

By: Senator(s) Hewes, Gollott, Moffatt,
Robertson

To: Highways and
Transportation;
Appropriations

SENATE BILL NO. 2527

1 AN ACT TO CREATE THE MULTI-MODAL TRANSPORTATION IMPROVEMENT
2 FUND; TO PROVIDE THAT MONEY IN SUCH FUND SHALL BE EXPENDED BY THE
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION AS PROVIDED FOR IN THIS
4 ACT FOR THE IMPROVEMENTS OF AIRPORTS, PORTS, RAILROADS AND TRANSIT
5 SYSTEMS IN MISSISSIPPI; TO FORM COMMITTEES FOR EACH MODE OF
6 TRANSPORTATION TO RECEIVE AND APPROVE APPLICATIONS FOR SUCH FUNDS;
7 TO PROVIDE THAT A CERTAIN PERCENTAGE OF THE MONEY IN SUCH FUND
8 SHALL BE ALLOCATED TO EACH MODE OF TRANSPORTATION; TO PROVIDE THAT
9 5% OF THE MONEY IN THE FUND SHALL BE ALLOCATED AMONG THE VARIOUS
10 MODES OF TRANSPORTATION BY THE MISSISSIPPI DEPARTMENT OF
11 TRANSPORTATION BASED ON CRITERIA ESTABLISHED BY SUCH DEPARTMENT;
12 TO PROVIDE THAT 30% OF THE FUNDS ALLOCATED TO TRANSIT SYSTEM SHALL
13 BE DISTRIBUTED TO THE COAST TRANSIT AUTHORITY AND 30% SHALL BE
14 ALLOCATED TO THE CITY OF JACKSON TRANSIT SYSTEM; TO REQUIRE THAT A
15 PORTION OF THE COST OF THE PROJECT OR PURPOSE FOR WHICH FUNDING IS
16 SOUGHT, NOT TO EXCEED 10%, SHALL BE FURNISHED BY THE PORT,
17 AIRPORT, RAILROAD OR TRANSIT SYSTEM SEEKING FUNDING; TO CREATE A
18 SPECIAL JOINT LEGISLATIVE MULTI-MODAL FUND COMMITTEE; TO REQUIRE
19 THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO ANNUALLY PREPARE A
20 WRITTEN REPORT ON THE ADMINISTRATION OF THE FUND AND THE
21 MULTI-MODAL TRANSPORTATION SYSTEMS OF THE STATE AND TO SUBMIT SUCH
22 REPORT TO THE SPECIAL LEGISLATIVE JOINT MULTI-MODAL FUND
23 COMMITTEE; AND FOR RELATED PURPOSES.

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

25 SECTION 1. As used in this act:

26 (a) "Airport" means a publicly-owned airport in
27 Mississippi.

28 (b) "Fund" means the Multi-Modal Transportation
29 Improvement Fund created in Section 2 of this act.

30 (c) "MDOT" means the Mississippi Department of
31 Transportation.

32 (d) "Modes" means airports, ports, railroads and
33 transit systems.

34 (e) "Port" means a public port in Mississippi.

35 (f) "Railroad" means a publicly-owned short line
36 railroad in Mississippi.

37 (g) "Transit system" means a public transportation
38 system in Mississippi.

39 SECTION 2. There is established in the State Treasury a
40 special fund to be designated as the "Multi-Modal Transportation
41 Improvement Fund" into which shall be deposited such state funds
42 as may be designated for deposit therein. Unexpended amounts
43 remaining in the fund at the end of the state fiscal year shall
44 not lapse into the State General Fund, and any interest earned on
45 amounts in the fund shall be deposited to the credit of the fund.
46 Money in the fund shall be expended by MDOT as provided for in
47 this act for the improvement of airports, ports, railroads and
48 transit systems in Mississippi.

49 SECTION 3. (1) (a) There is hereby created the Multi-Modal
50 Fund Committee whose membership shall be as follows:

51 (i) The Executive Director of MDOT, or his
52 designee;

53 (ii) The Executive Director of the Mississippi
54 Development Authority; or his designee;

55 (iii) Two (2) directors of ports appointed by the
56 Port Multi-Modal Fund Committee created in subsection (2) of this
57 section;

58 (iv) Two (2) directors of airports appointed by
59 the Airport Multi-Modal Fund Committee created in subsection (3)
60 of this section;

61 (v) Two (2) directors of railroads appointed by
62 the Railroad Multi-Modal Fund Committee created in subsection (4)
63 of this section; and

64 (vi) Two (2) representatives appointed by the
65 President of the Mississippi Public Transit Association.

66 (b) A majority of the membership of the Multi-Modal
67 Committee shall constitute a quorum. MDOT shall call meetings of

68 the committee and shall call a meeting of the committee to perform
69 the duty provided for in Section 4 of this act by not later than
70 August 1 of each fiscal year.

