for Fiscal  
78 Year 2016. It is further the intention of the Legislature that  
79 the agency's budget request for Fiscal Year 2018 shall be  
80 submitted to the Joint Legislative Budget Committee in a format  
81 and level of detail comparable to the format and level of detail  
82 provided during the Fiscal Year 2017 budget request process.

83 **SECTION 5.** Of the funds appropriated in Section 1, it is the  
84 intention of the Legislature that Six Hundred Fifty Thousand  
85 Dollars (\$650,000.00) shall be transferred to the Department of  
86 Agriculture and Commerce for the Beaver Control or Eradication  
87 Program during the Fiscal Year 2017.

88 **SECTION 6.** Of the funds appropriated in Section 1 of this  
89 act, the Mississippi Department of Transportation shall expend  
90 such funds as necessary to conduct project planning. Such project  
91 planning shall apply to all preliminary engineering, right-of-way  
92 acquisition and construction projects of the department and, at a  
93 minimum, shall consist of policies for the oversight and  
94 management of project cost which:



95           (a) Establish a reasonable cost estimate for each  
96 project. For purposes of this provision, projects include  
97 preliminary engineering, right-of-way acquisition and  
98 construction;

99           (b) Capture and retain the initial project cost  
100 estimates for comparison with final actual expenditures;

101           (c) Require that any changes to a cost estimate for a  
102 project will be reviewed and approved by district or central  
103 office personnel. Such personnel shall be responsible for signing  
104 any revision, and providing a narrative description of the reasons  
105 for approving a revision;

106           (d) Capture the cost of consultants, engineers,  
107 attorneys, contract appraisers and other technical and  
108 professional contractors used in preliminary engineering,  
109 right-of-way acquisition and construction projects.

110       **SECTION 7.** None of the funds appropriated under the  
111 provisions of Section 1 of this act may be expended by the  
112 Department of Transportation for construction of new highways if  
113 such highway segment is less than ten (10) miles in length unless:

114           (a) The explanation and justification for letting such  
115 a contract for a length of less than ten (10) miles is entered  
116 upon the official minutes of the Transportation Commission;

117           (b) The commission, within ten (10) working days after  
118 entry of its explanation and justification upon its minutes, gives  
119 notice, by United States First Class Mail, and provides a copy of



such entry upon its minutes, to the Chairman of the Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

**SECTION 8.** Of the funds appropriated to the Mississippi Department of Transportation, Three Hundred Thousand Dollars (\$300,000.00) shall be used for the Statewide Litter Prevention Program.

**SECTION 9.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Six Million Dollars (\$6,000,000.00) received from third-party damages.

**SECTION 10.** Of the funds appropriated in Section 1, not less than Eighty Million Dollars (\$80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

**SECTION 11.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend with funds which were obligated in Fiscal Year 2016 for maintenance overlay projects and maintenance repair projects but not completed by the end of Fiscal Year 2016, in an amount not to exceed Ten Million Dollars (\$10,000,000.00).

**SECTION 12.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no



transfers shall be authorized which increase the "Administrative and Other Expenses" Program or the "Law Enforcement" Program or which decrease the "Maintenance" Program.

**SECTION 13.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend funds which were obligated in Fiscal Year 2016 in the "Capital Outlay-Equipment" and "Vehicles" category in an amount not to exceed Two Million Dollars (\$2,000,000.00) as authorized in HB 1535, 2015 Regular Session, for Fiscal Year 2017.

**SECTION 14.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars (\$30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

**SECTION 15.** Of the funds appropriated in Section 1, the Mississippi Department of Transportation is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) to conduct a study on monorail transportation in Tunica and DeSoto Counties.

**SECTION 16.** With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony



170 regarding the groundbreaking or opening of a facility, roadway or  
171 bridge for which the Legislature has made funds available. Any  
172 signage regarding any public event or any new facility, roadway or  
173 bridge shall include the following language: "Funds were made  
174 available for this project by the Mississippi State Legislature."  
175 Further, the signage shall state the four-year legislative term in  
176 which the project was funded.

