

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2527

By Representative(s) Committee

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

23 SECTION 1. As used in this act:

24 (a) "Airport" means a publicly-owned airport in
25 Mississippi.

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

28 (c) "MDA" means the Mississippi Development Authority.

29 (d) "MDOT" means the Mississippi Department of
30 Transportation.

31 (e) "Modes" means airports, ports, railroads and
32 transit systems.

33 (f) "Port" means a public port in Mississippi.

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

36 (h) "Transit system" means a public transit system in
37 Mississippi.

38 SECTION 2. There is established in the State Treasury a
39 special fund to be designated as the "Multi-Modal Transportation

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

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

50 (i) The Executive Director of MDA, or his
51 designee;

52 (ii) The Executive Director of MDOT, or his
53 designee;

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

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

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

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

65 (b) A majority of the membership of the Multi-Modal
66 Committee shall constitute a quorum. MDOT shall call meetings of
67 the committee and shall call a meeting of the committee to perform
68 the duty provided for in Section 4 of this act by not later than
69 August 1 of each fiscal year.

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

72 (i) The director of each port, or his designee;

73 (ii) The Executive Director of MDA, or his
74 designee;

75 (iii) The Executive Director of MDOT, or his
76 designee; and

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

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

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

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

90 (ii) The Executive Director of MDA, or his
91 designee; and

92 (iii) The Executive Director of MDOT, or his
93 designee.

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

99 (4) (a) There is hereby created the Railroad Multi-Modal

100 Fund Committee whose membership shall consist of:

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

103 (ii) The Executive Director of MDA, or his
104 designee; and

105 (iii) The Executive Director of MDOT, or his
106 designee.

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

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

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

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

121 (iii) The Executive Director of MDOT, or his
122 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 state 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 (1) of this section among the various modes based on criteria to
142 be established by MDOT. Such criteria and distribution shall be
143 approved by the Multi-Modal Fund Committee.

144 (3) In order for a port to receive money allocated under
145 subsection (1) of this section, the port shall file an application
146 with MDOT describing how the funds will be used and shall provide
147 such other information as MDOT may require. Such applications
148 shall be reviewed by the Port Multi-Modal Fund Committee. The
149 Port Multi-Modal Fund Committee shall decide which applications
150 shall 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 operational
158 expenses;

159 (b) For a project or use directly related to the

160 operation of the port in its modal role; and

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

163 (4) In order for an airport to receive money allocated under
164 subsection (1) of this section, the airport shall file an
165 application with MDOT describing how the funds will be used and
166 shall provide such other information as MDOT may require. Such
167 applications shall be reviewed by the Airport Multi-Modal Fund
168 Committee. The Airport Multi-Modal Fund Committee shall decide
169 which applications shall be approved and the amount of funding for
170 each approved application based upon such criteria as it shall
171 consider appropriate; provided, however, that no application shall
172 be approved or funds distributed pursuant to this act unless the
173 expenditure of such funds shall be:

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

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

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

181 (5) In order for a railroad to receive money allocated under
182 subsection (1) of this section, the railroad shall file an
183 application with MDOT describing how the funds will be used and
184 shall provide such other information as MDOT may require. Such
185 applications shall be reviewed by the Railroad Multi-Modal Fund
186 Committee. The Railroad Multi-Modal Fund Committee shall decide
187 which applications shall be approved and the amount of funding for
188 each approved application based upon such criteria as it shall
189 consider appropriate; provided, however, that no application shall

190 be approved or funds distributed pursuant to this act unless the
191 expenditure of such funds shall be:

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

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

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

199 (6) (a) Thirty percent (30%) of the money allocated for
200 transit systems under subsection (1) of this section shall be
201 distributed by MDOT to Coast Transit Authority.

202 (b) Thirty percent (30%) of the money allocated for
203 transit systems under subsection (1) of this section shall be
204 distributed by MDOT to the City of Jackson Transit System serving
205 the greater Jackson urbanized area.

