

By: Senator(s) Hopson, Polk, Branning,
Jackson, Thompson, Williams

To: Appropriations

SENATE BILL NO. 3022
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2025.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State Treasury
7 to the credit of the Office of State Aid Road Construction Fund,
8 for the purpose of defraying the expenses of the Office of State
9 Aid Road Construction of the Mississippi Department of
10 Transportation for the fiscal year beginning July 1, 2024, and
11 ending June 30, 2025.....\$ 220,345,746.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of
13 this act, the following positions are authorized:

14 AUTHORIZED HEADCOUNT:

15 Permanent: 54
16 Time-Limited: 0

17 With the funds herein appropriated, it shall be the agency's
18 responsibility to make certain that funds required for Personal



19 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
20 appropriated for that purpose unless programs or positions are
21 added to the agency's Fiscal Year 2025 budget by the Mississippi
22 Legislature. The Legislature shall determine the agency's
23 personal services appropriation, which the State Personnel Board
24 shall publish. The agency's personal services appropriation may
25 consist of restricted funds for approved vacancies for Fiscal Year
26 2025 that may be utilized to fill vacant Fiscal Year 2024
27 headcount. It shall be the agency's responsibility to ensure that
28 the funds provided for vacancies are used to increase headcount
29 and not for promotions, title changes, in-range salary adjustments
30 or any other mechanism for increasing salaries for current
31 employees. It is the Legislature's intention that no employee
32 salary falls below the minimum salary established by the
33 Mississippi State Personnel Board.

34 Additionally, the State Personnel Board shall determine and
35 publish the projected annualized payroll costs based on current
36 employees. It shall be the responsibility of the agency head to
37 ensure that actual personnel expenditures for Fiscal Year 2025 do
38 not exceed the data provided by the Legislative Budget Office. If
39 the agency's Fiscal Year 2025 projected cost exceeds the
40 annualized costs, no salary actions shall be processed by the
41 State Personnel Board except for new hires determined to be
42 essential for the agency.



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

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

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

60 **SECTION 3.** Of the funds appropriated in Section 1 of this
61 act, it is the intention of the Legislature that an amount not to
62 exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized
63 to be expended from funds received from the Mississippi
64 Development Authority as reimbursements for actual expenses
65 incurred by the Office of State Aid Road Construction for
66 administering and providing engineering services to political
67 subdivisions as authorized under Section 65-4-15, Mississippi Code



68 of 1972. Any such funds shall be deposited into the Office of
69 State Aid Roads Administrative Fund for the fiscal year beginning
70 July 1, 2024, and ending June 30, 2025.

71 **SECTION 4.** Of the funds appropriated in Section 1, it is the
72 intention of the Legislature that an amount not to exceed Forty
73 Million Dollars (\$40,000,000.00) is authorized to be expended for
74 the purpose of replacement of structurally deficient bridges on
75 the Local System Bridge Program (LSBP).

76 **SECTION 5.** It is the intention of the Legislature that the
77 Office of State Aid Road Construction shall maintain complete
78 accounting and personnel records related to the expenditure of all
79 funds appropriated under this act and that such records shall be
80 in the same format and level of detail as maintained for Fiscal
81 Year 2024. It is further the intention of the Legislature that
82 the agency's budget request for Fiscal Year 2026 shall be
83 submitted to the Joint Legislative Budget Committee in a format
84 and level of detail comparable to the format and level of detail
85 provided during the Fiscal Year 2025 budget request process.

86 **SECTION 6.** In compliance with the "Mississippi Performance
87 Budget and Strategic Planning Act of 1994," it is the intent of
88 the Legislature that the funds provided herein shall be utilized
89 in the most efficient and effective manner possible to achieve the
90 intended mission of this agency. Based on the funding authorized,
91 this agency shall make every effort to attain the targeted
92 performance measures provided below:



93		FY2025
94	<u>Performance Measures</u>	<u>Target</u>
95	Administrative	
96	Percent of Administrative Costs as	
97	Compared to Construction Costs	4.00
98	Maintain Level of Administrative Costs	
99	as Compared to Construction Costs at 5%	
100	or Under	5.00
101	Number of Projects Let to Contract	75
102	Percent of Personnel Devoted to	
103	Construction Programs	81.00
104	Federal Percent of Total Project Fund	
105	Obligations	20.00
106	Construction	
107	Percent Increase in Total Miles Paved	1.00
108	Percent of Total State Aid Funds	
109	Available Programmed or Obligated to	
110	Projects	75.00
111	Number of State Aid Projects Let to Contract	75
112	Number of Federal Projects Let to Contract	5
113	Number of State Aid Projects Completed	30
114	Number of Federal Projects Completed	20
115	Average Time from Initiation to	
116	Completion of a Fed Project (Days)	450
117	Number of Bridges Replaced or Repaired	85



