

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 1667

By Senator(s) Committee

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

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

41 65-3-97. (1) In addition to and including all other
42 highways designated as a part of the state highway system, there
43 is hereby designated as a part thereof a four-lane highway system
44 to connect various areas of the state with interstate and primary
45 highways. For the segments described in subsection (3) of this
46 section, the Mississippi Department of Transportation shall
47 construct and reconstruct four-lane highways, that is, not less
48 than two (2) lanes for traffic flowing in each direction, along
49 the routes designated in this section.

50 (2) In the construction and reconstruction of the four-lane
51 highway system designated in subsection (3) of this section, the
52 Mississippi Department of Transportation may utilize the roadway
53 of any existing highway under its jurisdiction and control and
54 shall do so when such utilization is feasible, provided that such
55 highways which are utilized shall be constructed to current
56 standards for such roadways. When it is not feasible to utilize
57 existing designated highways, the Transportation Department shall
58 relocate such highways and construct entirely new facilities

59 whether in urban or rural areas.

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

65 (a) Of the following group of highway segments not less
66 than fifteen percent (15%) of all contracts necessary to be let
67 for completion of all segments within the group shall be let by
68 June 30, 1988, not less than thirty percent (30%) of such
69 contracts shall be let by June 30, 1989, not less than fifty
70 percent (50%) of such contracts shall be let by June 30, 1990, not
71 less than seventy percent (70%) of such contracts shall be let by
72 June 30, 1991, not less than ninety percent (90%) of such
73 contracts shall be let by June 30, 1992, and one hundred percent
74 (100%) of such contracts shall be let by June 30, 1993:

75 (i) Highway segments along or near U.S. 45
76 beginning at the Clarke/Lauderdale county line and extending
77 northerly to I-59; then beginning at Macon and extending northerly
78 to Brooksville; then beginning at Columbus Air Force Base and
79 extending northerly to Aberdeen; then beginning at U.S. 278 and
80 extending northerly to Shannon; then beginning at Saltillo and
81 extending northerly to Corinth.

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

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

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

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

94 (vi) Highway segments along or near U.S. 72
95 beginning at or near Mt. Pleasant and extending southeasterly to
96 Mississippi 5; then beginning at Walnut and extending
97 southeasterly to Corinth; then beginning at Strickland and
98 extending southeasterly to Burnsville.

99 (vii) Highway segments along or near U.S. 78
100 beginning at Holly Springs and extending southeasterly to the New
101 Albany bypass; then beginning at Mississippi 25 and extending
102 southeasterly to Tremont.

103 (viii) Highway segments along or near U.S. 82
104 beginning at I-55 and extending easterly to Kilmichael; then
105 beginning at Eupora and extending easterly to Mathiston; then
106 beginning at Mississippi 12 and extending easterly to the Alabama
107 state line.

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

111 (x) Highway segments along or near U.S. 98
112 beginning at Columbia and extending easterly to the Marion/Lamar
113 county line; then beginning at U.S. 49 and extending southeasterly
114 to the Alabama state line.

115 (b) Of the following group of highway segments not less
116 than five percent (5%) of all contracts necessary to be let for
117 completion of all segments within the group shall be let by June
118 30, 1991, not less than ten percent (10%) of such contracts shall
119 be let by June 30, 1992, not less than twenty-five percent (25%)
120 of such contracts shall be let by June 30, 1993, not less than
121 forty percent (40%) of such contracts shall be let by June 30,
122 1994, not less than fifty-five percent (55%) of such contracts
123 shall be let by June 30, 1995, not less than seventy percent (70%)
124 of such contracts shall be let by June 30, 1996, not less than
125 eighty-five percent (85%) of such contracts shall be let by June
126 30, 1997, and one hundred percent (100%) of such contracts shall
127 be let by June 30, 1998:

128 (i) Highway segments along or near Mississippi 25

129 beginning at Mississippi 471 and extending northeasterly to
130 Mississippi 43; then beginning at the Winston/Oktibbeha county
131 line and extending northeasterly to Starkville.

132 (ii) A highway segment along or near Mississippi
133 63 beginning at the Jackson/George county line and extending
134 northerly to Lucedale.

135 (iii) A highway segment along or near Mississippi
136 302 beginning at I-55 in Southaven and extending easterly to U.S.
137 72 at or near Mt. Pleasant.

138 (iv) Highway segments along or near U.S. 45
139 beginning at the Alabama state line and extending northerly to the
140 Clarke/Lauderdale county line; then beginning at Lauderdale and
141 extending northerly to Macon; then beginning at Aberdeen and
142 extending northerly to U.S. 278.

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

146 (vi) A highway segment beginning at Brooksville
147 along or near U.S. 45 or U.S. 45A and extending northerly to U.S.
148 82, such segment having been designated by the Transportation
149 Commission pursuant to the provisions of paragraph (1)(c) of this
150 section.

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

153 (viii) Highway segments along or near U.S. 61
154 beginning at the Louisiana state line and extending northerly to
155 the Wilkinson/Adams county line; then beginning at Washington and
156 extending northerly to Port Gibson; then beginning at Merigold and
157 extending northerly to Shelby; then beginning at the north end of
158 the Clarksdale bypass and extending northerly to the Tennessee
159 state line.

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

162 (x) A highway segment along or near U.S. 78
163 beginning at Tremont and extending southeasterly to the Alabama

164 state line.

165 (xi) Highway segments along or near U.S. 82
166 beginning at the Montgomery/Webster county line and extending
167 easterly to Eupora; then beginning at Mathiston and extending
168 easterly to Starkville.

169 (xii) Highway segments along or near U.S. 84
170 beginning at Leesdale and extending easterly to Roxie; then
171 beginning at Auburn Road and extending easterly to I-55; then
172 beginning at the east end of the Brookhaven bypass and extending
173 easterly to Prentiss; then beginning at the Jones/Covington county
174 line and extending easterly to Horse Creek; then beginning at the
175 Jones/Wayne county line and extending easterly to Waynesboro.

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

180 (c) Of the following group of highway segments not less
181 than ten percent (10%) of all contracts necessary to be let for
182 completion of all segments within the group shall be let by June
183 30, 1996, not less than twenty percent (20%) of such contracts
184 shall be let by June 30, 1997, not less than forty percent (40%)
185 of such contracts shall be let by June 30, 1998, and one hundred
186 percent (100%) of such contracts shall be let by June 30, 1999:

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

190 (ii) A highway segment along or near Mississippi
191 63 beginning at Lucedale and extending northerly to U.S. 45 at
192 State Line.

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

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

198 (v) Highway segments along or near U.S. 84

199 beginning at Eddiceton and extending easterly to Auburn Road; then
200 beginning at Prentiss and extending easterly to Collins; then
201 beginning at Waynesboro and extending easterly to the Alabama
202 state line.

203 * * *

204 (4) (a) The Mississippi Department of Transportation shall
205 construct and reconstruct four-lane highways, that is, not less
206 than two (2) lanes for traffic flowing in each direction along the
207 following routes:

208 (i) A highway segment along or near Mississippi 15
209 beginning at I-10 and extending northerly to the
210 Mississippi/Tennessee state line.

211 (ii) A highway segment along or near Mississippi 6
212 beginning at or near U.S. 61 and extending easterly to or near
213 I-55 at or near Batesville.

214 (iii) A highway segment along or near Mississippi
215 6 beginning at or near Mississippi 9 and extending easterly to
216 U.S. 45.

217 (iv) A highway segment along or near Mississippi
218 25 beginning at or near U.S. 45 and extending northerly to or near
219 Iuka, and the portion of such segment that is described in Section
220 65-3-137 shall be constructed in compliance with such section.

221 (b) Contracts for the segments described in this
222 subsection shall be let by the Transportation Commission as soon
223 as it is possible to do so.

224 (c) In the construction and reconstruction of the
225 four-lane highway segments designated in this subsection, the
226 Mississippi Department of Transportation may utilize the roadway
227 of any existing highway under its jurisdiction and control and
228 shall do so when such utilization is feasible, provided that such
229 highways which are utilized shall be constructed to current
230 standards for such roadways. When it is not feasible to utilize
231 existing designated highways, the Transportation Department shall
232 relocate such highways and construct entirely new facilities
233 whether in urban or rural areas.

234 (5) (a) The Transportation Commission shall construct,
235 upgrade or improve the segments described in paragraphs (f), (g)
236 and (h) of this subsection, the projects described in Section
237 65-39-1 and other highway construction under its jurisdiction, in
238 accordance with a priority schedule based upon a needs analysis
239 performed by the Mississippi Department of Transportation. The
240 priority schedule shall be reviewed annually by the Department of
241 Transportation to determine if the priority schedule is in need of
242 revision. The analytic methods and procedures utilized by the
243 Mississippi Department of Transportation to perform the needs
244 analysis shall conform to current standards and practices of the
245 transportation sciences and industry as promulgated in appropriate
246 documentation of the United States Department of Transportation,
247 the Transportation Research Board, the American Association of
248 Highway and Transportation Officials, and other recognized and
249 relevant bodies. Such conforming methodologies shall be applied
250 utilizing considerations appropriate to the specific situation and
251 may include capacity analysis, traffic counting, traffic
252 projection, cost estimation, benefit-cost analysis, user cost
253 analysis, land use projections and similar analyses and
254 projections, so that all analyses are completed with the best
255 tools available at the time of the analysis. The Transportation
256 Commission shall establish and publish standards for setting the
257 priorities and in so doing may consider other factors, not in
258 violation of federal law, as the Transportation Commission may
259 consider relevant, including, but not limited to, economic
260 development and safety. The first determinant for construction of
261 highway segments shall be the year of need. "Year of need" for
262 purposes of this section is the year in which the level of service
263 on a segment is projected to deteriorate to an unacceptable level.
264 For segments with the same year of need, prioritization shall be
265 based on the volume to capacity ratio and the daily traffic
266 volume. In the event that the Transportation Commission deviates
267 from the recommended priorities presented through the needs
268 analysis, the commission shall spread the specific reasons for the

269 deviation on its minutes. The priority schedule shall reflect
270 immediate needs which shall be construction, upgrades and
271 improvements to the state highway system needed over a five-year
272 period based upon the criteria established in this paragraph which
273 shall be reviewed annually by the Mississippi Department of
274 Transportation. The priority schedule shall project mid-range
275 needs which shall include highway corridors that are projected to
276 reach an unacceptable level of service within ten (10) years after
277 each annual review of the priority schedule. The priority
278 schedule shall project long-range needs which shall include
279 highway corridors that are projected to reach an unacceptable
280 level of service ten (10) years or more after each annual review
281 of the priority schedule.

282 (b) On or before October 1, 2005, and on or before
283 October 1 of each year thereafter, the Transportation Commission
284 shall present to the Highways and Transportation Committee of the
285 Senate and the Transportation Committee of the House of
286 Representatives the schedule of priorities developed as provided
287 for in paragraph (a) of this subsection reflecting the proposed
288 schedule of construction for segments. The proposed schedule
289 shall be followed until later modified based on the criteria
290 established in paragraph (a) of this subsection.

291 (c) The Transportation Commission shall begin letting
292 projects based upon the prioritized schedule of need not later
293 than January 1, 2006; however, the commission shall have the
294 flexibility to adjust the sequencing of projects as may be
295 required in order to maximize the utilization of available funding
296 or to accommodate the relative requirement of each individual
297 project.

298 (d) Funds deposited into the special funds created in
299 Section 65-39-3 or 65-39-17 may only be expended as provided for
300 in Sections 65-39-1 through 65-39-37; however, funds otherwise
301 generated may be expended on segments included in Section 65-39-1
302 that are in the prioritized schedule established pursuant to this
303 subsection, as well as other projects included in such schedule.

304 (e) For fiscal year 2006 and each fiscal year
305 thereafter, the Transportation Commission shall dedicate not less
306 than Two Hundred Million Dollars (\$200,000,000.00) in state and/or
307 federal funds to fund the program established by this subsection.

308 (f) The Transportation Commission and the Mississippi
309 Department of Transportation shall, in addition to all other
310 projects, consider the following as immediate needs when
311 establishing the initial priority schedule pursuant to paragraph
312 (a) of this section:

313 (i) An Interstate highway segment along or near
314 I-55 beginning at or near Hernando and extending northerly to the
315 Tennessee state line.

316 (ii) A highway segment along or near Mississippi
317 304 beginning at or near U.S. 61 and extending easterly to or near
318 I-55.

