

By: Representative Janus

To: Transportation; Ways and
Means

HOUSE BILL NO. 495

1 AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE
2 DESIGNATED AS THE "MULTIMODAL TRANSPORTATION CAPITAL IMPROVEMENT
3 PROGRAM FUND"; TO PROVIDE THAT MONEY IN SUCH FUND SHALL BE
4 EXPENDED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR
5 CAPITAL IMPROVEMENT PROJECTS AT PORTS, AIRPORTS, PUBLICLY OWNED
6 RAILROADS AND PUBLIC TRANSIT PROVIDERS IN MISSISSIPPI; TO PROVIDE
7 FOR THE ALLOCATION OF SUCH FUNDS AMONG THE VARIOUS MODES OF
8 TRANSPORTATION; TO PROVIDE THAT AS A CONDITION PRECEDENT FOR THE
9 RECEIPT OF ANY MONEY FROM THE FUND, THE GOVERNING AUTHORITY OF THE
10 PORT, AIRPORT, RAILROAD OR TRANSIT SYSTEM SHALL BE REQUIRED TO
11 FURNISH 10% OF THE TOTAL PROJECT COST; TO PROVIDE THAT A CERTAIN
12 AMOUNT OF THE MONEY ALLOCATED TO AIRPORT CAPITAL IMPROVEMENTS
13 SHALL BE DIVIDED AMONG ALL AIRPORTS WITHIN THE STATE WITH
14 REGULARLY SCHEDULED COMMERCIAL PASSENGER SERVICE BASED ON
15 ENPLANEMENTS AT SUCH AIRPORTS; TO PROVIDE FOR THE DISTRIBUTION OF
16 THE REMAINDER OF THE FUNDS ALLOCATED TO AIRPORT PROJECTS; TO
17 CREATE THE MISSISSIPPI PORTS PROJECT SELECTION COMMITTEE; TO
18 PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION SHALL
19 SOLICIT AND EVALUATE APPLICATIONS FOR THE FUNDS ALLOCATED TO PORT
20 PROJECTS USING THE CRITERIA ESTABLISHED IN THIS ACT; TO PROVIDE
21 THAT THE PORTS PROJECT SELECTION COMMITTEE SHALL SELECT PORT
22 PROJECTS FROM THOSE THAT THE DEPARTMENT OF TRANSPORTATION
23 DETERMINES TO MEET THE ELIGIBILITY CRITERIA ESTABLISHED IN THIS
24 ACT; TO CREATE THE MISSISSIPPI PUBLICLY OWNED RAILROAD PROJECT
25 SELECTION COMMITTEE; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF
26 TRANSPORTATION SHALL SOLICIT AND EVALUATE APPLICATIONS FOR THE
27 FUNDS ALLOCATED TO PUBLICLY OWNED RAILROADS USING THE CRITERIA
28 ESTABLISHED IN THIS ACT; TO PROVIDE THAT THE PUBLICLY OWNED
29 RAILROAD PROJECT SELECTION COMMITTEE SHALL SELECT RAIL PROJECTS
30 FROM THOSE THAT THE DEPARTMENT OF TRANSPORTATION DETERMINES TO
31 MEET THE ELIGIBILITY CRITERIA ESTABLISHED BY THIS ACT; TO PROVIDE
32 THAT, OF THE FUNDS ALLOCATED FOR PUBLIC TRANSIT IMPROVEMENTS, 30%
33 SHALL BE ALLOCATED TO THE COAST TRANSIT AUTHORITY AND THE TRANSIT
34 AUTHORITY SERVING THE JACKSON METROPOLITAN AREA; TO PROVIDE FOR
35 THE ALLOCATION OF THE REMAINDER OF THE FUNDS ALLOCATED TO PUBLIC
36 TRANSIT CAPITAL IMPROVEMENTS; TO PROVIDE FOR THE ELIGIBILITY
37 CRITERIA FOR PORT PROJECTS AND PUBLIC TRANSIT IMPROVEMENTS; AND
38 FOR RELATED PURPOSES.

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

40 SECTION 1. There is established in the State Treasury a
41 special fund to be designated as the "Multimodal Transportation
42 Capital Improvement Program Fund" into which shall be deposited
43 such funds as may be designated for deposit therein. Unexpended
44 amounts remaining in the fund at the end of the state fiscal year
45 shall not lapse into the State General Fund, and any interest



46 earned or investment earnings on amounts in the fund shall be
47 deposited to the credit of the fund. Money in the fund shall be
48 expended by the Mississippi Department of Transportation for
49 capital improvement projects at ports, airports, publicly owned
50 railroads and public transit providers in Mississippi.

51 (2) The Mississippi Department of Transportation shall
52 allocate the expenditure of money in such fund each fiscal year
53 among each mode as follows:

54 (a) Forty percent (40%) shall be allocated for capital
55 improvements at ports;

56 (b) Twenty percent (20%) shall be allocated for capital
57 improvements at airports;

58 (c) Twenty percent (20%) shall be allocated for capital
59 improvements to publicly owned railroads; and

60 (d) Twenty percent (20%) shall be allocated for capital
61 improvements to public transit systems.