206 (c) The remainder of the money allocated for transit
207 systems under subsection (1) of this section shall be distributed
208 by MDOT among other transit systems. In order to receive funds
209 under subsection (1) of this section, any such transit system
210 shall file an application with MDOT describing how the money will
211 be used and shall provide such other information as MDOT may
212 require. Such applications shall be reviewed by the Public
213 Transit Multi-Modal Fund Committee. The Public Transit
214 Multi-Modal Fund Committee shall decide which applications shall
215 be approved and the amount of funding for each approved
216 application based upon such criteria as it shall consider
217 appropriate.

218 (7) As a condition for the receipt of any funds distributed
219 under this section, the port, airport, railroad or transit system

220 shall be required to fund, from public or private sources, not
221 more than ten percent (10%) of the total cost of the project or
222 purpose for which the funds are to be spent. The percentage
223 amount of such matching fund requirement shall be determined by
224 MDOT. In addition to such other contributions and expenditures as
225 may be considered acceptable by MDOT, in-kind contributions and
226 expenditures for the following shall be credited toward the above
227 matching requirement:

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

229 (b) Personal property acquisition;

230 (c) Real property acquisition, reclamation and related
231 relocation costs;

232 (d) Professional services; and

233 (e) Construction.

234 (8) In addition to such other expenditures as may be deemed
235 appropriate by MDOT or hereunder, money distributed from the fund
236 may be used to meet federal matching fund requirements and for
237 pre-construction studies, planning and design; personal property
238 acquisition; real property acquisition, reclamation and related
239 relocation costs; professional services; and construction.

240 (9) When approving applications under this section, the Port
241 Multi-Modal Fund Committee, the Airport Multi-Modal Fund
242 Committee, the Railroad Multi-Modal Fund Committee, the Public
243 Transit Multi-Modal Fund Committee, MDOT and the Multi-Modal Fund
244 Committee, respectively, are empowered to make commitments for
245 funding for up to three (3) consecutive state fiscal years,
246 subject to the availability of money from the fund.

247 SECTION 5. MDOT shall annually prepare at its expense a
248 written report on administration of the fund and the multi-modal
249 transportation systems of the state which shall include, without

250 limitation, a description of all applications for funding received
251 under this act, the status of each application, the criteria used
252 to evaluate such application, an analysis of the return and
253 benefits from funding projects under this act, and three-year and
254 ten-year forecasts of multi-modal transportation needs that MDOT
255 recommends to be funded through the fund. MDOT shall consult with
256 the committees established in Section 3 of this act when preparing
257 such report and provide sufficient copies of the report at no cost
258 to such committees. MDOT shall submit such report to the
259 Legislature not later than September 1 of each year.

260 SECTION 6. Sections 1 through 5 of Senate Bill No. 2527,
261 2001 Regular Session, shall stand repealed from and after July 1,
262 2004.

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

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

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 SYSTEMS
13 SHALL BE DISTRIBUTED TO THE COAST TRANSIT AUTHORITY AND 30% SHALL
14 BE ALLOCATED TO THE CITY OF JACKSON TRANSIT SYSTEM; TO REQUIRE
15 THAT A PORTION OF THE COST OF THE PROJECT OR PURPOSE FOR WHICH
16 FUNDING IS SOUGHT, NOT TO EXCEED 10%, SHALL BE FURNISHED BY THE
17 PORT, AIRPORT, RAILROAD OR TRANSIT SYSTEM SEEKING FUNDING; TO
18 REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO ANNUALLY
19 PREPARE A WRITTEN REPORT ON THE ADMINISTRATION OF THE FUND AND THE
20 MULTI-MODAL TRANSPORTATION SYSTEMS OF THE STATE AND TO SUBMIT SUCH
21 REPORT TO THE LEGISLATURE; AND FOR RELATED PURPOSES.