319 (iii) A highway segment along or near U.S. 82
320 beginning at the east end of the proposed Greenville River Bridge
321 and extending northeasterly to or near Stoneville.

322 (iv) A highway segment along or near Mississippi
323 278 beginning at or near Amory and extending westerly to U.S. 45.

324 (v) A highway segment along or near Mississippi 41
325 beginning at U.S. 45 and extending westerly to or near Okolona.

326 (vi) A highway segment along or near Mississippi 9
327 beginning at Mississippi 6 north of Pontotoc and extending
328 northerly to U.S. 78.

329 (vii) A highway segment along or near Mississippi
330 25 beginning at or near the Itawamba county line and extending
331 northerly to or near U.S. 72.

332 (viii) A highway segment along or near Mississippi
333 35 beginning at the end of the existing four-lane at Forest and
334 extending northerly to or near Hillsboro.

335 (ix) A highway segment along or near Mississippi
336 35 beginning at or near Mississippi 487 and extending northerly to
337 or near Mississippi 25.

338 (x) A highway segment along or near Mississippi 16

339 beginning at or near I-55 and extending easterly to or near
340 Philadelphia.

341 (xi) An Interstate highway segment along or near
342 I-20 beginning at the Mississippi River Bridge and extending
343 easterly to or near U.S. 61 north.

344 (xii) A highway segment consisting of two (2)
345 lanes of construction and two (2) lanes of right-of-way
346 acquisition beginning at the Port of Vicksburg and extending
347 easterly to or near U.S. 61.

348 (xiii) An Interstate highway segment along or near
349 I-20 beginning at or near the Clinton Raymond Road Interchange and
350 extending easterly to or near the Mississippi 18 Interchange.

351 (xiv) An Interstate highway segment along or near
352 I-20 beginning at or near I-55 south and extending easterly to or
353 near I-55 north.

354 (xv) An Interstate highway segment along or near
355 I-55 beginning at or near I-20 and extending northerly to or near
356 the High Street Interchange.

357 (xvi) An Interstate highway segment along or near
358 I-55 beginning at or near the Elton Road Interchange and extending
359 northerly to or near I-20.

360 (xvii) An Interstate highway segment along or near
361 I-59 beginning at or near U.S. 98 and extending northerly to or
362 near U.S. 49.

363 (xviii) A highway segment along or near
364 Mississippi 43 beginning at or near the Hancock county line and
365 extending westerly to or near I-59.

366 (xix) An Interstate highway segment along or near
367 Canal Road (Mississippi 601) beginning at or near U.S. 90 and
368 extending northerly to or near I-10.

369 (xx) An Interstate highway segment consisting of
370 four (4) lanes along or near U.S. 49 beginning at or near I-10 and
371 extending northerly to or near Lyman; then beginning at or near
372 I-59 and extending westerly to or near U.S. 49; then beginning at
373 or near I-59 and extending northwesterly to U.S. 49; then

374 beginning at or near Florence and extending northerly to or near
375 I-20.

376 (xxi) A highway segment at or near U.S. 49
377 beginning along or near Lyman and extending northerly to I-20 with
378 geometric type improvements along the entire corridor at or near
379 the One Hundred Million Dollar (\$100,000,000.00) estimate.

380 (xxii) An Interstate highway along or near I-20/59
381 beginning at or near the merge of I-20 and I-59 and extending
382 easterly to or near Mississippi 39.

383 (xxiii) A highway segment along or near
384 Mississippi 67 beginning at or near I-10 and extending
385 northwesterly to or near U.S. 49.

386 (xxiv) A highway segment along or near Mississippi
387 605 beginning at or near I-10 and extending northerly to or near
388 Mississippi 67.

389 (xxv) A highway segment along or near Mississippi
390 43 beginning at the end of the existing four-lane and extending
391 northerly to or near Kiln.

392 (xxvi) A highway segment along or near Mississippi
393 24/Mississippi 48 beginning at or near Mississippi 33 south and
394 extending easterly to or near Mississippi 33 north.

395 (xxvii) A highway segment along or near
396 Mississippi 24/Mississippi 48 beginning at or near Mississippi 569
397 and extending easterly to or near I-55.

398 (xxviii) A highway segment along or near
399 Mississippi 27 beginning at or near I-55 and extending northerly
400 to or near I-20.

401 (xxix) A highway segment along or near Mississippi
402 57 beginning at or near I-10 and extending northerly to or near
403 Vancleave.

404 (xxx) A highway segment along or near Mississippi
405 19 beginning at or near Collinsville and extending northerly to or
406 near Philadelphia.

407 (xxxi) A highway segment along or near Mississippi
408 12 beginning at or near I-55 and extending to or near U.S. 51.

409 (xxxii) A highway segment along or near
410 Mississippi 18 beginning at or near Mississippi 27 and extending
411 northerly to or near the end of the four-lane at or near Raymond.

412 (xxxiii) A highway segment along or near
413 Mississippi 28 beginning at or near Fayette and extending easterly
414 to I-55.

415 (xxxiv) A highway segment along or near U.S. 61
416 beginning at or near Redwood and extending northerly to or near
417 U.S. 82.

418 (xxxv) A highway segment along or near Mississippi
419 24/Mississippi 48 beginning at or near Woodville and extending
420 easterly to or near Mississippi 569.

421 (xxxvi) A highway segment along or near
422 Mississippi 18 beginning at or near U.S. 61 and extending
423 northerly to or near Mississippi 27.

424 (g) The Transportation Commission and the Mississippi
425 Department of Transportation shall, in addition to all other
426 projects, consider the following as mid-range needs when
427 establishing the initial priority schedule pursuant to paragraph
428 (a) of this section:

429 (i) A highway segment along or near U.S. 49
430 beginning at U.S. 61 and extending northwesterly to the Arkansas
431 state line.

432 (ii) A highway segment along or near Mississippi 8
433 beginning at or near Rosedale and extending easterly to or near
434 Ruleville.

435 (iii) A highway segment along or near Mississippi
436 25 beginning at the end of the existing four-lane and extending
437 northerly to or near the Tishomingo county line.

438 (iv) A highway segment along or near Mississippi
439 25 beginning at or near Mississippi 23 and extending northerly to
440 or near U.S. 78.

441 (v) A highway segment along or near Kosciusko and
442 extending northeasterly to or near Ethel; then beginning at or
443 near Weir and extending northeasterly to or near Mississippi 15;

444 then beginning at or near Longview and extending northeasterly to
445 or near Starkville.

446 (vi) A highway segment along or near Mississippi
447 35 beginning at or near Hillsboro and extending northerly to or
448 near Mississippi 487.

449 (vii) A highway segment along or near Mississippi
450 35 beginning at or near Mississippi 25 and extending northerly to
451 or near Mississippi 12 in Kosciusko.

452 (viii) A highway segment along or near Mississippi
453 16 beginning at or near Mississippi 25 and extending easterly to
454 or near BIA 22.

455 (ix) A highway segment along or near Mississippi
456 22 beginning at or near Edwards and extending northeasterly to or
457 near Canton.

458 (x) An Interstate highway segment along or near
459 I-55 beginning at or near I-220 and extending northerly to or near
460 Canton.

461 (xi) An Interstate highway segment along or near
462 I-20 beginning at or near U.S. 61 north and extending easterly to
463 or near the Flowers Interchange.

464 (xii) An Interstate highway segment along or near
465 I-20 beginning at or near the Mississippi 18 Interchange and
466 extending easterly to or near I-55 south.

467 (xiii) An Interstate highway segment along or near
468 I-20 beginning at or near I-55 north and extending easterly to or
469 near U.S. 49.

470 (xiv) A highway segment along or near Mississippi
471 43 beginning at or near Kiln and extending northwesterly to or
472 near the Pearl River county line.

473 (xv) A highway segment along or near U.S. 98
474 beginning at or near U.S. 84 at or near Meadville and extending
475 easterly to or near I-55.

476 (xvi) A highway segment along or near Mississippi
477 12 beginning at or near U.S. 51 and extending to or near
478 Kosciusko.

479 (xvii) A highway segment beginning at or near
480 Ethel and extending northeasterly to or near Weir; then beginning
481 at or near Mississippi 15 and extending northeasterly to Longview.

482 (xviii) A highway segment along or near
483 Mississippi 7 beginning at or near U.S. 82 and extending northerly
484 to or near I-55.

485 (h) The Transportation Commission and the Mississippi
486 Department of Transportation shall, in addition to all other
487 projects, consider the following as long-range needs when
488 establishing the initial priority schedule pursuant to paragraph
489 (a) of this section:

490 (i) A highway segment along or near Mississippi 19
491 beginning at or near Mississippi 15 and extending northwesterly to
492 or near Kosciusko.

493 (ii) An Interstate highway segment along or near
494 I-55 beginning at or near Senatobia and extending northerly to
495 Hernando.

496 (iii) An Interstate highway segment along or near
497 I-20 beginning at or near the Flowers Interchange and extending
498 easterly to or near Clinton Raymond Road Interchange.

499 (iv) An Interstate highway segment along or near
500 I-20 beginning at or near the Brandon Crossgates Interchange and
501 extending easterly to or near the Pelahatchie Mississippi 43
502 Interchange.

503 (v) An Interstate highway segment along or near
504 I-55 beginning at or near the High Street Interchange and
505 extending northerly to or near Mississippi 25.

506 (vi) An Interstate highway segment along or near
507 I-55 beginning at or near Terry and extending northerly to or near
508 the Elton Road Interchange.

509 (vii) An Interstate highway along or near I-20
510 beginning at or near Chunky and extending easterly to or near
511 I-59.

512 (viii) An Interstate highway along or near I-20/59
513 beginning at or near Mississippi 39 and extending easterly to or

514 near Toomsuba.

515 (ix) A highway segment along or near Mississippi
516 16 beginning at or near I-55 and extending to or near U.S. 49.

517 (x) A highway segment along or near Mississippi 35
518 beginning at the Louisiana state line and extending northerly to
519 or near U.S. 98 at or near Foxworth.

520 (xi) A highway segment along or near U.S. 61
521 beginning at or near Redwood and extending northerly to or near
522 U.S. 82 at or near Greenville.

523 (xii) A highway segment along or near Mississippi
524 4 beginning at or near U.S. 61 and extending easterly to or near
525 I-55 at or near Senatobia.

526 (xiii) A roadway segment along or near Lakeshore
527 Road beginning at or near U.S. 90 and extending northerly to or
528 near South Beach Boulevard.

529 (xiv) A highway segment beginning at or near
530 Ellisville and extending northerly to or near the northern city
531 limits of Laurel.

532 (xv) An Interstate highway segment along or near
533 I-110 beginning at or near U.S. 90 and extending northerly to or
534 near I-10.

535 (xvi) A highway segment along or near Mississippi
536 24 beginning at or near Gloster and extending to or near Liberty.

537 (xvii) A highway segment along or near Mississippi
538 16 beginning at or near Scooba and extending westerly to or near
539 DeKalb.

540 (xviii) A highway segment along or near U.S. 49
541 East beginning at or near Yazoo City and extending northerly to or
542 near U.S. 82.

543 (6) The commission shall, in addition to other projects,
544 consider the following highway segments for improvements and
545 highway modifications, including, but not limited to,
546 straightening and realignment of the existing roadway, the
547 addition of passing lanes and the widening of existing lanes, the
548 addition of turn lanes and improvement of shoulders:

- 549 (a) Mississippi 3 from U.S. 61 to U.S. 49 West.
- 550 (b) Mississippi 7 from Mississippi 9 West to I-55.
- 551 (c) Mississippi 7 from U.S. 82 to I-55.
- 552 (d) Mississippi 8 from U.S. 49 West to I-55.
- 553 (e) Mississippi 9 from Mississippi 7 to U.S. Highway
554 82.
- 555 (f) Mississippi 9 from Mississippi 6 to U.S. 78.
- 556 (g) Mississippi 9 from Mississippi 7 to Mississippi
557 300.
- 558 (h) Mississippi 12 from U.S. 61 to I-55.
- 559 (i) Mississippi 12 from U.S. 82 to the
560 Mississippi/Alabama state line.
- 561 (j) Mississippi 12 from the city limits of Ackerman to
562 the city limits of Sturgis.
- 563 (k) Mississippi 12 from U.S. 49 West to U.S. 61.
- 564 (l) Mississippi 15 from I-10 to U.S. 98.
- 565 (m) Mississippi 15 from Mississippi 18 to I-20.
- 566 (n) Mississippi 18 from U.S. 61 to the city limits of
567 Utica.
- 568 (o) Mississippi 18 from U.S. 45 to U.S. 80.
- 569 (p) Mississippi 24 from Mississippi 33 to Mississippi
570 48.
- 571 (q) Mississippi 26 from Mississippi 43 to Mississippi
572 63.
- 573 (r) Mississippi 27 from the Mississippi/Louisiana state
574 line to I-55.
- 575 (s) Mississippi 28 from Mississippi 33 to I-55.
- 576 (t) Mississippi 28 from U.S. 51 to U.S. 49.
- 577 (u) Mississippi 28 from U.S. 84 to U.S. 49.
- 578 (v) Mississippi 33 from U.S. 61 to the
579 Mississippi/Louisiana state line.
- 580 (w) Mississippi 35 from U.S. 49 to I-20.
- 581 (x) Mississippi 42 from U.S. 84 to U.S. 49.
- 582 (y) Mississippi 48 from Mississippi 35 to U.S. 51.
- 583 (z) Mississippi 469 from U.S. 49 to Mississippi 28.