118	Number of Structurally Deficient Bridges	
119	on the State Aid System	1,050
120	Average Cost of a State Aid/Federal	
121	Bridge Project	1,550,000.00
122	Local System Bridge	
123	Percent Change in Deficient LSBP Bridges	3.00
124	Average Number of Active LSBP Projects	
125	Per County	1
126	Percent of LSBP Funds Available	
127	Programmed or Obligated to Projects	85.00
128	Number of LSBP Projects Let to Contract	40
129	Number of LSBP Projects Completed	70
130	Number of LSBP Bridges Replaced or Repaired	40
131	Number of Eligible Deficient LSBP Bridges	1,050
132	Average Time From Initiation to	
133	Completion of a LSBP Project (Days)	450
134	Percent of Counties Utilizing All of	
135	Their Available LSBP Funds	30.00
136	Percent of Bridges Eligible for LSBP Funds	10.00
137	A reporting of the degree to which the performance targets	
138	set above have been or are being achieved shall be provided in the	
139	agency's budget request submitted to the Joint Legislative Budget	
140	Committee for Fiscal Year 2026.	

141 **SECTION 7.** With the funds appropriated in this act, the
142 Office of State Aid Road Construction shall notify members of the



143 Mississippi Senate and House of Representatives upon the award of
144 projects within their respective districts and at least five (5)
145 days prior to a public ceremony announcing the award of any grant
146 in their district or any public announcement or ceremony regarding
147 the groundbreaking or opening of a facility, roadway or bridge for
148 which the Legislature has made funds available. Any signage
149 regarding any public event or any new facility, roadway or bridge
150 shall include the following language: "Funds were made available
151 for this project by the Mississippi State Legislature." The
152 signage shall further state the four-year legislative term in
153 which the project was funded.

154 **SECTION 8.** It is the intention of the Legislature to
155 authorize the State Aid Engineer to utilize funds available to the
156 Office of State Aid Road Construction, from any source herein
157 appropriated or made available by the counties or any other
158 source, to pay for costs necessary to comply with the National
159 Bridge Inspection Standards and the Federal Highway
160 Administration's requirements for bridge inspections and/or
161 special studies necessary to comply with federal laws. The State
162 Aid Engineer shall follow the same procedures as have heretofore
163 been established by Sections 65-9-9, 65-9-15 and 65-9-17,
164 Mississippi Code of 1972, for payment of such costs. The Office
165 of State Aid Road Construction may accept, budget and expend these
166 funds subject to and in accordance with rules and regulations of



167 the Department of Finance and Administration in a manner
168 consistent with the escalation of federal or state funds.

169 **SECTION 9.** It is the intention of the Legislature that in
170 the letting of contracts for which the Office of State Aid Road
171 Construction administers and provides engineering services to
172 political subdivisions under the Economic Development Highway Act,
173 bids may be made from the lowest and best bidder after advertising
174 for competitive sealed bids once in a newspaper published or
175 having a circulation in the county or municipality where the
176 contract will be performed, and the date published for the bid
177 opening may be not less than seven (7) working days after the
178 advertisement is published.

179 **SECTION 10.** It is the intention of the Legislature that
180 whenever two (2) or more bids are received by this agency for the
181 purchase of commodities or equipment, and whenever all things
182 stated in such received bids are equal with respect to price,
183 quality and service, the Mississippi Industries for the Blind
184 shall be given preference. A similar preference shall be given to
185 the Mississippi Industries for the Blind whenever purchases are
186 made without competitive bids.

187 **SECTION 11.** It is the intention of the Legislature that the
188 funds herein appropriated shall be expended in compliance with
189 Section 27-104-25, Mississippi Code of 1972, that no state agency
190 shall incur obligations or indebtedness in excess of their
191 appropriation and that the responsible officers, either personally



192 or upon their official bonds, shall be held responsible for
193 actions contrary to this provision.

194 **SECTION 12.** Of the funds appropriated in Section 1, Fifty
195 Thousand Dollars (\$50,000.00), or so much thereof as may be
196 necessary, shall be derived out of any money in the State Treasury
197 to the credit of the Project Poppy Fund, as created in Senate Bill
198 2001, 1st Extraordinary Session of 2024, and allocated in a manner
199 as determined by the Treasurer's Office. These funds are provided
200 for expediting services needed for Project Poppy.

201 **SECTION 13.** The money herein appropriated shall be paid by
202 the State Treasurer out of any money in the State Treasury to the
203 credit of the proper fund or funds as set forth in this act, upon
204 warrants issued by the State Fiscal Officer; and the State Fiscal
205 Officer shall issue his warrants upon requisitions signed by the
206 proper person, officer or officers, in the manner provided by law.

207 **SECTION 14.** This act shall take effect and be in force from
208 and after July 1, 2024.