177       **SECTION 17.** It is the intention of the Legislature that  
178 whenever two (2) or more bids are received by this agency for the  
179 purchase of commodities or equipment, and whenever all things  
180 stated in such received bids are equal with respect to price,  
181 quality and service, the Mississippi Industries for the Blind  
182 shall be given preference. A similar preference shall be given to  
183 the Mississippi Industries for the Blind whenever purchases are  
184 made without competitive bids.

185       **SECTION 18.** Of the funds appropriated in Section 1, the  
186 Mississippi Department of Transportation shall expend so much  
187 thereof as may be necessary to four-lane Highway 15 in Laurel to  
188 the Bay Springs City Limit and three-lane Highway 15 from the Bay  
189 Springs City Limit to the Industrial Park in lieu of a bypass.

190       **SECTION 19.** The Mississippi Department of Transportation is  
191 authorized to dispose of or transfer used cell phones that are  
192 obsolete or inoperable to cell phone recycling programs dedicated  
193 to providing free phone access to United States military  
194 personnel.





**SECTION 20.** In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2017
<u>Performance Measures</u>	<u>Target</u>
Maintenance	
Total Acres Mowed (First & Subsequent) (Num)	300,000
Percentage Increase of Acreage Mowed	0.47
(Not Mowing Same Acreage Multiple Times)	
Reduce Number of Fatalities on Roadways	
Baseline: 525 or Less Fatalities	610
Percent Decrease in State-Maintained Lane	
Miles Needing Repair or Rehabilitation	1.50
Percent of Pavement Needs Met Annually	5.00
Percent of Interstate Lane-miles with an	
Acceptable Pavement Condition Rating	38.00
Percent of 4 Lane Highway Lane-miles with	
an Acceptable Pavement Condition Rating	71.00
Percent of 2 Lane Highway Lane-miles with	
an Acceptable Pavement Condition Rating	54.00
Cost per Mile to Maintain State Highways (\$)	18,914.00



220	Number of Structurally Deficient Bridges	215
221	Bridge Replacement Cost Per Sq Ft (\$)	80.00
222	Construction	
223	Percentage of Miles of State Maintained	1.40
224	Highways that Meet MDOT Thresholds	
225	for Congestion (%)	1.40
226	Miles of State Maintained Highways Requiring	
227	Additional Capacity (Num of Lane Miles)	153.00
228	Cost per Mile to Construct State Highways	10,210,000.00
229	Administration & Other	
230	Administration as a Percent of Total Budget	5.00
231	GO-MDOT - Total Number of Page Views	245,000
232	Percent Increase in Utilization of	
233	MDOTTTTRAFFIC.COM Website	10.00
234	Bonded Debt Service	
235	Amount of Funds Invested For Adding Capacity	0.00
236	Law Enforcement	
237	Trucks Weighed (Number)	6,700,000
238	Trucks Over Axle (Number)	5,500
239	Weight & Size Permits Authorized (Permits)	155,000
240	Trucks Over Gross (Number)	7,000
241	Percent of Vehicles Inspected Exceeding	
242	Restricted Weight Limits	0.00
243	Aeronautics & Rails	
244	Airports Inspected (Sites)	68





269       **SECTION 25.** Of the funds appropriated in Section 1, it is  
270 the intention of the Legislature that One Million Six Hundred  
271 Thousand Dollars (\$1,600,000.00) shall be used to rehabilitate and  
272 repair Parks Road in Drew, Mississippi.

273       **SECTION 26.** It is the intention of the Legislature that the  
274 Mississippi Department of Transportation shall access available  
275 federal funds in addition to Two Million Dollars (\$2,000,000.00)  
276 of the funds appropriated in Section 1 to repair the Woodrow  
277 Wilson Bridge in Jackson, Mississippi.

278       **SECTION 27.** Of the funds appropriated in Section 1, it is  
279 the intention of the Legislature that the Mississippi Department  
280 of Transportation shall expend Four Million Dollars  
281 (\$4,000,000.00) to upgrade and repair Highway 552 in Claiborne  
282 County, Mississippi.