584 (aa) Mississippi 469 from U.S. 49 to Mississippi 468.

585 (bb) Mississippi 550 from Mississippi 28 to I-55.

586 (cc) Old U.S. 45 beginning in the City of Meridian at
587 or near the old Coca-Cola Company and extending northerly
588 approximately two (2) miles to just beyond the Town of Marion.

589 (7) The Mississippi Transportation Commission shall conduct
590 a feasibility study and prepare a conceptual design for a
591 thoroughfare that encircles the City of Hattiesburg.

592 (8) The construction priorities established in this section
593 shall not be construed as prohibiting the completion of highway
594 segments which, on July 1, 1987, are included in the current
595 three-year plan under Section 65-1-141, and for which, on July 1,
596 1987, grade and drainage has been completed or contracts for grade
597 and drainage have been let. Nothing shall preclude the
598 construction of fully controlled access highways.

599 (9) Contracts may be let and construction may commence and
600 be performed concurrently on any of the highway segments
601 designated in subsections (3), (4) and (5) of this section,
602 notwithstanding the priorities established for the letting of
603 contracts on the various segments designated therein, provided
604 that funds are available and, provided that, at all times, the
605 percentages of all contracts required to be let on the segments
606 designated in subsection (3) * * * of this section are, in fact,
607 let no later than the dates established therein.

608 (10) (a) All highway construction and reconstruction
609 authorized under this section shall be performed by contract let
610 on competitive bid in the manner provided by statute; however,
611 highway segments shall be constructed in lengths of not less than
612 ten (10) miles.

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

619 economically disadvantaged individuals" shall have the meaning
620 ascribed to such term under Section 8(d) of the Small Business Act
621 (15 USCS, Section 637(d)) and relevant subcontracting regulations
622 promulgated pursuant thereto; except that women shall be presumed
623 to be socially and economically disadvantaged individuals for the
624 purposes of this paragraph (b).

625 (11) (a) Notwithstanding the provisions of subsection
626 (10)(a) of this section, the Mississippi Transportation Commission
627 may construct highway segments of less than ten (10) miles in
628 length if:

629 (i) The segment as described in subsection (3) and
630 (4) of this section or the schedule of priorities established in
631 subsection (5) of this section is less than ten (10) miles in
632 length;

633 (ii) The segment will connect two (2) existing
634 four-lane highways;

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

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

640 (v) For a particular project, the costs of
641 constructing a single segment of at least ten (10) miles in length
642 would greatly exceed the aggregate costs of constructing two (2)
643 or more segments; or

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

647 (b) In any case in which the Transportation Commission
648 authorizes the construction of a highway segment of less than ten
649 (10) miles in length, the commission shall set forth and record in
650 its official minutes explanation and justification therefor based
651 upon one or more of the conditions prescribed in paragraph * * *
652 (a) of this subsection.

653 (12) (a) To assist in defraying the costs and expenses for

654 construction, reconstruction and relocation of the four-lane
655 highway system described in this section, the following revenues
656 shall be paid out of such funds made available to the
657 Transportation Commission and the Mississippi Department of
658 Transportation:

659 (i) From matched federal funds or other federal
660 funds, Thirty-two Million Dollars (\$32,000,000.00) for fiscal year
661 1988, Twenty-five Million Dollars (\$25,000,000.00) for fiscal year
662 1989, Thirty Million Dollars (\$30,000,000.00) for fiscal year 1990
663 and fifty percent (50%) of such federal funds for fiscal year 1991
664 and each fiscal year thereafter; and

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

670 (b) Federal funds in addition to the federal funds
671 specified in paragraph (a) of this subsection may be used for the
672 construction, reconstruction and relocation of the four-lane
673 highway system described in this section. Such federal funds may
674 be utilized in lieu of state funding that would otherwise be
675 utilized for such system; provided, however, that the annual total
676 amount of funding for the construction, reconstruction and
677 relocation of the highway system described in this section shall
678 not be less than it would have otherwise been without the
679 utilization of such additional federal funds.

680 (13) The Transportation Department shall submit a report to
681 the Legislature by January 10 of each calendar year setting forth
682 the current status of the construction program set forth in this
683 section to include, but not be limited to, the following
684 information:

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

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

- 689 (c) Specific segments for which construction contracts
690 have been let;
- 691 (d) Specific segments on which construction is in
692 progress;
- 693 (e) Specific segments on which construction has been
694 completed;
- 695 (f) Projections for completion of the next step on each
696 segment;
- 697 (g) Revenue derived for such construction program from
698 each revenue source contained in Chapter 322, Laws, 1987, and in
699 Chapter 557, Laws, 1994;
- 700 (h) For each fiscal year beginning in 1994, a detailed
701 cash flow projection by source of program activities and an
702 estimate of when the program will encounter a funding shortage due
703 to costs exceeding original projections;
- 704 (i) A schedule of all complete and open-to-traffic
705 highway segments and the related total cost of each segment;
- 706 (j) A schedule of all highway segments on which all
707 contracts necessary for completion of the segments were not let as
708 of the date required by law;
- 709 (k) A complete recap of all program receipts by source,
710 and of all disbursements for the prior fiscal year and cumulative
711 totals since the inception of the program as compared to
712 projections; and
- 713 (l) A statement from the Department of Transportation
714 regarding the status of the funding of the program based on agency
715 cost experience and projections for the future.

716 The report shall be deemed submitted when ten (10) copies are
717 submitted to the Clerk of the House of Representatives and ten
718 (10) copies are submitted to the Secretary of the Senate.

719 **SECTION 2.** Section 75-76-129, Mississippi Code of 1972, is
720 amended as follows:

721 **[Through June 30, 2022, this section shall read as follows:]**

722

723 75-76-129. On or before the last day of each month all

724 taxes, fees, interest, penalties, damages, fines or other monies
725 collected by the State Tax Commission during that month under the
726 provisions of this chapter, with the exception of (a) the local
727 government fees imposed under Section 75-76-195, and (b) an amount
728 equal to Three Million Dollars (\$3,000,000.00) of the revenue
729 collected pursuant to the fee imposed under Section
730 75-76-177(1)(c), or an amount equal to twenty-five percent (25%)
731 of the revenue collected pursuant to the fee imposed under Section
732 75-76-177(1)(c), whichever is the greater amount, shall be paid by
733 the State Tax Commission to the State Treasurer to be deposited in
734 the State General Fund. The local government fees shall be
735 distributed by the State Tax Commission pursuant to Section
736 75-76-197. An amount equal to Three Million Dollars
737 (\$3,000,000.00) of the revenue collected during that month
738 pursuant to the fee imposed under Section 75-76-177(1)(c) shall be
739 deposited by the State Tax Commission into the bond sinking fund
740 created in Section 65-39-3. The revenue collected during that
741 month pursuant to the fee imposed under Section 75-76-177(1)(c)
742 that is in excess of Three Million Dollars (\$3,000,000.00), but is
743 less than twenty-five percent (25%) of the amount of revenue
744 collected during that month, shall be deposited into the State
745 Highway Fund to be used exclusively for the reconstruction and
746 maintenance of highways of the State of Mississippi.

747 **[From and after July 1, 2022, this section shall read as**
748 **follows:]**

749 75-76-129. On or before the last day of each month, all
750 taxes, fees, interest, penalties, damages, fines or other monies
751 collected by the State Tax Commission during that month under the
752 provisions of this chapter, with the exception of the local
753 government fees imposed under Section 75-76-195, shall be paid by
754 the State Tax Commission to the State Treasurer to be deposited in
755 the State General Fund. The local government fees shall be
756 distributed by the State Tax Commission pursuant to Section
757 75-76-197.

758 **SECTION 3.** Section 65-39-1, Mississippi Code of 1972, is

759 amended as follows:

760 65-39-1. (1) The Mississippi Transportation Commission is
761 authorized, subject to the availability of funds in the Gaming
762 Counties State-Assisted Infrastructure Fund created in Section
763 65-39-17, to conduct feasibility studies and, pursuant to
764 information gathered in such studies, select routes and locations,
765 perform preliminary engineering, acquire necessary right-of-way
766 and property, construct and/or reconstruct and improve existing or
767 new highways, roads, streets and bridges, including two-lane,
768 four-lane and multi-lane roads (or segments thereof), perform
769 intersection improvements, provide signal retiring, turnbay
770 extensions, additional interchanges and other traffic
771 modifications, within and approaching those counties in this state
772 where legal gaming is being conducted or is authorized. Any
773 highway, road, street or bridge that is authorized to be
774 constructed, reconstructed or improved shall meet design standards
775 established by the Mississippi Department of Transportation, shall
776 be constructed to bear a load limit of at least eighty thousand
777 (80,000) pounds and, upon completion, shall become a part of the
778 state highway system, and thereafter shall be under the
779 jurisdiction of the Mississippi Transportation Commission and the
780 Mississippi Department of Transportation for construction and
781 maintenance.

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

785 (a) U.S. Highway 90 from its intersection with
786 Mississippi 607 in Hancock County to Ocean Springs, and including
787 Lakeshore Road in Hancock County from its intersection with U.S.
788 Highway 90 to Beach Boulevard;

789 (b) Mississippi 4 from U.S. Highway 61 to Mississippi
790 3;

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

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

793 (e) U.S. Highway 49 from U.S. Highway 90 to I-10 in

794 Gulfport;

795 (f) Mississippi 304 beginning at the Tennessee state
796 line at or near U.S. 72 and thence running in a southwesterly
797 direction to intersect with U.S. 78 at or near Byhalia and thence
798 running in a westerly direction to intersect I-55 at or near
799 Hernando and thence running in a westerly direction to intersect
800 with U.S. 61 in DeSoto County, with a spur extending southwesterly
801 to or near Robinsonville in Tunica County;

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

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

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

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

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

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

819 (k) Lorraine/Cowan Road Extension from I-10 North to
820 relocated/reconstructed Mississippi 67;

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

823 (m) At various locations on and along I-20, U.S.
824 Highway 61 and U.S. Highway 80 in the City of Vicksburg, including
825 a truck route from Harbor Industrial Park to U.S. Highway 61 north
826 and an extension of South Frontage Road with railroad bridge to
827 Interstate Highway 20;

828 (n) At various locations on and along U.S. Highway 61,

829 U.S. Highway 65 and Washington Street in the City of Natchez;

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

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

836 (q) Mississippi 43 beginning where Mississippi 43 and
837 Mississippi 603 divide and extending northwesterly to or near
838 Picayune;

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

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

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

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

853 (4) * * * If a project authorized in this section is also
854 included in the four-lane highway program under Section
855 65-3-97(3), then all contracts necessary to be let for the
856 completion of the project under this section shall be let not
857 later than the priorities established for the letting of contracts
858 for the project under Section 65-3-97(3). Prioritization of
859 construction for all other projects authorized in this section
860 shall be conducted as provided for in Section 65-3-97(4).

861 (5) (a) Funds for the projects authorized under this
862 section may be provided through the issuance of bonds under
863 Sections 65-39-5 through 65-39-33, through the issuance of notes

864 for such purposes under Section 31-17-127 or from such monies as
865 may be available in the Gaming Counties State-Assisted
866 Infrastructure Fund created under Section 65-39-17.

