

**REPORT OF CONFERENCE COMMITTEE**

**MR. PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

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

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

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

14       AUTHORIZED HEADCOUNT:

15           Permanent:                   54

16           Time-Limited:                0

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



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

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



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

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

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

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



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

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

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

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



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



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

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



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

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



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

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

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

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





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

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

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

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

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

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



CONFEREES FOR THE SENATE

X (SIGNED)

Hopson

X (SIGNED)

Branning

X (SIGNED)

Williams

CONFEREES FOR THE HOUSE

X (SIGNED)

Oliver

X (SIGNED)

Read

X (SIGNED)

Massengill