71 (2) (a) There is hereby created the Port Multi-Modal Fund
72 Committee whose membership shall consist of:

73 (i) The director of each port, or his designees;

74 (ii) The Executive Director of MDOT, or his
75 designee;

76 (iii) The Executive Director of the Mississippi
77 Development Authority, or his designee; and

78 (iv) The Executive Director of the Mississippi
79 Water Resources Association, or his designee.

80 (b) A majority of the membership of the committee shall
81 constitute a quorum. MDOT shall call meetings of the committee
82 and shall call a meeting for the purpose of reviewing and
83 approving applications as required in Section 4 of this act by not
84 later than August 1 of each fiscal year.

85 (3) (a) There is hereby created an Airport Multi-Modal Fund
86 Committee whose membership shall consist of:

87 (i) Five (5) directors of airports appointed by
88 the President of the Mississippi Airport Association, or their
89 designees, at least three (3) of whom shall represent airports
90 with commercial passenger service;

91 (ii) The Executive Director of MDOT, or his
92 designee; and

93 (iii) The Executive Director of the Mississippi
94 Department of Transportation, or his designee.

95 (b) A majority of the membership of the committee shall
96 constitute a quorum. MDOT shall call meetings of the committee
97 and shall call a meeting for the purpose of reviewing and
98 approving applications as required in Section 3 of this act by not
99 later than August 1 of each fiscal year.

100 (4) (a) There is hereby created the Public Railroad
101 Multi-Modal Fund Committee whose membership shall consist of:

102 (i) The director of each railroad, or his
103 designee;

104 (ii) The Executive Director of MDOT, or his
105 designee; and

106 (iii) The Executive Director of the Mississippi
107 Department of Transportation, or his designee.

108 (b) A majority of the membership of the committee shall
109 constitute a quorum. MDOT shall call meetings of the committee
110 and shall call a meeting for the purpose of reviewing and
111 approving applications as required in Section 4 of this act by not
112 later than August 1 of each fiscal year.

113 (5) (a) There is hereby created the Public Transit
114 Multi-Modal Fund Committee whose membership shall consist of:

115 (i) Three (3) directors of transit systems, other
116 than the Coast Transit Authority and the City of Jackson Transit
117 System, appointed by the President of the Mississippi Public
118 Transit Association, or their designee;

119 (ii) The Executive Director of MDOT, or his
120 designee; and

121 (iii) The Executive Director of the Mississippi
122 Department of Transportation, or his designee.

123 (b) A majority of the membership of the committee shall
124 constitute a quorum. MDOT shall call meetings of the committee
125 and shall call a meeting for the purpose of reviewing and
126 approving applications as required in Section 4 of this act by not
127 later than August 1 of each fiscal year.

128 SECTION 4. (1) During each fiscal year, MDOT shall
129 distribute ninety-five percent (95%) of the money in the fund
130 among the various modes as follows:

131 (a) Thirty-eight percent (38%) shall be distributed to
132 ports;

133 (b) Thirty-four percent (34%) shall be distributed to
134 airports;

135 (c) Sixteen percent (16%) shall be distributed to
136 transit systems; and

137 (d) Twelve percent (12%) shall be distributed to
138 railroads.

139 (2) During each fiscal year, MDOT shall distribute the five
140 percent (5%) of the fund that is not allocated under subsection
141 (2) of this section among the various modes based on criteria to
142 be established by MDOT. Such criteria shall be approved by the
143 Multi-Modal Fund Committee prior to their utilization.

144 (3) In order for a port to receive money allocated under
145 this section, the port shall file an application with MDOT
146 describing how the funds will be used and shall provide such other
147 information as MDOT may require. Such applications shall be
148 reviewed by the Port Multi-Modal Fund Committee. The Port
149 Multi-Modal Fund Committee shall decide which applications shall
150 be approved and the amount of funding for each approved
151 application based upon such criteria as it shall consider
152 appropriate; provided, however, that no application shall be
153 approved or funds distributed pursuant to this act unless the
154 expenditure of such funds shall be:

155 (a) Directly related to dredging, capital improvements
156 or the rebuilding or rehabilitation of basic infrastructure and
157 not for routine maintenance, administrative or operation expenses;

158 (b) For a project or use directly related to the
159 operation of the port in its modal role; and

160 (c) For a purpose outside the normal operating budget
161 of the port.