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

872 **SECTION 4.** Section 27-5-101, Mississippi Code of 1972, is
873 amended as follows:

874 **[With regard to any county which is exempt from the**
875 **provisions of Section 19-2-3, this section shall read as follows:]**

876 27-5-101. Unless otherwise provided in this section, on or
877 before the fifteenth day of each month, all gasoline, diesel fuel
878 or kerosene taxes which are levied under the laws of this state
879 and collected during the previous month shall be paid and
880 apportioned by the State Tax Commission as follows:

881 (a) (i) Except as otherwise provided in Section
882 31-17-127, from the gross amount of gasoline, diesel fuel or
883 kerosene taxes produced by the state, there shall be deducted an
884 amount equal to one-sixth (1/6) of principal and interest
885 certified by the State Treasurer to the State Tax Commission to be
886 due on the next semiannual bond and interest payment date, as
887 required under the provisions of Chapter 130, Laws of 1938, and
888 subsequent acts authorizing the issuance of bonds payable from
889 gasoline, diesel fuel or kerosene tax revenue on a parity with the
890 bonds issued under authority of said Chapter 130. The State
891 Treasurer shall certify to the State Tax Commission on or before
892 the fifteenth day of each month the amount to be paid to the
893 "Highway Bonds Sinking Fund" as provided by said Chapter 130, Laws
894 of 1938, and subsequent acts authorizing the issuance of bonds
895 payable from gasoline, diesel fuel or kerosene tax revenue, on a
896 parity with the bonds issued under authority of said Chapter 130;
897 and the State Tax Commission shall, on or before the twenty-fifth
898 day of each month, pay into the State Treasury for credit to the

899 "Highway Bonds Sinking Fund" the amount so certified to him by the
900 State Treasurer due to be paid into such fund each month. The
901 payments to the "Highway Bonds Sinking Fund" shall be made out of
902 gross gasoline, diesel fuel or kerosene tax collections before
903 deductions of any nature are considered; however, such payments
904 shall be deducted from the allocation to the Mississippi
905 Department of Transportation under paragraph (c) of this section.

906 (ii) From collections derived from the portion of
907 the gasoline excise tax that exceeds Seven Cents (7¢) per gallon,
908 from the portion of the tax on aviation gas under Section 27-55-11
909 that exceeds Six and Four-tenths Cents (6.4¢) per gallon, from the
910 portion of the special fuel tax levied under Sections 27-55-519
911 and 27-55-521, at Eighteen Cents (18¢) per gallon that exceeds Ten
912 Cents (10¢) per gallon, from the portion of the taxes levied under
913 Section 27-55-519, at Five and Three-fourths Cents (5.75¢) per
914 gallon that exceeds One Cent (1¢) per gallon on special fuel and
915 Five and One-fourth Cents (5.25¢) per gallon on special fuel used
916 as aircraft fuel, from the portion of the excise tax on compressed
917 gas used as a motor fuel that exceeds the rate of tax in effect on
918 June 30, 1987, and from the portion of the gasoline excise tax in
919 excess of Seven Cents (7¢) per gallon and the diesel excise tax in
920 excess of Ten Cents (10¢) per gallon under Section 27-61-5 there
921 shall be deducted:

922 1. An amount as provided in Section
923 27-65-75(4) to the credit of a special fund designated as the
924 "Office of State Aid Road Construction."

925 2. An amount equal to the tax collections
926 derived from Two Cents (2¢) per gallon of the gasoline excise tax
927 for distribution to the State Highway Fund to be used exclusively
928 for the construction, reconstruction and maintenance of highways
929 of the State of Mississippi or the payment of interest and
930 principal on bonds when specifically authorized by the Legislature
931 for that purpose.

932 3. The balance shall be deposited in the
933 State Treasury to the credit of the State Highway Fund.

934 (b) Subject to the provisions that said basis of
935 distribution shall in nowise affect adversely the amount
936 specifically pledged in paragraph (a) of this section to be paid
937 into the "Highway Bonds Sinking Fund," the following shall be
938 deducted from the amount produced by the state tax on gasoline,
939 diesel fuel or kerosene tax collections, excluding collections
940 derived from the portion of the gasoline excise tax that exceeds
941 Seven Cents (7¢) per gallon, from the portion of the tax on
942 aviation gas under Section 27-55-11 that exceeds Six and
943 Four-tenths Cents (6.4¢) per gallon, from the portion of the
944 special fuel tax levied under Sections 27-55-519 and 27-55-521, at
945 Eighteen Cents (18¢) per gallon that exceeds Ten Cents (10¢) per
946 gallon, from the portion of the taxes levied under Section
947 27-55-519, at Five and Three-fourths Cents (5.75¢) per gallon that
948 exceeds One Cent (1¢) per gallon on special fuel and Five and
949 One-fourth Cents (5.25¢) per gallon on special fuel used as
950 aircraft fuel, from the portion of the excise tax on compressed
951 gas used as a motor fuel that exceeds the rate of tax in effect on
952 June 30, 1987, and from the portion of the gasoline excise tax in
953 excess of Seven Cents (7¢) per gallon and the diesel excise tax in
954 excess of Ten Cents (10¢) per gallon under Section 27-61-5:

955 (i) Twenty percent (20%) of such amount which
956 shall be earmarked and set aside for the construction,
957 reconstruction and maintenance of the highways and roads of the
958 state, provided that if such twenty percent (20%) should reduce
959 any county to a lesser amount than that received in the fiscal
960 year ending June 30, 1966, then such twenty percent (20%) shall be
961 reduced to a percentage to provide that no county shall receive
962 less than its portion for the fiscal year ending June 30, 1966;

963 (ii) The amount allowed as refund on gasoline or
964 as tax credit on diesel fuel or kerosene used for agricultural,
965 maritime, industrial, domestic, and nonhighway purposes;

966 (iii) Five percent (5%) of such amount shall be
967 paid to the State Highway Fund;

968 (iv) The amount or portion thereof authorized by

969 legislative appropriation to the Fisheries and Wildlife Fund
970 created under Section 59-21-25;

971 (v) The amount for deposit into the special
972 aviation fund under paragraph (d) of this section; and

973 (vi) The remainder shall be divided on a basis of
974 nine-fourteenths (9/14) and five-fourteenths (5/14) (being the
975 same basis as Four and One-half Cents (4-1/2¢) and Two and
976 One-half Cents (2-1/2¢) is to Seven Cents (7¢) on gasoline, and
977 six and forty-three one-hundredths (6.43) and three and
978 fifty-seven one-hundredths (3.57) is to Ten Cents (10¢) on diesel
979 fuel or kerosene). The amount produced by the nine-fourteenths
980 (9/14) division shall be allocated to the Transportation
981 Department and paid into the State Treasury as provided in this
982 section and in Section 27-5-103 and the five-fourteenths (5/14)
983 division shall be returned to the counties of the state on the
984 following basis:

985 1. In each fiscal year, each county shall be
986 paid each month the same percentage of the monthly total to be
987 distributed as was paid to that county during the same month in
988 the fiscal year which ended April 9, 1960, until the county
989 receives One Hundred Ninety Thousand Dollars (\$190,000.00) in such
990 fiscal year, at which time funds shall be distributed under the
991 provisions of paragraph (b)(vi)4 of this section.

992 2. If after payments in 1 above, any county
993 has not received a total of One Hundred Ninety Thousand Dollars
994 (\$190,000.00) at the end of the fiscal year ending June 30, 1961,
995 and each fiscal year thereafter, then any available funds not
996 distributed under 1 above shall be used to bring such county or
997 counties up to One Hundred Ninety Thousand Dollars (\$190,000.00)
998 or such funds shall be divided equally among such counties not
999 reaching One Hundred Ninety Thousand Dollars (\$190,000.00) if
1000 there is not sufficient money to bring all the counties to said
1001 One Hundred Ninety Thousand Dollars (\$190,000.00).

1002 3. When a county has been paid an amount
1003 equal to the total which was paid to the same county during the

1004 fiscal year ended April 9, 1960, such county shall receive no
1005 further payments during the then current fiscal year until the
1006 last month of such current fiscal year, at which time distribution
1007 will be made under 2 above, except as set out in 4 below.

1008 4. During the last month of the current
1009 fiscal year, should it be determined that there are funds
1010 available in excess of the amount distributed for the year under 1
1011 and 2 above, then such excess funds shall be distributed among the
1012 various counties as follows:

1013 One-third (1/3) of such excess to be
1014 divided equally among the counties;

1015 One-third (1/3) of such excess to be paid
1016 to the counties in the proportion which the population of each
1017 county bears to the total population of the state according to the
1018 last federal census;

1019 One-third (1/3) of such excess to be paid
1020 to the counties in the proportion which the number of square miles
1021 of each county bears to the total square miles in the state.

1022 5. It is the declared purpose and intent of
1023 the Legislature that no county shall be paid less than was paid
1024 during the year ended April 9, 1960, unless the amount to be
1025 distributed to all counties in any year is less than the amount
1026 distributed to all counties during the year ended April 9, 1960.

1027 The Municipal Aid Fund as established by Section 27-5-103
1028 shall not participate in any portion of any funds allocated to any
1029 county hereunder over and above One Hundred Ninety Thousand
1030 Dollars (\$190,000.00).

1031 In any county having countywide road or bridge bonds, or
1032 supervisors district or district road or bridge bonds outstanding,
1033 which exceed, in the aggregate, twelve percent (12%) of the
1034 assessed valuation of the taxable property of the county or
1035 district, it shall be the duty of the board of supervisors to set
1036 aside not less than sixty percent (60%) of such county's share or
1037 district's share of the gasoline, diesel fuel or kerosene taxes to
1038 be used in paying the principal and interest on such road or

1039 bridge bonds as they mature.

1040 In any county having such countywide road or bridge bonds or
1041 district road or bridge bonds outstanding which exceed, in the
1042 aggregate, eight percent (8%) of the assessed valuation of the
1043 taxable property of the county, but which do not exceed, in the
1044 aggregate, twelve percent (12%) of the assessed valuation of the
1045 taxable property of the county, it shall be the duty of the board
1046 of supervisors to set aside not less than thirty-five percent
1047 (35%) of such county's share of the gasoline, diesel fuel or
1048 kerosene taxes to be used in paying the principal and interest of
1049 such road or bridge bonds as they mature.

1050 In any county having such countywide road or bridge bonds or
1051 district road or bridge bonds outstanding which exceed, in the
1052 aggregate, five percent (5%) of the assessed valuation of the
1053 taxable property of the county, but which do not exceed, in the
1054 aggregate, eight percent (8%) of the assessed valuation of the
1055 taxable property of the county, it shall be the duty of the board
1056 of supervisors to set aside not less than twenty percent (20%) of
1057 such county's share of the gasoline, diesel fuel or kerosene taxes
1058 to be used in paying the principal and interest of such road and
1059 bridge bonds as they mature.

1060 In any county having such countywide road or bridge bonds or
1061 district road or bridge bonds outstanding which do not exceed, in
1062 the aggregate, five percent (5%) of the assessed valuation of the
1063 taxable property of the county, it shall be the duty of the board
1064 of supervisors to set aside not less than ten percent (10%) of
1065 such county's share of the gasoline, diesel fuel or kerosene taxes
1066 to be used in paying the principal and interest on such road or
1067 bridge bonds as they mature.

1068 The portion of any such county's share of the gasoline,
1069 diesel fuel or kerosene taxes thus set aside for the payment of
1070 the principal and interest of road or bridge bonds, as provided
1071 for in this section, shall be used first in paying the currently
1072 maturing installments of the principal and interest of such
1073 countywide road or bridge bonds, if there be any such countywide

1074 road or bridge bonds outstanding, and secondly, in paying the
1075 currently maturing installments of principal and interest of
1076 district road or bridge bonds outstanding. It shall be the duty
1077 of the board of supervisors to pay bonds and interest maturing in
1078 each supervisors district out of the supervisors district's share
1079 of the gasoline, diesel fuel or kerosene taxes of such district.

1080 The remaining portion of such county's share of the gasoline,
1081 diesel fuel or kerosene taxes, after setting aside the portion
1082 above provided for the payment of the principal and interest of
1083 bonds, shall be used in the construction and maintenance of any
1084 public highways, bridges, or culverts of the county, including the
1085 roads in special or separate road districts, in the discretion of
1086 the board of supervisors, or in paying the interest and principal
1087 of county road and bridge bonds or district road and bridge bonds,
1088 in the discretion of the board of supervisors.

1089 In any county having no countywide road or bridge bonds or
1090 district road or bridge bonds outstanding, all such county's share
1091 of the gasoline, diesel fuel or kerosene taxes shall be used in
1092 the construction, reconstruction, and maintenance of the public
1093 highways, bridges, or culverts of the county as the board of
1094 supervisors may determine.

