

By: Senator(s) Dearing, Minor, Hewes, Mettetal, Harden, Kirby, Thames, Horhn, Dawkins, Gollott, Hyde-Smith, Burton, Browning, Chaney, Stogner, Walls, Blackmon, Little, Smith, Chamberlin, Furniss, Johnson (19th), Ross, Frazier, Gordon, King, Carlton, Huggins, White (29th), Posey, Cuevas, Carmichael, Tollison, Simmons, Jackson

To: Highways and Transportation; Appropriations

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 2058

1 AN ACT TO AMEND SECTION 65-3-97, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DESCRIPTION OF A SEGMENT IN PHASE 4 OF THE 1987
3 FOUR-LANE HIGHWAY PROGRAM; TO AUTHORIZE ADDITIONAL FEDERAL FUNDS
4 TO BE USED FOR THE 1987 FOUR-LANE HIGHWAY PROGRAM; TO PROVIDE THAT
5 SUCH FEDERAL FUNDS MAY BE UTILIZED IN LIEU OF STATE FUNDING THAT
6 WOULD OTHERWISE BE UTILIZED FOR SUCH PROGRAM; TO PROVIDE THAT THE
7 ANNUAL TOTAL AMOUNT OF FUNDING FOR THE 1987 FOUR-LANE HIGHWAY
8 PROGRAM SHALL NOT BE LESS THAN IT WOULD HAVE OTHERWISE BEEN
9 WITHOUT THE UTILIZATION OF SUCH ADDITIONAL FEDERAL FUNDS; TO
10 REVISE THE DESCRIPTION OF A ROUTE IN PHASE 4 OF THE PROGRAM; AND
11 FOR RELATED PURPOSES.

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

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

15 65-3-97. (1) In addition to and including all other
16 highways designated as a part of the state highway system, there
17 is hereby designated as a part thereof a four-lane highway system
18 to connect various areas of the state with interstate and primary
19 highways. The Mississippi Department of Transportation shall
20 construct and reconstruct four-lane highways, that is, not less
21 than two (2) lanes for traffic flowing in each direction, along
22 the routes designated in this section.

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



31 such highways and construct entirely new facilities whether in
32 urban or rural areas.

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

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

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

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

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

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



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

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

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

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

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

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

88 (b) Of the following group of highway segments not less
89 than five percent (5%) of all contracts necessary to be let for
90 completion of all segments within the group shall be let by June
91 30, 1991, not less than ten percent (10%) of such contracts shall
92 be let by June 30, 1992, not less than twenty-five percent (25%)
93 of such contracts shall be let by June 30, 1993, not less than
94 forty percent (40%) of such contracts shall be let by June 30,
95 1994, not less than fifty-five percent (55%) of such contracts
96 shall be let by June 30, 1995, not less than seventy percent (70%)



97 of such contracts shall be let by June 30, 1996, not less than
98 eighty-five percent (85%) of such contracts shall be let by June
99 30, 1997, and one hundred percent (100%) of such contracts shall
100 be let by June 30, 1998:

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

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

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

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

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

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

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

126 (viii) Highway segments along or near U.S. 61
127 beginning at the Louisiana state line and extending northerly to
128 the Wilkinson/Adams county line; then beginning at Washington and
129 extending northerly to Port Gibson; then beginning at Merigold and



130 extending northerly to Shelby; then beginning at the north end of
131 the Clarksdale bypass and extending northerly to the Tennessee
132 state line.

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

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

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

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

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

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

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



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

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

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

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

176 (d) (i) Of the following group of highway segments not
177 less than five percent (5%) of all contracts necessary to be let
178 for completion of all segments within the group shall be let by
179 June 30, 2002, not less than fifteen percent (15%) of such
180 contracts shall be let by June 30, 2003, not less than twenty-five
181 percent (25%) of such contracts shall be let by June 30, 2004, not
182 less than thirty-five percent (35%) of such contracts shall be let
183 by June 30, 2005, not less than forty-five percent (45%) of such
184 contracts shall be let by June 30, 2006, not less than sixty
185 percent (60%) of such contracts shall be let by June 30, 2007, not
186 less than seventy percent (70%) of such contracts shall be let by
187 June 30, 2008, not less than eighty percent (80%) of such
188 contracts shall be let by June 30, 2009, not less than ninety
189 percent (90%) of such contracts shall be let by June 30, 2010, and
190 one hundred percent (100%) of such contracts shall be let by June
191 30, 2011:

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



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

198 C. A highway segment along or near
199 Mississippi 15 beginning at I-10 and extending northerly to * * *
200 the Mississippi/Tennessee state line.

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

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

208 F. Highway segments along or near Mississippi
209 25 beginning at Aberdeen and extending northerly to Fulton; then
210 beginning at the Alabama state line and extending northerly to
211 U.S. Highway 72.

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

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

217 I. A highway segment along or near
218 Mississippi Highway 24 * * * beginning at Woodville and extending
219 easterly to McComb.

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

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



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

229 (ii) Contracts for the construction and/or
230 reconstruction of highway segments designated within this group
231 shall be let by the Transportation Commission strictly in
232 accordance with the volume capacity of the highway segment. If
233 the volume capacity of a highway segment is less than the volume
234 capacity threshold at which the Transportation Department
235 recommends the construction of a four-lane highway, then the
236 Transportation Department shall make other improvements and
237 highway modifications to such highway segment as needed, such as
238 straightening and realignment of the existing roadway, the
239 addition of passing lanes and the widening of existing lanes, and
240 may acquire any necessary right-of-way for such purposes and for
241 the purpose of future construction of four-lane highways along
242 such segments.

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

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



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

263 (b) It is the intent of the Legislature that not less
264 than ten percent (10%) of the amounts authorized to be expended
265 for construction and reconstruction of the four-lane highway
266 segments designated in this section shall be expended with small
267 business concerns owned and controlled by socially and
268 economically disadvantaged individuals. The term "socially and
269 economically disadvantaged individuals" shall have the meaning
270 ascribed to such term under Section 8(d) of the Small Business Act
271 (15 USCS, Section 637(d)) and relevant subcontracting regulations
272 promulgated pursuant thereto; except that women shall be presumed
273 to be socially and economically disadvantaged individuals for the
274 purposes of this paragraph (b).

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

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

281 (ii) The segment will connect two (2) existing
282 four-lane highways;

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

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

288 (v) For a particular project, the costs of
289 constructing a single segment of at least ten (10) miles in length



290 would greatly exceed the aggregate costs of constructing two (2)
291 or more segments; or

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

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

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

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

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

317 (b) Federal funds in addition to the federal funds
318 specified in paragraph (a) of this subsection (8) may be used for
319 the construction, reconstruction and relocation of the four-lane
320 highway system described in this section. Such federal funds may
321 be utilized in lieu of state funding that would otherwise be
322 utilized for such system; provided, however, that the annual total



323 amount of funding for the construction, reconstruction and
324 relocation of the four-lane highway system described in this
325 section shall not be less than it would have otherwise been
326 without the utilization of such additional federal funds.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

366 **SECTION 2.** This act shall take effect and be in force from
367 and after July 1, 2002.

