

By: Representative Broomfield

To: Ports, Harbors and
Airports

HOUSE BILL NO. 1395

1 AN ACT TO AMEND SECTION 61-3-15, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE AIRPORT AUTHORITIES TO ENTER INTO COOPERATIVE OR
3 EXCHANGE AGREEMENTS WITH AIRPORTS, TRADE ASSOCIATIONS OR OTHER
4 ENTERPRISES IN FOREIGN COUNTRIES FOR THE PURPOSE OF PROMOTING
5 AIRPORT INTERNATIONAL COMMERCE AND TO ESTABLISH A TRADE
6 DEVELOPMENT AND PROMOTION ACCOUNT TO PAY ALL DIRECT AND NECESSARY
7 EXPENSES FOR THE PROMOTION AND DEVELOPMENT OF AIRPORT PROPERTIES,
8 GOODS AND SERVICES; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 61-3-15, Mississippi Code of 1972, is
11 amended as follows:

12 61-3-15. An authority shall have all the powers necessary
13 or convenient to carry out the purposes of this chapter (excluding
14 the power to levy and collect taxes or special assessments)
15 including, but not limited to, the power:

16 (a) To sue and be sued, to have a seal and to have
17 perpetual succession.

18 (b) To purchase general liability insurance coverage,
19 including errors and omissions insurance, for its officials and
20 employees.

21 (c) To employ an executive director, secretary,
22 technical experts, and such other officers, agents and employees,
23 permanent and temporary, as it may require, and to determine their
24 qualifications and duties, and to establish compensation and other
25 employment benefits as may be advisable to attract and retain
26 proficient personnel.

27 (d) To execute such contracts and other instruments and
28 take such other action as may be necessary or convenient to carry
29 out the purposes of this chapter.

30 (e) To plan, establish, develop, construct, enlarge,
31 improve, maintain, equip, operate, regulate and protect airports
32 and air navigation facilities within this state and within any
33 adjoining state, including the acquisition, lease, lease-purchase,
34 construction, installation, equipment, maintenance and operation
35 of such airports or buildings, equipment and other facilities or
36 other property for the servicing of aircraft or for the comfort
37 and accommodation of air travelers or for any other purpose deemed
38 by the authority to be necessary to carry out its duties; to
39 develop, operate, manage or own and maintain intermodal facilities
40 to serve air and surface cargo and multimodal facilities to serve
41 highway and rail passenger transportation needs to ensure
42 interface and interaction between modes for cargo and passengers;
43 to market, promote and advertise airport properties, goods and
44 services; to enter into cooperative or exchange agreements with
45 airports, trade associations or other enterprises in foreign
46 countries for the purpose of promoting airport international
47 commerce; to establish a trade development and promotion account
48 to pay all direct and necessary expenses for the promotion and
49 development of airport properties, goods and services; and to
50 directly purchase and sell supplies, goods and commodities
51 incident to the operation of its airport properties without having
52 to make purchases thereof through the municipal governing
53 authorities. For such purposes an authority may, by purchase,
54 gift, devise, lease, eminent domain proceedings or otherwise,
55 acquire property, real or personal, or any interest therein,
56 including easements in airport hazards or land outside the
57 boundaries of an airport or airport site, as are necessary to
58 permit the removal, elimination, obstruction-marking or
59 obstruction-lighting of airport hazards, to prevent the
60 establishment of airport hazards or to carry out its duties.

61 (f) To acquire, by purchase, gift, devise, lease,
62 lease-purchase, eminent domain proceedings or otherwise, existing

63 airports and air navigation facilities. However, an authority
64 shall not acquire or take over any airport or air navigation
65 facility owned or controlled by another authority, a municipality
66 or public agency of this or any other state without the consent of
67 such authority, municipality or public agency.

68 (g) To establish or acquire and maintain airports in,
69 over and upon any public waters of this state, and any submerged
70 lands under such public waters, and to construct and maintain
71 terminal buildings, landing floats, causeways, roadways and
72 bridges for approaches to or connecting with any such airport, and
73 landing floats and breakwaters for the protection thereof.

74 (h) To establish, enact and enforce ordinances, rules,
75 regulations and standards for public safety, aviation safety,
76 airport operations and the preservation of good order and peace of
77 the authority; to prevent injury to, destruction of or
78 interference with public or private property; to protect property,
79 health and lives and to enhance the general welfare of the
80 authority by restricting the movements of citizens or any group
81 thereof on the property of the authority when there is imminent
82 danger to the public safety because of freedom of movement
83 thereof; to regulate the entrances to property and buildings of
84 the authority and the way of ingress and egress to and from the
85 same; to establish fire limits and to regulate, restrain or
86 prohibit construction failing to meet standards established by the
87 authority; to appoint and discharge police officers with
88 jurisdiction limited to property of the airport authority and
89 authorization to enforce the ordinances, rules and regulations of
90 the authority, as well as the laws of the State of Mississippi,
91 and to issue citations for infractions of all of such ordinances,
92 rules, regulations, standards and laws of the State of Mississippi
93 returnable to the court of appropriate jurisdiction.

94 (i) To develop and operate an industrial park or parks
95 and exercise all authority provided for under Chapter 7, Title 57,
96 Mississippi Code of 1972.

97 (j) To attach, pursuant to the power and procedure set
98 forth in Chapter 33, Title 11, Mississippi Code of 1972, the
99 equipment of debtors of the authority.

100 (k) To enter into agreements with local governments
101 pursuant to Section 17-13-1 et seq.

102 **SECTION 2.** This act shall take effect and be in force from
103 and after July 1, 2005.