1095 In every county in which there are county road bonds or
1096 seawall or road protection bonds outstanding which were issued for
1097 the purpose of building bridges or constructing public roads or
1098 seawalls, such funds shall be used in the manner provided by law.

1099 (c) From the amount produced by the nine-fourteenths
1100 (9/14) division allocated to the Transportation Department, there
1101 shall be deducted:

1102 (i) The amount paid to the State Treasurer for the
1103 "Highway Bonds Sinking Fund" under paragraph (a) of this section;

1104 (ii) Any amounts due counties in accordance with
1105 Section 65-33-45 which have outstanding bonds issued for seawall
1106 or road protection purposes, issued under provisions of Chapter
1107 319, Laws of 1924, and amendments thereto;

1108 (iii) Beginning August 15, 2002, and on or before

1109 the fifteenth day of each month thereafter, an amount equal to
1110 one-sixth (1/6) of the principal and interest certified by the
1111 State Treasurer to the State Tax Commission to be due on the next
1112 semiannual bond and interest payment date for the bonds issued
1113 under Sections 65-39-5 through 65-39-33. On or before the
1114 twenty-fifth day of each month the State Tax Commission shall pay
1115 into the State Treasury for credit to the Gaming Counties Bond
1116 Sinking Fund created in Section 65-39-3, the amount so certified
1117 by the State Treasurer;

1118 (iv) Except as otherwise provided in Section
1119 31-17-127, the remainder shall be paid by the State Tax Commission
1120 to the State Treasurer on the fifteenth day of each month next
1121 succeeding the month in which the gasoline, diesel fuel or
1122 kerosene taxes were collected to the credit of the State Highway
1123 Fund.

1124 The funds allocated for the construction, reconstruction, and
1125 improvement of state highways, bridges, and culverts, or so much
1126 thereof as may be necessary, shall first be used in conjunction
1127 with funds supplied by the federal government for such purposes
1128 and allocated to the State Transportation Department to be
1129 expended on the state highway system. It is specifically provided
1130 hereby that the necessary portion of such funds hereinabove
1131 allocated to the State Transportation Department may be used for
1132 the prompt payment of principal and interest on highway bonds
1133 heretofore issued, including such bonds issued or to be issued
1134 under the provisions of Chapter 312, Laws of 1956, and amendments
1135 thereto.

1136 Nothing contained in this section shall be construed to
1137 reduce the amount of such gasoline, diesel fuel or kerosene excise
1138 taxes levied by the state, allotted under the provisions of Title
1139 65, Chapter 33, Mississippi Code of 1972, to counties in which
1140 there are outstanding bonds issued for seawall or road protection
1141 purposes issued under the provisions of Chapter 319, Laws of 1924,
1142 and amendments thereto; the amount of said gasoline, diesel fuel
1143 or kerosene excise taxes designated in this section for the

1144 payment of bonds and interest authorized and issued or to be
1145 issued under the provisions of Chapter 130, Laws of 1938, and
1146 subsequent acts authorizing the issuance of bonds payable from
1147 gasoline, diesel fuel or kerosene tax revenue, shall, in such
1148 counties, be considered as being paid "into the State Treasury to
1149 the credit of the State Highway Fund" within the meaning of
1150 Section 65-33-45 in computing the amount to be paid to such
1151 counties under the provisions of said section, and this section
1152 shall be administered in connection with Title 65, Chapter 33,
1153 Mississippi Code of 1972, and Sections 65-33-45, 65-33-47 and
1154 65-33-49 dealing with seawalls, as if made a part of this section.

1155 (d) The proceeds of the Five and One-fourth Cents
1156 (5.25¢) of the tax per gallon on oils used as a propellant for jet
1157 aircraft engines, and Six and Four-tenths Cents (6.4¢) of the tax
1158 per gallon on aviation gasoline and the tax of One Cent (1¢) per
1159 gallon for each gallon of gasoline for which a refund has been
1160 made pursuant to Section 27-55-23 because such gasoline was used
1161 for aviation purposes, shall be paid to the State Treasury into a
1162 special fund to be used exclusively, pursuant to legislative
1163 appropriation, for the support and development of aeronautics as
1164 defined in Section 61-1-3.

1165 (e) State highway funds in an amount equal to the
1166 difference between Forty-two Million Dollars (\$42,000,000.00) and
1167 the annual debt service payable on the state's highway revenue
1168 refunding bonds, Series 1985, shall be expended for the
1169 construction or reconstruction of highways designated under
1170 the * * * highway program created under Section 65-3-97.

1171 (f) "Gasoline, diesel fuel or kerosene taxes" as used
1172 in this section shall be deemed to mean and include state
1173 gasoline, diesel fuel or kerosene taxes levied and imposed on
1174 distributors of gasoline, diesel fuel or kerosene, and all state
1175 excise taxes derived from any fuel used to propel vehicles upon
1176 the highways of this state, when levied by any statute.

1177 **[With regard to any county which is required to operate on a**
1178 **countywide system of road administration as described in Section**

1179 **19-2-3, this section shall read as follows:]**

1180 27-5-101. Unless otherwise provided in this section, on or
1181 before the fifteenth day of each month, all gasoline, diesel fuel
1182 or kerosene taxes which are levied under the laws of this state
1183 and collected during the previous month shall be paid and
1184 apportioned by the State Tax Commission as follows:

1185 (a) (i) Except as otherwise provided in Section
1186 31-17-127, from the gross amount of gasoline, diesel fuel or
1187 kerosene taxes produced by the state, there shall be deducted an
1188 amount equal to one-sixth (1/6) of principal and interest
1189 certified by the State Treasurer to the State Tax Commission to be
1190 due on the next semiannual bond and interest payment date, as
1191 required under the provisions of Chapter 130, Laws of 1938, and
1192 subsequent acts authorizing the issuance of bonds payable from
1193 gasoline, diesel fuel or kerosene tax revenue on a parity with the
1194 bonds issued under authority of said Chapter 130. The State
1195 Treasurer shall certify to the State Tax Commission on or before
1196 the fifteenth day of each month the amount to be paid to the
1197 "Highway Bonds Sinking Fund" as provided by said Chapter 130, Laws
1198 of 1938, and subsequent acts authorizing the issuance of bonds
1199 payable from gasoline, diesel fuel or kerosene tax revenue, on a
1200 parity with the bonds issued under authority of said Chapter 130;
1201 and the State Tax Commission shall, on or before the twenty-fifth
1202 day of each month, pay into the State Treasury for credit to the
1203 "Highway Bonds Sinking Fund" the amount so certified to him by the
1204 State Treasurer due to be paid into such fund each month. The
1205 payments to the "Highway Bonds Sinking Fund" shall be made out of
1206 gross gasoline, diesel fuel or kerosene tax collections before
1207 deductions of any nature are considered; however, such payments
1208 shall be deducted from the allocation to the Transportation
1209 Department under paragraph (c) of this section.

1210 (ii) From collections derived from the portion of
1211 the gasoline excise tax that exceeds Seven Cents (7¢) per gallon,
1212 from the portion of the tax on aviation gas under Section 27-55-11
1213 that exceeds Six and Four-tenths Cents (6.4¢) per gallon, from the

1214 portion of the special fuel tax levied under Sections 27-55-519
1215 and 27-55-521, at Eighteen Cents (18¢) per gallon that exceeds Ten
1216 Cents (10¢) per gallon, from the portion of the taxes levied under
1217 Section 27-55-519, at Five and Three-fourths Cents (5.75¢) per
1218 gallon that exceeds One Cent (1¢) per gallon on special fuel and
1219 Five and One-fourth Cents (5.25¢) per gallon on special fuel used
1220 as aircraft fuel, from the portion of the excise tax on compressed
1221 gas used as a motor fuel that exceeds the rate of tax in effect on
1222 June 30, 1987, and from the portion of the gasoline excise tax in
1223 excess of Seven Cents (7¢) per gallon and the diesel excise tax in
1224 excess of Ten Cents (10¢) per gallon under Section 27-61-5 there
1225 shall be deducted:

1226 1. An amount as provided in Section
1227 27-65-75(4) to the credit of a special fund designated as the
1228 "Office of State Aid Road Construction."

1229 2. An amount equal to the tax collections
1230 derived from Two Cents (2¢) per gallon of the gasoline excise tax
1231 for distribution to the State Highway Fund to be used exclusively
1232 for the construction, reconstruction and maintenance of highways
1233 of the State of Mississippi or the payment of interest and
1234 principal on bonds when specifically authorized by the Legislature
1235 for that purpose.

1236 3. The balance shall be deposited in the
1237 State Treasury to the credit of the State Highway Fund.

1238 (b) Subject to the provisions that said basis of
1239 distribution shall in nowise affect adversely the amount
1240 specifically pledged in paragraph (a) of this section to be paid
1241 into the "Highway Bonds Sinking Fund," the following shall be
1242 deducted from the amount produced by the state tax on gasoline,
1243 diesel fuel or kerosene tax collections, excluding collections
1244 derived from the portion of the gasoline excise tax that exceeds
1245 Seven Cents (7¢) per gallon, from the portion of the tax on
1246 aviation gas under Section 27-55-11 that exceeds Six and
1247 Four-tenths Cents (6.4¢) per gallon, from the portion of the
1248 special fuel tax levied under Sections 27-55-519 and 27-55-521, at

1249 Eighteen Cents (18¢) per gallon, that exceeds Ten Cents (10¢) per
1250 gallon, from the portion of the taxes levied under Section
1251 27-55-519, at Five and Three-fourths Cents (5.75¢) that exceeds
1252 One Cent (1¢) per gallon on special fuel and Five and One-fourth
1253 Cents (5.25¢) per gallon on special fuel used as aircraft fuel,
1254 from the portion of the excise tax on compressed gas used as a
1255 motor fuel that exceeds the rate of tax in effect on June 30,
1256 1987, and from the portion of the gasoline excise tax in excess of
1257 Seven Cents (7¢) per gallon and the diesel excise tax in excess of
1258 Ten Cents (10¢) per gallon under Section 27-61-5:

1259 (i) Twenty percent (20%) of such amount which
1260 shall be earmarked and set aside for the construction,
1261 reconstruction and maintenance of the highways and roads of the
1262 state, provided that if such twenty percent (20%) should reduce
1263 any county to a lesser amount than that received in the fiscal
1264 year ending June 30, 1966, then such twenty percent (20%) shall be
1265 reduced to a percentage to provide that no county shall receive
1266 less than its portion for the fiscal year ending June 30, 1966;

1267 (ii) The amount allowed as refund on gasoline or
1268 as tax credit on diesel fuel or kerosene used for agricultural,
1269 maritime, industrial, domestic and nonhighway purposes;

1270 (iii) Five percent (5%) of such amount shall be
1271 paid to the State Highway Fund;

1272 (iv) The amount or portion thereof authorized by
1273 legislative appropriation to the Fisheries and Wildlife Fund
1274 created under Section 59-21-25;

1275 (v) The amount for deposit into the special
1276 aviation fund under paragraph (d) of this section; and

1277 (vi) The remainder shall be divided on a basis of
1278 nine-fourteenths (9/14) and five-fourteenths (5/14) (being the
1279 same basis as Four and One-half Cents (4-1/2¢) and Two and
1280 One-half Cents (2-1/2¢) is to Seven Cents (7¢) on gasoline, and
1281 six and forty-three one-hundredths (6.43) and three and
1282 fifty-seven one-hundredths (3.57) is to Ten Cents (10¢) on diesel
1283 fuel or kerosene). The amount produced by the nine-fourteenths

1284 (9/14) division shall be allocated to the Transportation
1285 Department and paid into the State Treasury as provided in this
1286 section and in Section 27-5-103 and the five-fourteenths (5/14)
1287 division shall be returned to the counties of the state on the
1288 following basis:

1289 1. In each fiscal year, each county shall be
1290 paid each month the same percentage of the monthly total to be
1291 distributed as was paid to that county during the same month in
1292 the fiscal year which ended April 9, 1960, until the county
1293 receives One Hundred Ninety Thousand Dollars (\$190,000.00) in such
1294 fiscal year, at which time funds shall be distributed under the
1295 provisions of paragraph (b) (vi)4 of this section.