283       **SECTION 28.** It is the intention of the Legislature that with  
284 the funds appropriated in Section 1, Ten Million Dollars  
285 (\$10,000,000.00) shall be used to continue new construction on  
286 Highway 82/Leland Greenville Bypass.

287       **SECTION 29.** Of the funds appropriated in Section 1, it is  
288 the intention of the Legislature that Ten Million Dollars  
289 (\$10,000,000.00) shall be used for new construction on Highway  
290 25/Lakeland Drive.

291       **SECTION 30.** Of the funds appropriated in Section 1, it is  
292 the intention of the Legislature that Two Hundred Fifteen Thousand  
293 Dollars (\$215,000.00) shall be used for a turn lane and turn-out



on Highway 8 in Cleveland, Mississippi, at the Mississippi Grammy Museum.

**SECTION 31.** Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Two Hundred Seventy-five Thousand Dollars (\$275,000.00) shall be transferred to the Mississippi Development Authority for the maintenance and upkeep, landscaping, security, etc., of the Welcome Center in Natchez, Mississippi.

**SECTION 32.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to pay invoices submitted by Quality Inn and Suites, Oxford, MS, for services in prior fiscal years in an amount not to exceed Nine Hundred Forty-one Dollars and Ninety-seven Cents (\$947.97).

**SECTION 33.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to pay invoices submitted by Hampton Inn, Batesville, MS, for services in prior fiscal years in an amount not to exceed One Hundred Twenty-nine Dollars (\$129.00).

**SECTION 34.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to pay invoices submitted by City of Ridgeland, MS, for services performed in prior fiscal years in an amount not to exceed Nine Thousand Nine Hundred Three Dollars (\$9,903.00).

**SECTION 35.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to pay



invoices submitted by City of Petal, MS, for services performed in prior fiscal years in an amount not to exceed Seventeen Thousand Four Hundred Fifty-two Dollars and Seventy Cents (\$17,452.70).

**SECTION 36.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to pay invoices submitted by the City of Tchula, MS, for services performed in prior fiscal years not to exceed Twenty-five Thousand Seven Hundred Thirty-five Dollars and Forty-eight Cents (\$25,735.48).

**SECTION 37.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to pay invoices submitted by City of Oxford, MS, for services performed in prior fiscal years, in an amount not to exceed Fifty Thousand Six Hundred Eighty-Seven Dollars and Forty Cents (\$50,687.40).

**SECTION 38.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to pay invoices submitted by Town of Wesson, MS, for services performed in prior fiscal years, in an amount not to exceed Twenty-one Thousand Six Hundred Ninety Dollars and Forty-one Cents (\$21,690.41).

**SECTION 39.** It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to pay invoices submitted by Town of Monticello, MS, for services performed in prior fiscal years, in an amount not to exceed



343 Twenty-six Thousand Six Hundred Sixty-nine Dollars and Sixteen  
344 Cents (\$26,669.16).

345       **SECTION 40.** It is the intention of the Legislature that the  
346 Mississippi Department of Transportation is authorized to pay  
347 invoices submitted by Hinds County Board of Supervisors, MS, for  
348 services performed in prior fiscal years, in an amount not to  
349 exceed One Hundred Nine Thousand Four Hundred Thirty-one Dollars  
350 (\$109,431.00).

351       **SECTION 41.** It is the intention of the Legislature that the  
352 Mississippi Department of Transportation is authorized to pay  
353 invoices submitted by Gulfport-Biloxi Airport, MS, for services  
354 performed in prior fiscal years, in an amount not to exceed Nine  
355 Thousand Four Hundred Seventy-two Dollars and Sixty-eight cents  
356 (\$9,472.68).

357       **SECTION 42.** It is the intention of the Legislature that the  
358 Mississippi Department of Transportation is authorized to pay  
359 invoices submitted by City of Tupelo, MS, for services performed  
360 in prior fiscal years, in an amount not to exceed One Hundred Two  
361 Thousand Six Hundred Seventeen Dollars and Forty-seven cents  
362 (\$102,617.47).

