

By: Senator(s) Hewes, Gollott, Woodfield,
Cuevas

To: Local and Private

SENATE BILL NO. 3246
(As Passed the Senate)

1 AN ACT TO CREATE THE HARRISON COUNTY TRANSPORTATION
2 COMMISSION TO BE COMPOSED OF REPRESENTATIVES OF THE GOVERNING
3 AUTHORITIES OF HARRISON COUNTY AND THE CITIES OF BILOXI, GULFPORT,
4 D'IBERVILLE, LONG BEACH AND PASS CHRISTIAN; TO GRANT THE COUNTIES
5 AND MUNICIPALITIES CERTAIN POWERS; TO PROVIDE FOR THE ORGANIZATION
6 OF THE COMMISSION; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Whenever used in this act, the following words
9 and terms shall have the following respective meanings unless the
10 context otherwise clearly requires:

11 (a) "Board of supervisors" means the Board of
12 Supervisors of Harrison County, Mississippi.

13 (b) "Municipalities" means the City of Biloxi,
14 Mississippi, the City of Gulfport, Mississippi, the City of
15 D'Iberville, Mississippi, the City of Long Beach, Mississippi, and
16 the City of Pass Christian, Mississippi.

17 (c) "Commission" means the Harrison County
18 Transportation Commission.

19 (d) "Transportation routes and facilities" means all
20 needed transportation routes and all necessary support facilities,
21 for present and future transportation needs, within Harrison
22 County and its municipalities.

23 SECTION 2. There is hereby created and established the
24 Harrison County Transportation Commission. The commission shall
25 be deemed to be acting in all respects for the benefit of the
26 people of Harrison County in the performance of essential public
27 functions as it seeks to plan, promote and develop needed
28 transportation routes and facilities within Harrison County and

29 its municipalities.

30 The commission shall be empowered, in accordance with the
31 provisions of this act, to promote the general transportation
32 needs of Harrison County and its citizens.

33 SECTION 3. The board of supervisors and the municipalities,
34 in their discretion, by resolution duly adopted and entered upon
35 their respective minutes, may:

36 (a) Contribute, out of any available funds, an amount
37 not to exceed One Million Dollars (\$1,000,000.00), in the
38 aggregate, per fiscal year, to support the work of the commission.

39 Such contributions may be paid according to an agreed upon
40 schedule approved by the commission, the board of supervisors and
41 the municipalities;

42 (b) Apply and contract for and accept any grants or
43 gifts or loans or appropriations of funds or property or financial
44 or other aid in any form from the United States or any
45 instrumentality thereof, or from the State of Mississippi or any
46 instrumentality thereof, or from any source, public or private and
47 to comply with and make agreements with respect to the terms and
48 conditions thereof;

49 (c) Employ architects, engineers, attorneys, financial
50 advisors and such other consultants as it deems proper; to fix and
51 pay their compensation and appoint and retain such officers,
52 agents and employees as it deems proper; and to fix and pay their
53 compensation;

54 (d) Use equipment and personnel of the board of
55 supervisors and the municipalities in the support, promotion and
56 development of the work and purpose of the commission, as may be
57 necessary or desirable;

58 (e) To do and perform any acts and things authorized by
59 this act under, through or by means of its officers, agents and
60 employees, or by contracts with any person; and

61 (f) To enter into any and all contracts, execute any
62 and all instruments and do and perform any and all acts or things
63 necessary, convenient or desirable for the purposes of the
64 commission or to carry out any power expressly granted by this
65 act.

66 SECTION 4. The commission, and all its powers and duties,
67 shall be vested in a fifteen-person board of directors, which
68 shall consist of the five (5) members of the Harrison County Board
69 of Supervisors; the mayor of each of the five (5) municipalities;
70 and the president of each of the five (5) councils and/or board of
71 alderman of each municipality within Harrison County.

72 All actions taken by the commission with regard to
73 expenditures in excess of Twenty-five Thousand Dollars
74 (\$25,000.00) shall require a two-thirds (2/3) vote of all members
75 of the commission. All expenditures of Twenty-five Thousand
76 Dollars (\$25,000.00) or less shall require a majority vote of all
77 members of the commission.

78 Each director may appoint a delegate to represent him at a
79 meeting or meetings of the board of directors.

80 SECTION 5. (1) The board of directors may elect or appoint
81 and prescribe the duties of such officers as the board of
82 directors deems necessary or advisable, including an executive
83 director and secretary. The executive director may, at the
84 direction of the board of directors, also serve as secretary.

85 (2) The commission shall adopt a set of bylaws, which may
86 include such provisions that it deems appropriate, but shall
87 include provisions for the following:

88 (a) Procedures and times for its meetings, following
89 Roberts Rules of Order, and complying with the Open Meetings Law
90 of Mississippi, Section 25-41-1 et seq., Mississippi Code of 1972.

91 (b) The commission shall make a bi-monthly written
92 report to the board of supervisors and the governing authorities
93 of the municipalities as to the current operational and financial
94 status of the commission.

95 (c) Provide that all commission funds shall be kept in
96 an appropriate depository under the supervision of the Chancery
97 Clerk of Harrison County, Mississippi, who shall, annually, cause
98 a complete review of the books and accounts of the commission and

99 provide a copy of such review to the Board of Supervisors and the
100 governing authorities of the municipalities of Harrison County,
101 Mississippi.

102 SECTION 6. This act shall take effect and be in force from
103 and after its passage.