1296 2. If after payments in 1 above, any county
1297 has not received a total of One Hundred Ninety Thousand Dollars
1298 (\$190,000.00) at the end of the fiscal year ending June 30, 1961,
1299 and each fiscal year thereafter, then any available funds not
1300 distributed under 1 above shall be used to bring such county or
1301 counties up to One Hundred Ninety Thousand Dollars (\$190,000.00)
1302 or such funds shall be divided equally among such counties not
1303 reaching One Hundred Ninety Thousand Dollars (\$190,000.00) if
1304 there is not sufficient money to bring all the counties to said
1305 One Hundred Ninety Thousand Dollars (\$190,000.00).

1306 3. When a county has been paid an amount
1307 equal to the total which was paid to the same county during the
1308 fiscal year ended April 9, 1960, such county shall receive no
1309 further payments during the then current fiscal year until the
1310 last month of such current fiscal year, at which time distribution
1311 will be made under 2 above, except as set out in 4 below.

1312 4. During the last month of the current
1313 fiscal year, should it be determined that there are funds
1314 available in excess of the amount distributed for the year under 1
1315 and 2 above, then such excess funds shall be distributed among the
1316 various counties as follows:

1317 One-third (1/3) of such excess to be
1318 divided equally among the counties;

1319 One-third (1/3) of such excess to be paid
1320 to the counties in the proportion which the population of each
1321 county bears to the total population of the state according to the
1322 last federal census;

1323 One-third (1/3) of such excess to be paid
1324 to the counties in the proportion which the number of square miles
1325 of each county bears to the total square miles in the state.

1326 5. It is the declared purpose and intent of
1327 the Legislature that no county shall be paid less than was paid
1328 during the year ended April 9, 1960, unless the amount to be
1329 distributed to all counties in any year is less than the amount
1330 distributed to all counties during the year ended April 9, 1960.

1331 The Municipal Aid Fund as established by Section 27-5-103
1332 shall not participate in any portion of any funds allocated to any
1333 county hereunder over and above One Hundred Ninety Thousand
1334 Dollars (\$190,000.00).

1335 In any county having road or bridge bonds outstanding which
1336 exceed, in the aggregate, twelve percent (12%) of the assessed
1337 valuation of the taxable property of the county, it shall be the
1338 duty of the board of supervisors to set aside not less than sixty
1339 percent (60%) of such county's share of the gasoline, diesel fuel
1340 or kerosene taxes to be used in paying the principal and interest
1341 on such road or bridge bonds as they mature.

1342 In any county having such road or bridge bonds outstanding
1343 which exceed, in the aggregate, eight percent (8%) of the assessed
1344 valuation of the taxable property of the county, but which do not
1345 exceed, in the aggregate, twelve percent (12%) of the assessed
1346 valuation of the taxable property of the county, it shall be the
1347 duty of the board of supervisors to set aside not less than
1348 thirty-five percent (35%) of such county's share of the gasoline,
1349 diesel fuel or kerosene taxes to be used in paying the principal
1350 and interest of such road or bridge bonds as they mature.

1351 In any county having such road or bridge bonds outstanding
1352 which exceed, in the aggregate, five percent (5%) of the assessed
1353 valuation of the taxable property of the county, but which do not

1354 exceed, in the aggregate, eight percent (8%) of the assessed
1355 valuation of the taxable property of the county, it shall be the
1356 duty of the board of supervisors to set aside not less than twenty
1357 percent (20%) of such county's share of the gasoline, diesel fuel
1358 or kerosene taxes to be used in paying the principal and interest
1359 of such road and bridge bonds as they mature.

1360 In any county having such road or bridge bonds outstanding
1361 which do not exceed, in the aggregate, five percent (5%) of the
1362 assessed valuation of the taxable property of the county, it shall
1363 be the duty of the board of supervisors to set aside not less than
1364 ten percent (10%) of such county's share of the gasoline, diesel
1365 fuel or kerosene taxes to be used in paying the principal and
1366 interest on such road or bridge bonds as they mature.

1367 The portion of any such county's share of the gasoline,
1368 diesel fuel or kerosene taxes thus set aside for the payment of
1369 the principal and interest of road or bridge bonds, as provided
1370 for in this section, shall be used in paying the currently
1371 maturing installments of the principal and interest of such road
1372 or bridge bonds, if there be any such road or bridge bonds
1373 outstanding.

1374 The remaining portion of such county's share of the gasoline,
1375 diesel fuel or kerosene taxes, after setting aside the portion
1376 above provided for the payment of the principal and interest of
1377 bonds, shall be used in the construction and maintenance of any
1378 public highways, bridges or culverts of the county, in the
1379 discretion of the board of supervisors.

1380 In any county having no road or bridge bonds outstanding, all
1381 such county's share of the gasoline, diesel fuel or kerosene taxes
1382 shall be used in the construction, reconstruction and maintenance
1383 of the public highways, bridges or culverts of the county, as the
1384 board of supervisors may determine.

1385 In every county in which there are county road bonds or
1386 seawall or road protection bonds outstanding which were issued for
1387 the purpose of building bridges or constructing public roads or
1388 seawalls, such funds shall be used in the manner provided by law.

1389 (c) From the amount produced by the nine-fourteenths
1390 (9/14) division allocated to the Transportation Department, there
1391 shall be deducted:

1392 (i) The amount paid to the State Treasurer for the
1393 "Highway Bonds Sinking Fund" under paragraph (a) of this section;

1394 (ii) Any amounts due counties in accordance with
1395 Section 65-33-45 which have outstanding bonds issued for seawall
1396 or road protection purposes, issued under provisions of Chapter
1397 319, Laws of 1924, and amendments thereto; and

1398 (iii) Beginning August 15, 2002, and on or before
1399 the fifteenth day of each month thereafter, an amount equal to
1400 one-sixth (1/6) of the principal and interest certified by the
1401 State Treasurer to the State Tax Commission to be due on the next
1402 semiannual bond and interest payment date for the bonds issued
1403 under Sections 65-39-5 through 65-39-33. On or before the
1404 twenty-fifth day of each month the State Tax Commission shall pay
1405 into the State Treasury for credit to the Gaming Counties Bond
1406 Sinking Fund created in Section 65-39-3, the amount certified by
1407 the State Treasurer;

1408 (iv) Except as otherwise provided in Section
1409 31-17-127, the remainder shall be paid by the State Tax Commission
1410 to the State Treasurer on the fifteenth day of each month next
1411 succeeding the month in which the gasoline, diesel fuel or
1412 kerosene taxes were collected to the credit of the State Highway
1413 Fund.

1414 The funds allocated for the construction, reconstruction and
1415 improvement of state highways, bridges and culverts, or so much
1416 thereof as may be necessary, shall first be used in conjunction
1417 with funds supplied by the federal government for such purposes
1418 and allocated to the Transportation Department to be expended on
1419 the state highway system. It is specifically provided hereby that
1420 the necessary portion of such funds hereinabove allocated to the
1421 Transportation Department may be used for the prompt payment of
1422 principal and interest on highway bonds heretofore issued,
1423 including such bonds issued or to be issued under the provisions

1424 of Chapter 312, Laws of 1956, and amendments thereto.

1425 Nothing contained in this section shall be construed to
1426 reduce the amount of such gasoline, diesel fuel or kerosene excise
1427 taxes levied by the state, allotted under the provisions of Title
1428 65, Chapter 33, Mississippi Code of 1972, to counties in which
1429 there are outstanding bonds issued for seawall or road protection
1430 purposes issued under the provisions of Chapter 319, Laws of 1924,
1431 and amendments thereto; the amount of said gasoline, diesel fuel
1432 or kerosene excise taxes designated in this section for the
1433 payment of bonds and interest authorized and issued or to be
1434 issued under the provisions of Chapter 130, Laws of 1938, and
1435 subsequent acts authorizing the issuance of bonds payable from
1436 gasoline, diesel fuel or kerosene tax revenue, shall, in such
1437 counties, be considered as being paid "into the State Treasury to
1438 the credit of the State Highway Fund" within the meaning of
1439 Section 65-33-45 in computing the amount to be paid to such
1440 counties under the provisions of said section, and this section
1441 shall be administered in connection with Title 65, Chapter 33,
1442 Mississippi Code of 1972, and Sections 65-33-45, 65-33-47 and
1443 65-33-49 dealing with seawalls, as if made a part of this section.

1444 (d) The proceeds of the Five and One-fourth Cents
1445 (5.25¢) of the tax per gallon on oils used as a propellant for jet
1446 aircraft engines, and Six and Four-tenths Cents (6.4¢) of the tax
1447 per gallon on aviation gasoline and the tax of One Cent (1¢) per
1448 gallon for each gallon of gasoline for which a refund has been
1449 made pursuant to Section 27-55-23 because such gasoline was used
1450 for aviation purposes, shall be paid to the State Treasury into a
1451 special fund to be used exclusively, pursuant to legislative
1452 appropriation, for the support and development of aeronautics as
1453 defined in Section 61-1-3.

1454 (e) State highway funds in an amount equal to the
1455 difference between Forty-two Million Dollars (\$42,000,000.00) and
1456 the annual debt service payable on the state's highway revenue
1457 refunding bonds, Series 1985, shall be expended for the
1458 construction or reconstruction of highways designated under

1459 the * * * highway program created under Section 65-3-97.

1460 (f) "Gasoline, diesel fuel or kerosene taxes" as used
1461 in this section shall be deemed to mean and include state
1462 gasoline, diesel fuel or kerosene taxes levied and imposed on
1463 distributors of gasoline, diesel fuel or kerosene, and all state
1464 excise taxes derived from any fuel used to propel vehicles upon
1465 the highways of this state, when levied by any statute.

1466 **SECTION 5.** Section 27-19-99, Mississippi Code of 1972, is
1467 amended as follows:

1468 27-19-99. The State Tax Commission shall furnish the tax
1469 collector of each county a sufficient supply of license tags or
1470 plates and a sufficient supply of license receipts with which to
1471 make the collection of the taxes imposed by the provisions of this
1472 article, which such tax collectors are required to collect. The
1473 license tag receipts shall be on forms prescribed by the
1474 commission. Upon the payment of the taxes and fees required by
1475 this article, the tax collector shall issue the license receipt in
1476 the form prescribed by the commission. The commission shall keep
1477 account against the tax collector for the license taxes and fees
1478 collected. The tax collector shall keep a similar account.

1479 The tax collector shall, at the end of each month or within
1480 twenty (20) days thereafter, pay into the county road fund all
1481 privilege taxes collected by him during the preceding month upon
1482 motor vehicle privilege licenses which he is entitled to issue,
1483 less the county's commission.

1484 The tax collector shall keep a record of the information
1485 furnished by the owners of each motor vehicle registered. The
1486 record shall be made in numerical order by tag number or decal
1487 number, whichever is appropriate. At the end of each month, or
1488 within twenty (20) days thereafter, the tax collector shall submit
1489 to the commission a copy of such record, together with the copy of
1490 each registration receipt, and shall, at the same time, remit to
1491 the commission the registration fee for each license tag or decal
1492 sold by him during the preceding month. When the tax collector
1493 shall have complied with the provisions of this section and shall

1494 have forwarded to the commission, within the time specified, all
1495 reports required of him hereunder, he shall then be entitled to
1496 retain five percent (5%) of the registration fees imposed in
1497 paragraphs (a) and (b) of Section 27-19-43, Mississippi Code of
1498 1972, to be paid into the county general fund; otherwise the
1499 county's commission shall be forfeited. The five percent (5%)
1500 shall not apply to any additional registration fee imposed above
1501 the amounts imposed in paragraphs (a) and (b) of Section 27-19-43.
1502 The commission shall keep a record from the duplicates filed by
1503 the tax collectors of all registered vehicles.

1504 Counties that use their existing computer system to
1505 communicate all data regarding vehicle title and registration
1506 transactions to the state's central computer system shall be
1507 allotted Fifty Cents (50¢) for each registration fee collected by
1508 the county and remitted to the State Tax Commission. Such
1509 communication must successfully pass any edit features and
1510 successfully create or update title/registration records on the
1511 network system. This amount paid to the county shall be deposited
1512 into the county general fund to be expended only for costs
1513 incurred for the purchase of equipment, software, maintenance or
1514 other costs directly related to the title/registration network
1515 system.