363       **SECTION 43.** It is the intention of the Legislature that the  
364 Mississippi Department of Transportation is authorized to pay  
365 invoices submitted by City of Baldwin, MS, for services performed  
366 in prior fiscal years, in an amount not to exceed Twenty-one



367 Thousand Nine Hundred Thirty-two Dollars and Eighty-seven cents  
368 (\$21,932.87).

369       **SECTION 44.** It is the intention of the Legislature that the  
370 Mississippi Department of Transportation is authorized to pay  
371 invoices submitted by Warren County Port Commission, MS, for  
372 services performed in prior fiscal years, in an amount not to  
373 exceed Twenty-one Thousand Four Hundred One Dollars and  
374 Thirty-three cents (\$21,401.33).

375       **SECTION 45.** It is the intention of the Legislature that the  
376 Mississippi Department of Transportation is authorized to pay  
377 invoices submitted by City of Tupelo, MS, for services performed  
378 in prior fiscal years, in an amount not to exceed Twelve Thousand  
379 Dollars (\$12,000.00).

380       **SECTION 46.** It is the intention of the Legislature that the  
381 Mississippi Department of Transportation is authorized to pay  
382 invoices submitted by City of Long Beach, MS, for services  
383 performed in prior fiscal years, in an amount not to exceed  
384 Fifty-eight Thousand Eight Hundred Fifty-eight Dollars  
385 (\$58,858.00).

386       **SECTION 47.** Of the funds appropriated in Section 1 of this  
387 act, it is the intention of the Legislature that, if funding is  
388 available, Five Hundred Thousand Dollars (\$500,000.00) is for use  
389 to construct a traffic signal at the intersection of Highway 67  
390 and Big John Road in Harrison County.





391           **SECTION 48.** It is the intention of the Legislature that the  
392 Department of Transportation is authorized to expend an amount not  
393 to exceed Three Hundred Million Dollars (\$300,000,000.00) received  
394 in connection with HELP projects as authorized in Section  
395 65-1-8(2)(z) and from general obligation bonds issued for highway  
396 projects.

397           **SECTION 49.** It is the intention of the Legislature that with  
398 the funds appropriated in Section 1, Three Million Dollars  
399 (\$3,000,000.00) shall go to Lafayette County for paying costs of  
400 extending West Oxford Loop to College Hill Road as a "local public  
401 agencies project."

402           **SECTION 50.** It is the intention of the Legislature that with  
403 the funds appropriated in Section 1, Seven Hundred Fifty Thousand  
404 Dollars (\$750,000.00) shall go to the City of Starkville for  
405 planning and pre-construction activities for improvements to  
406 Highway 12 in Starkville, Mississippi, as a "local public agencies  
407 project."

408           **SECTION 51.** It is the intention of the Legislature that with  
409 the funds appropriated in Section 1, Four Million Two Hundred  
410 Fifty Thousand Dollars (\$4,250,000.00) shall go to the East  
411 Metropolitan Corridor Commission, which is a commission operating  
412 as a local public agency representing the Jackson Municipal  
413 Airport Authority, the City of Brandon, the City of Flowood, and  
414 the City of Pearl, for paying costs associated with land  
415 acquisition and implementation of the East Metro Corridor project



416 in Rankin County from its current terminus at the southeast corner  
417 of, and within, the Jackson-Medgar Wiley Evers International  
418 Airport, traversing easterly and southerly and terminating at  
419 Interstate 20 at Crossgates Boulevard in Brandon, Mississippi, as  
420 a "local public agencies project."

421       **SECTION 52.** The money herein appropriated shall be paid by  
422 the State Treasurer out of any money in the State Treasury to the  
423 credit of the proper fund or funds as set forth in this act, upon  
424 warrants issued by the State Fiscal Officer; and the State Fiscal  
425 Officer shall issue his warrants upon requisitions signed by the  
426 proper person, officer or officers, in the manner provided by law.

427       **SECTION 53.** This act shall take effect and be in force from  
428 and after July 1, 2016; and shall stand repealed from and after  
429 June 30, 2016.