62 The Mississippi Department of Transportation may, in its
63 discretion, divert not more than ten percent (10%) of the amount
64 allocated to a mode as provided in this subsection to another mode
65 or modes based on priorities established by the department.

66 (3) As a condition precedent for the receipt of any money
67 from the fund, the governing authority of the port, airport,
68 railroad or transit system shall be required to furnish ten
69 percent (10%) of the total project cost. However, when money from
70 the fund is utilized to match federal funds the Mississippi
71 Department of Transportation may require such governing authority
72 to furnish an amount not to exceed fifty percent (50%) of the
73 required federal match.

74 (4) The allocation for specific projects for the various
75 modes shall be governed by the provisions of Sections 2, 3, 4 and
76 5 of this act.

77 SECTION 2. (1) Thirty percent (30%) of the funds allocated
78 to airport capital improvements pursuant to Section 1 of this act



79 shall be divided among all airports within the state with
80 regularly scheduled commercial passenger service. Each airport
81 shall be granted funds in the proportion that the number of
82 enplanements at the airport during the previous year bears to the
83 total enplanements for all commercial airports in the state for
84 the previous year. The number of enplanements shall be based on
85 enplanement statistics published by the Federal Aviation
86 Administration. The funds authorized in this section shall be
87 issued to the local airport authority for any capital improvements
88 on airport property which directly supports the operations of the
89 airport.

90 (2) The remainder of the funds allocated for airport capital
91 improvements pursuant to Section 1 of this act shall be disbursed
92 to general aviation airports in this state utilizing the selection
93 criteria of the Mississippi Department of Transportation.

94 SECTION 3. (1) There is established the Mississippi Ports
95 Project Selection Committee which shall consist of the port
96 director of each of the ports of the state, the Executive Director
97 of the Mississippi Development Authority, or his designee, and the
98 Executive Director of the Mississippi Department of
99 Transportation, or his designee. A majority of the membership
100 shall constitute a quorum.

101 (2) The Mississippi Department of Transportation shall
102 solicit applications for the funds allocated to port capital
103 improvements pursuant to Section 1 of this act. The department
104 shall evaluate each application for funds using the selection
105 criteria established in Section 6 of this act. The department
106 shall call a meeting of the Mississippi Ports Project Selection
107 Committee for the purpose of selecting projects for funding by not
108 later than September of each year. The committee shall meet and
109 decide which port projects shall receive funds from the fund
110 created in Section 1 of this act and the amount of such funds.
111 The committee shall approve only those projects meeting the



112 eligibility criteria as determined by the Mississippi Department
113 of Transportation.

114 SECTION 4. (1) There is established the Mississippi
115 Publicly Owned Railroad Project Selection Committee which shall
116 consist of the chief executive officer of each of the publicly
117 owned railroads of the state, the Executive Director of the
118 Mississippi Development Authority, or his designee, and the
119 Executive Director of the Mississippi Department of
120 Transportation, or his designee. A majority of the membership
121 shall constitute a quorum.

122 (2) The Mississippi Department of Transportation shall
123 solicit applications for the funds allocated to publicly owned
124 railroads capital improvements pursuant to Section 1 of this act.
125 The department shall evaluate each application for funds using the
126 selection criteria established in Section 6 of this act and such
127 funds may be utilized only for projects on short line railroads.
128 The department shall call a meeting of the Mississippi Publicly
129 Owned Railroad Project Selection Committee for the purpose of
130 selecting projects for funding by not later than September of each
131 year. The committee shall meet and decide which railroad projects
132 shall receive funds from the fund created in Section 1 of this act
133 and the amount of such funds. The committee shall approve only
134 those projects meeting the eligibility criteria as determined by
135 the Mississippi Department of Transportation.

136 SECTION 5. (1) Of the funds allocated for public transit
137 capital improvements pursuant to Section 1 of this act, thirty
138 percent (30%) shall be allocated to the Coast Transit Authority
139 and thirty percent (30%) shall be allocated to the transit
140 authority serving the Jackson, Mississippi, metropolitan area.
141 Such funds shall be utilized in accordance with the rules
142 governing the use of Federal Transit Administration funds.

143 (2) The remainder of the funds allocated for public transit
144 capital improvements shall be allocated by the Mississippi



145 Department of Transportation in compliance with Federal Transit
146 Administration rules for the rural public transit program.

147 SECTION 6. (1) In order for a port project or a publicly
148 owned rail project to be eligible for funds from the Multimodal
149 Transportation Capital Improvement Program Fund, a project must
150 be:

151 (a) A capital improvement, not a maintenance or
152 operational expense;

153 (b) Directly related to the operation of the port or
154 railroad in its modal role; and

155 (c) Beyond the normal operating budget of the project.

156 (2) Local expenditures for design or other preconstruction
157 costs may be used toward the local matching fund requirement. In
158 cases in which the preconstruction costs are significant, such
159 costs may be paid with money from the fund in the discretion of
160 the Executive Director of the Mississippi Department of
161 Transportation.

162 SECTION 7. This act shall take effect and be in force from
163 and after July 1, 2001.