1516 All monies remitted to the commission by tax collectors as
1517 registration or tag fees from the portion of the rate imposed in
1518 paragraphs (a) and (b) of Section 27-19-43, and all monies
1519 received by the commission directly as registration or tag fees
1520 from the portion of the rate imposed in paragraphs (a) and (b) of
1521 Section 27-19-43, shall be paid by the commission into the General
1522 Fund of the State Treasury on the first day of the month
1523 succeeding the month in which such fees are received by the
1524 commission. Except as otherwise provided in Section 31-17-127,
1525 all monies remitted to the commission by tax collectors as
1526 registration or tag fees from the additional rate of Five Dollars
1527 (\$5.00) and all monies received by the commission directly as
1528 registration or tag fees from the additional rate of Five Dollars

1529 (\$5.00) shall be paid into the State Treasury to the credit of the
1530 State Highway Fund for the construction or reconstruction of
1531 highways designated under the * * * highway program created under
1532 Section 65-3-97.

1533 **SECTION 6.** Section 27-57-37, Mississippi Code of 1972, is
1534 amended as follows:

1535 27-57-37. Except as otherwise provided in Section 31-17-127,
1536 the amount received from lubricating oil excise tax, as defined in
1537 this article, shall be deposited by the commission, in the State
1538 Treasury to the credit of the State Highway Fund, and until the
1539 date specified in Section 65-39-35, such amount shall be used for
1540 the construction or reconstruction of highways designated under
1541 the * * * highway program created under Section 65-3-97.

1542 **SECTION 7.** Section 27-65-75, Mississippi Code of 1972, is
1543 amended as follows:

1544 27-65-75. On or before the fifteenth day of each month, the
1545 revenue collected under the provisions of this chapter during the
1546 preceding month shall be paid and distributed as follows:

1547 (1) On or before August 15, 1992, and each succeeding month
1548 thereafter through July 15, 1993, eighteen percent (18%) of the
1549 total sales tax revenue collected during the preceding month under
1550 the provisions of this chapter, except that collected under the
1551 provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on
1552 business activities within a municipal corporation shall be
1553 allocated for distribution to such municipality and paid to such
1554 municipal corporation. On or before August 15, 1993, and each
1555 succeeding month thereafter, eighteen and one-half percent
1556 (18-1/2%) of the total sales tax revenue collected during the
1557 preceding month under the provisions of this chapter, except that
1558 collected under the provisions of Sections 27-65-15, 27-65-19(3)
1559 and 27-65-21, on business activities within a municipal
1560 corporation shall be allocated for distribution to such
1561 municipality and paid to such municipal corporation.

1562 A municipal corporation, for the purpose of distributing the
1563 tax under this subsection, shall mean and include all incorporated

1564 cities, towns and villages.

1565 Monies allocated for distribution and credited to a municipal
1566 corporation under this subsection may be pledged as security for
1567 any loan received by the municipal corporation for the purpose of
1568 capital improvements as authorized under Section 57-1-303, or
1569 loans as authorized under Section 57-44-7, or water systems
1570 improvements as authorized under Section 41-3-16.

1571 In any county having a county seat which is not an
1572 incorporated municipality, the distribution provided hereunder
1573 shall be made as though the county seat was an incorporated
1574 municipality; however, the distribution to such municipality shall
1575 be paid to the county treasury wherein the municipality is located
1576 and such funds shall be used for road, bridge and street
1577 construction or maintenance therein.

1578 (2) On or before September 15, 1987, and each succeeding
1579 month thereafter, from the revenue collected under this chapter
1580 during the preceding month One Million One Hundred Twenty-five
1581 Thousand Dollars (\$1,125,000.00) shall be allocated for
1582 distribution to municipal corporations as defined under subsection
1583 (1) of this section in the proportion that the number of gallons
1584 of gasoline and diesel fuel sold by distributors to consumers and
1585 retailers in each such municipality during the preceding fiscal
1586 year bears to the total gallons of gasoline and diesel fuel sold
1587 by distributors to consumers and retailers in municipalities
1588 statewide during the preceding fiscal year. The State Tax
1589 Commission shall require all distributors of gasoline and diesel
1590 fuel to report to the commission monthly the total number of
1591 gallons of gasoline and diesel fuel sold by them to consumers and
1592 retailers in each municipality during the preceding month. The
1593 State Tax Commission shall have the authority to promulgate such
1594 rules and regulations as is necessary to determine the number of
1595 gallons of gasoline and diesel fuel sold by distributors to
1596 consumers and retailers in each municipality. In determining the
1597 percentage allocation of funds under this subsection for the
1598 fiscal year beginning July 1, 1987, and ending June 30, 1988, the

1599 State Tax Commission may consider gallons of gasoline and diesel
1600 fuel sold for a period of less than one (1) fiscal year. For the
1601 purposes of this subsection, the term "fiscal year" means the
1602 fiscal year beginning July 1 of a year.

1603 (3) On or before September 15, 1987, and on or before the
1604 fifteenth day of each succeeding month, until the date specified
1605 in Section 65-39-35, the proceeds derived from contractors' taxes
1606 levied under Section 27-65-21 on contracts for the construction or
1607 reconstruction of highways designated under the * * * highway
1608 program created under Section 65-3-97 shall, except as otherwise
1609 provided in Section 31-17-127, be deposited into the State
1610 Treasury to the credit of the State Highway Fund to be used to
1611 fund such * * * highway program. The Mississippi Department of
1612 Transportation shall provide to the State Tax Commission such
1613 information as is necessary to determine the amount of proceeds to
1614 be distributed under this subsection.

1615 (4) On or before August 15, 1994, and on or before the
1616 fifteenth day of each succeeding month through July 15, 1999, from
1617 the proceeds of gasoline, diesel fuel or kerosene taxes as
1618 provided in Section 27-5-101(a)(ii)1, Four Million Dollars
1619 (\$4,000,000.00) shall be deposited in the State Treasury to the
1620 credit of a special fund designated as the "State Aid Road Fund,"
1621 created by Section 65-9-17. On or before August 15, 1999, and on
1622 or before the fifteenth day of each succeeding month, from the
1623 total amount of the proceeds of gasoline, diesel fuel or kerosene
1624 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million
1625 Dollars (\$4,000,000.00) or an amount equal to twenty-three and
1626 one-fourth percent (23.25%) of such funds, whichever is the
1627 greater amount, shall be deposited in the State Treasury to the
1628 credit of the "State Aid Road Fund," created by Section 65-9-17.
1629 Such funds shall be pledged to pay the principal of and interest
1630 on state aid road bonds heretofore issued under Sections 19-9-51
1631 through 19-9-77, in lieu of and in substitution for the funds
1632 heretofore allocated to counties under this section. Such funds
1633 may not be pledged for the payment of any state aid road bonds

1634 issued after April 1, 1981; however, this prohibition against the
1635 pledging of any such funds for the payment of bonds shall not
1636 apply to any bonds for which intent to issue such bonds has been
1637 published, for the first time, as provided by law prior to March
1638 29, 1981. From the amount of taxes paid into the special fund
1639 pursuant to this subsection and subsection (9) of this section,
1640 there shall be first deducted and paid the amount necessary to pay
1641 the expenses of the Office of State Aid Road Construction, as
1642 authorized by the Legislature for all other general and special
1643 fund agencies. The remainder of the fund shall be allocated
1644 monthly to the several counties in accordance with the following
1645 formula:

1646 (a) One-third (1/3) shall be allocated to all counties
1647 in equal shares;

1648 (b) One-third (1/3) shall be allocated to counties
1649 based on the proportion that the total number of rural road miles
1650 in a county bears to the total number of rural road miles in all
1651 counties of the state; and

1652 (c) One-third (1/3) shall be allocated to counties
1653 based on the proportion that the rural population of the county
1654 bears to the total rural population in all counties of the state,
1655 according to the latest federal decennial census.

1656 For the purposes of this subsection, the term "gasoline,
1657 diesel fuel or kerosene taxes" means such taxes as defined in
1658 paragraph (f) of Section 27-5-101.

1659 The amount of funds allocated to any county under this
1660 subsection for any fiscal year after fiscal year 1994 shall not be
1661 less than the amount allocated to such county for fiscal year
1662 1994. Monies allocated to a county from the State Aid Road Fund
1663 for fiscal year 1995 or any fiscal year thereafter that exceed the
1664 amount of funds allocated to that county from the State Aid Road
1665 Fund for fiscal year 1994, first must be expended by the county
1666 for replacement or rehabilitation of bridges on the state aid road
1667 system that have a sufficiency rating of less than twenty-five
1668 (25), according to National Bridge Inspection standards before

1669 such monies may be approved for expenditure by the State Aid Road
1670 Engineer on other projects that qualify for the use of state aid
1671 road funds.

1672 Any reference in the general laws of this state or the
1673 Mississippi Code of 1972 to Section 27-5-105 shall mean and be
1674 construed to refer and apply to subsection (4) of Section
1675 27-65-75.

1676 (5) One Million Six Hundred Sixty-six Thousand Six Hundred
1677 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into
1678 the special fund known as the "State Public School Building Fund"
1679 created and existing under the provisions of Sections 37-47-1
1680 through 37-47-67. Such payments into said fund are to be made on
1681 the last day of each succeeding month hereafter.

1682 (6) An amount each month beginning August 15, 1983, through
1683 November 15, 1986, as specified in Section 6 of Chapter 542, Laws
1684 of 1983, shall be paid into the special fund known as the
1685 Correctional Facilities Construction Fund created in Section 6 of
1686 Chapter 542, Laws of 1983.

1687 (7) On or before August 15, 1992, and each succeeding month
1688 thereafter through July 15, 2000, two and two hundred sixty-six
1689 one-thousandths percent (2.266%) of the total sales tax revenue
1690 collected during the preceding month under the provisions of this
1691 chapter, except that collected under the provisions of Section
1692 27-65-17(2) shall be deposited by the commission into the School
1693 Ad Valorem Tax Reduction Fund created pursuant to Section
1694 37-61-35. On or before August 15, 2000, and each succeeding month
1695 thereafter, two and two hundred sixty-six one-thousandths percent
1696 (2.266%) of the total sales tax revenue collected during the
1697 preceding month under the provisions of this chapter, except that
1698 collected under the provisions of Section 27-65-17(2), shall be
1699 deposited into the School Ad Valorem Tax Reduction Fund created
1700 under Section 37-61-35 until such time that the total amount
1701 deposited into the fund during a fiscal year equals Forty-two
1702 Million Dollars (\$42,000,000.00). Thereafter, the amounts
1703 diverted under this subsection (7) during the fiscal year in

1704 excess of Forty-two Million Dollars (\$42,000,000.00) shall be
1705 deposited into the Education Enhancement Fund created under
1706 Section 37-61-33 for appropriation by the Legislature as other
1707 education needs and shall not be subject to the percentage
1708 appropriation requirements set forth in Section 37-61-33.

1709 (8) On or before August 15, 1992, and each succeeding month
1710 thereafter, nine and seventy-three one-thousandths percent
1711 (9.073%) of the total sales tax revenue collected during the
1712 preceding month under the provisions of this chapter, except that
1713 collected under the provisions of Section 27-65-17(2) shall be
1714 deposited into the Education Enhancement Fund created pursuant to
1715 Section 37-61-33.

1716 (9) On or before August 15, 1994, and each succeeding month
1717 thereafter, from the revenue collected under this chapter during
1718 the preceding month, Two Hundred Fifty Thousand Dollars
1719 (\$250,000.00) shall be paid into the State Aid Road Fund.

1720 (10) On or before August 15, 1994, and each succeeding month
1721 thereafter through August 15, 1995, from the revenue collected
1722 under this chapter during the preceding month, Two Million Dollars
1723 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad
1724 Valorem Tax Reduction Fund established in Section 27-51-105.

1725 (11) Notwithstanding any other provision of this section to
1726 the contrary, on or before February 15, 1995, and each succeeding
1727 month thereafter, the sales tax revenue collected during the
1728 preceding month under the provisions of Section 27-65-17(2) and
1729 the corresponding levy in Section 27-65-23 on the rental or lease
1730 of private carriers of passengers and light carriers of property
1731 as defined in Section 27-51-101 shall be deposited, without
1732 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund
1733 established in Section 27-51-105.

1734 (12) Notwithstanding any other provision of this section to
1735 the contrary, on or before August 15, 1995, and each succeeding
1736 month thereafter, the sales tax revenue collected during the
1737 preceding month under the provisions of Section 27-65-17(1) on
1738 retail sales of private carriers of passengers and light carriers

1739 of property, as defined in Section 27-51-101 and the corresponding
1740 levy in Section 27-65-23 on the rental or lease of these vehicles,
1741 shall be deposited, after diversion, into the Motor Vehicle Ad
1742 Valorem Tax Reduction Fund established in Section 27-51-105.