162 (4) In order for an airport to receive money allocated under
163 this section, the airport shall file an application with MDOT
164 describing how the funds will be used and shall provide such other
165 information as MDOT may require. Such applications shall be

166 reviewed by the Airport Multi-Modal Fund Committee. The Airport
167 Multi-Modal Fund Committee shall decide which applications shall
168 be approved and the amount of funding for each approved
169 application based upon such criteria as it shall consider
170 appropriate; provided, however, that no application shall be
171 approved or funds distributed pursuant to this act unless the
172 expenditure of such funds shall be:

173 (a) Directly related to capital improvements or the
174 rebuilding or rehabilitation of basic infrastructure and not for
175 routine maintenance, administrative or operation expenses;

176 (b) For a project or use directly related to the
177 operation of the airport in its modal role; and

178 (c) For a purpose outside the normal operating budget of
179 the airport.

180 (5) In order for a railroad to receive money allocated under
181 this section, the railroad shall file an application with MDOT
182 describing how the funds will be used and shall provide such other
183 information as MDOT may require. Such applications shall be
184 reviewed by the Public Railroad Multi-Modal Fund Committee. The
185 Public Railroad Multi-Modal Fund Committee shall decide which
186 applications shall be approved and the amount of funding for each
187 approved application based upon such criteria as it shall consider
188 appropriate; provided, however, that no application shall be
189 approved or funds distributed pursuant to this act unless the
190 expenditure of such funds shall be:

191 (a) Directly related to capital improvements or the
192 rebuilding or rehabilitation of basic infrastructure and not for
193 routine maintenance, administrative or operation expenses;

194 (b) For a project or use directly related to the
195 operation of the railroad in its modal role; and

196 (c) For a purpose outside the normal operating budget of
197 the railroad.

198 (6) (a) Thirty percent (30%) of the money allocated for
199 transit systems under this section shall be distributed by MDOT to
200 Coast Transit Authority.

201 (b) Thirty percent (30%) of the money allocated for
202 transit systems under this section shall be distributed by MDOT to
203 the City of Jackson Transit System serving the Jackson
204 metropolitan area.

205 (c) The remainder of the money allocated for transit
206 systems under this section shall be distributed by MDOT among
207 other transit systems. In order to receive funds under this
208 section, any such transit system shall file an application with
209 MDOT describing how the money will be used and shall provide such
210 other information as MDOT may require. Such applications shall be
211 reviewed by the Public Transit Multi-Modal Fund Committee. The
212 Public Transit Multi-Modal Fund Committee shall decide which
213 applications shall be approved and the amount of funding for each
214 approved application based upon such criteria as it shall consider
215 appropriate.

216 (7) As a condition for the receipt of any funds distributed
217 under this section, the port, airport, railroad or transit system
218 shall be required to fund, from public or private sources, not
219 more than ten percent (10%) of the total cost of the project or
220 purpose for which the funds are to be spent. The percentage
221 amount of such matching fund requirement shall be determined by
222 MDOT. In addition to such other contributions and expenditures as
223 may be considered acceptable by MDOT, in-kind contributions and
224 expenditures for the following shall be credited toward the above
225 matching requirement:

226 (a) Pre-construction studies, planning and design;

227 (b) Personal property acquisition;

228 (c) Real property acquisition reclamation and related
229 relocation costs;

230 (d) Professional services; and

231 (e) Construction.

232 (8) In addition to the other expenditures authorized under
233 this act, money distributed from the fund may be used to meet
234 federal matching fund requirements and for pre-construction
235 studies, planning and design; personal property acquisition; real
236 property acquisition, reclamation and related relocation costs;
237 professional services; and construction.

238 SECTION 5. (1) There is hereby created the Joint
239 Legislative Multi-Modal Fund Committee which shall consist of the
240 Chairman of the Senate Appropriations Committee, or his designee;
241 the Chairman of the Senate Highways and Transportation Committee,
242 or his designee; the Chairman of the Senate Ports and Marine
243 Resources Committee, or his designee; the Chairman of the House
244 Appropriations Committee, or his designee; the Chairman of the
245 House Transportation Committee, or his designee; the Chairman of
246 the House Conservation and Water Resources Committee, or his
247 designee; one (1) member of the Senate to be appointed by the
248 Lieutenant Governor; and one (1) member of the House of
249 Representatives to be appointed by the Speaker of the House.

250 (2) MDOT shall annually prepare at its expense a written
251 report on administration of the fund and the multi-modal
252 transportation systems of the state which shall include a
253 description of all applications for funding received under this
254 act, the status of each application, the criteria used to evaluate
255 such application, an analysis of the return and benefits from
256 funding projects under this act, and three (3) year and ten (10)
257 year forecasts of multi-modal transportation needs that MDOT
258 recommends to be funded through the fund. MDOT shall consult with
259 the committees established in Section 3 of this act when preparing
260 such report and provide sufficient copies of the report at no cost
261 to such committees. MDOT shall submit such report to the Joint
262 Legislative Multi-Modal Fund Committee by not later than September
263 1 of each year.

264 SECTION 6. This act shall take effect and be in force from
265 and after July 1, 2001.