1743 (13) On or before July 15, 1994, and on or before the
1744 fifteenth day of each succeeding month thereafter, that portion of
1745 the avails of the tax imposed in Section 27-65-22, which is
1746 derived from activities held on the Mississippi state fairgrounds
1747 complex, shall be paid into a special fund hereby created in the
1748 State Treasury and shall be expended pursuant to legislative
1749 appropriations solely to defray the costs of repairs and
1750 renovation at such Trade Mart and Coliseum.

1751 (14) On or before August 15, 1998, and each succeeding month
1752 thereafter through July 15, 2005, that portion of the avails of
1753 the tax imposed in Section 27-65-23 which is derived from sales by
1754 cotton compresses or cotton warehouses and which would otherwise
1755 be paid into the General Fund, shall be deposited in an amount not
1756 to exceed Two Million Dollars (\$2,000,000.00) into the special
1757 fund created pursuant to Section 69-37-39.

1758 (15) Notwithstanding any other provision of this section to
1759 the contrary, on or before September 15, 2000, and each succeeding
1760 month thereafter, the sales tax revenue collected during the
1761 preceding month under the provisions of Section 27-65-19(f), shall
1762 be deposited, without diversion, into the Telecommunications Ad
1763 Valorem Tax Reduction Fund established in Section 27-38-7.

1764 (16) On or before August 15, 2000, and each succeeding month
1765 thereafter, the sales tax revenue collected during the preceding
1766 month under the provisions of this chapter on the gross proceeds
1767 of sales of a project as defined in Section 57-30-1 shall be
1768 deposited, after all diversions except the diversion provided for
1769 in subsection (1) of this section, into the Sales Tax Incentive
1770 Fund created in Section 57-30-3.

1771 (17) The remainder of the amounts collected under the
1772 provisions of this chapter shall be paid into the State Treasury
1773 to the credit of the General Fund.

1774 (18) It shall be the duty of the municipal officials of any
1775 municipality which expands its limits, or of any community which
1776 incorporates as a municipality, to notify the commissioner of such
1777 action thirty (30) days before the effective date. Failure to so
1778 notify the commissioner shall cause such municipality to forfeit
1779 the revenue which it would have been entitled to receive during
1780 this period of time when the commissioner had no knowledge of the
1781 action. If any funds have been erroneously disbursed to any
1782 municipality or any overpayment of tax is recovered by the
1783 taxpayer, the commissioner may make correction and adjust the
1784 error or overpayment with such municipality by withholding the
1785 necessary funds from any subsequent payment to be made to the
1786 municipality.

1787 **SECTION 8.** Section 65-1-59, Mississippi Code of 1972, is
1788 amended as follows:

1789 65-1-59. (1) It shall be the duty of the Mississippi
1790 Transportation Commission to have the Mississippi Transportation
1791 Department carry out all contracts and agreements, including
1792 federal-aid projects and agreements under the County Highway Aid
1793 Law of 1946, being Sections 65-11-1 through 65-11-37, heretofore
1794 made or entered into with any county, subject, however, to
1795 applicable rules and regulations of the Federal Highway
1796 Administration. It shall be the duty of the Transportation
1797 Commission to continue to have the Mississippi Transportation
1798 Department maintain all state highways now under maintenance or
1799 hereafter taken over for maintenance, the purpose of this
1800 provision being to preserve the status quo of all state highways
1801 insofar as such highways have been taken over and control and
1802 jurisdiction has been assumed by the Mississippi Transportation
1803 Commission and Mississippi Transportation Department; however,
1804 except as otherwise provided in this section, if any highway or
1805 link of highway is removed from the state highway system by
1806 legislative act or by relocation or reconstruction, it shall no
1807 longer be maintained by or be under the jurisdiction of the
1808 Mississippi Transportation Commission or Mississippi

1809 Transportation Department, but shall be returned to the
1810 jurisdiction of the board of supervisors of the county or
1811 governing authorities of the municipality through which such road
1812 runs. Except as to segments of highways shorter than three (3)
1813 miles which have been or which are hereafter replaced through
1814 curve straightening or minor realignment, the Transportation
1815 Commission shall retain and have the Mississippi Transportation
1816 Department maintain as state highways all portions of U.S.
1817 highways that either before or after July 1, 1989, have been or
1818 are replaced and constructed as a part of the interstate highway
1819 system, or four-lane primary system, or which are replaced and
1820 constructed or are designated to be replaced and constructed as
1821 part of the * * * highway system under Section 65-3-97, including
1822 portions of all such highways so replaced, or which under Section
1823 65-3-97 are designated to be replaced, by municipal bypasses; and
1824 such highways and portions thereof shall be continued to be
1825 maintained as a part of the Mississippi state highway system until
1826 removed from such system by legislative act. All such highways and
1827 portions thereof which, by virtue of the provisions of this
1828 section, are returned on or after July 1, 1989, to the
1829 jurisdiction of the Mississippi Transportation Commission shall be
1830 maintained by the Mississippi Transportation Department only to
1831 the traffic capacities existing at the time that they are returned
1832 and any subsequent traffic capacity improvements or other
1833 improvements desired by the county or municipality within which
1834 such highway or portion thereof is located shall be performed in
1835 accordance with highway standards approved by the Transportation
1836 Commission and the expenses for making such improvements shall be
1837 paid by the county or municipality; however, all highways and
1838 portions thereof so improved by the county or municipality shall
1839 thereafter be maintained by the Mississippi Transportation
1840 Department. Before any highway or portion thereof is returned to
1841 the Transportation Commission under this section, the county or
1842 municipality having jurisdiction thereof shall remove or cause to
1843 be removed by July 1, 1991, all right-of-way encroachments along

1844 the entire length of the highway or portion thereof which are not
1845 permitted by Transportation Commission and Transportation
1846 Department policies and rules and regulations adopted pursuant to
1847 state and federal law. Any such encroachments may be allowed to
1848 remain only by permits issued by the Mississippi Transportation
1849 Department in the manner and subject to the same conditions for
1850 the issuance of permits for similar encroachments on other
1851 highways on the state highway system. If traffic counts indicate
1852 that any highway or portions thereof placed under the jurisdiction
1853 of the Transportation Commission under the provisions of this
1854 section no longer form a substantial part of the state highway
1855 system, the Transportation Commission may request the Legislature
1856 to remove such highways or portions thereof from the state highway
1857 system and return said roads for maintenance to the county or
1858 municipality in which they are located, as provided in subsection
1859 (2) of this section. The highways which the Transportation
1860 Department is required to continue to maintain by virtue of the
1861 provisions of this section shall be in addition to the total
1862 mileage limitation of eight thousand six hundred (8,600) miles
1863 provided in Section 65-3-3.

1864 (2) The Mississippi Transportation Commission shall, no
1865 later than October 1, 1981, and October 1 each year thereafter,
1866 furnish the Transportation Committee of the House of
1867 Representatives and the Highways and Transportation Committee of
1868 the Senate a recommendation for deletion of those highways or
1869 sections of highways which should be removed from the system.

1870 **SECTION 9.** Section 65-39-35, Mississippi Code of 1972, is
1871 amended as follows:

1872 65-39-35. The date upon which the taxes and fees levied and
1873 charged under the provisions of Sections 27-55-11, 27-57-37,
1874 27-59-11, 27-19-43, 27-19-309, 27-65-75, and Sections 27-55-519
1875 and 27-55-521 are reduced under such sections shall be the first
1876 day of the month immediately following the date upon which:

1877 (a) The Mississippi Transportation Commission certifies
1878 to the State Tax Commission that:

1879 (i) The * * * highway program created under
1880 Section 65-3-97 and the Gaming Counties Infrastructure Program
1881 created under Section 65-39-3, are completed and no funds are any
1882 longer necessary to pay the costs of such programs; and

1883 (ii) The Mississippi Transportation Commission
1884 will not declare the necessity for additional borrowings under
1885 Section 65-9-27, or for additional bonds under Sections 65-39-5
1886 through 65-39-33; and

1887 (b) The State Treasurer certifies:

1888 (i) That the amount on deposit in the Gaming
1889 Counties Bond Sinking Fund, together with earnings on investments
1890 to accrue to such fund, is equal to or greater than the aggregate
1891 of the entire principal, redemption premium (if any), and interest
1892 due and to become due (until the final maturity date or earlier
1893 scheduled redemption date) on all general obligation bonds issued
1894 under Sections 65-39-5 through 65-39-33; and

1895 (ii) That all principal, interest, cost and other
1896 expenses for all bonds, notes or other borrowings under Section
1897 65-9-27 and Section 31-17-127 (including redemption notes, if any)
1898 have been paid and are completely satisfied.

1899 **SECTION 10.** This act shall take effect and be in force from
1900 and after July 1, 2002.

**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 REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO FOUR-LANE
3 CERTAIN ADDITIONAL HIGHWAY SEGMENTS; TO REVISE THE MANNER IN WHICH
4 ALL HIGHWAY PROJECTS UNDER THE JURISDICTION OF THE MISSISSIPPI
5 TRANSPORTATION COMMISSION, EXCEPT PROJECTS IN PHASES ONE, TWO AND
6 THREE OF THE 1987 FOUR-LANE HIGHWAY PROGRAM AND CERTAIN OTHER
7 HIGHWAY PROJECTS, ARE PRIORITIZED; TO PROVIDE THAT THE PRIORITIES
8 SHALL BE IN ACCORDANCE WITH A PRIORITY SCHEDULE BASED UPON A NEEDS
9 ANALYSIS PERFORMED BY THE MISSISSIPPI TRANSPORTATION USING CERTAIN
10 ANALYTIC METHODS AND PROCEDURES WHICH SHALL BE UPDATED ANNUALLY IF
11 NECESSARY; TO PROVIDE THAT IN THE EVENT THE TRANSPORTATION
12 COMMISSION DEVIATES FROM THE SCHEDULE, THE COMMISSION SHALL SPREAD
13 THE SPECIFIC REASONS FOR SUCH DEVIATION ON ITS MINUTES TO REQUIRE
14 THE PRIORITIZED SCHEDULE TO INCLUDE IMMEDIATE NEEDS, MID-RANGE
15 NEEDS AND LONG-RANGE NEEDS; TO REQUIRE THE PRIORITIZED SCHEDULE TO
16 BE PRESENTED TO THE HIGHWAYS AND TRANSPORTATION COMMITTEE OF THE
17 SENATE AND THE TRANSPORTATION COMMITTEE OF THE HOUSE OF
18 REPRESENTATIVES ON OCTOBER 1 OF EACH YEAR BEGINNING IN 2005; TO
19 REQUIRE THE TRANSPORTATION COMMISSION TO DEDICATE NOT LESS THAN

20 \$200,000,000.00 ANNUALLY TO FUND SUCH PROGRAM BEGINNING IN FISCAL
21 YEAR 2006; TO REQUIRE CERTAIN PROJECTS TO BE CONSIDERED AS
22 IMMEDIATE, MID-RANGE AND LONG-RANGE NEEDS; TO REQUIRE THE
23 MISSISSIPPI TRANSPORTATION COMMISSION TO CONSIDER CERTAIN HIGHWAY
24 SEGMENTS FOR CERTAIN IMPROVEMENTS AND HIGHWAY MODIFICATIONS; TO
25 AUTHORIZE ADDITIONAL FEDERAL FUNDS TO BE USED FOR THE 1987
26 FOUR-LANE HIGHWAY PROGRAM; TO PROVIDE THAT SUCH FEDERAL FUNDS MAY
27 BE UTILIZED IN LIEU OF STATE FUNDING THAT WOULD OTHERWISE BE
28 UTILIZED FOR SUCH PROGRAM; TO PROVIDE THAT THE ANNUAL TOTAL AMOUNT
29 OF FUNDING FOR THE 1987 FOUR-LANE HIGHWAY PROGRAM SHALL NOT BE
30 LESS THAN IT WOULD HAVE OTHERWISE BEEN WITHOUT THE UTILIZATION OF
31 SUCH ADDITIONAL FEDERAL FUNDS; TO AMEND SECTION 75-76-129,
32 MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL JULY 1, 2022, THE
33 DIVERSION OF GAMING FEE COLLECTIONS TO THE GAMING COUNTIES
34 STATE-ASSISTED INFRASTRUCTURE BOND SINKING FUND; TO AMEND SECTIONS
35 65-39-1, 27-5-101, 27-19-99, 27-57-37, 27-65-75, 65-1-59 AND
36 65-39-35, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR
37 RELATED PURPOSES.