

By: Representatives Moss, Bailey, Clarke,
Dedeaux, Hudson, Robinson (63rd), Rogers
(61st)

To: Ports, Harbors and
Airports; Appropriations

HOUSE BILL NO. 1329

1 AN ACT TO CREATE A COMMISSION ON PORTS WITHIN THE MISSISSIPPI
2 DEVELOPMENT AUTHORITY; TO DEFINE THE COMMISSION'S MEMBERSHIP AND
3 DUTIES; TO AMEND SECTION 65-1-705, MISSISSIPPI CODE OF 1972, TO
4 PROVIDE THAT THE COMMISSION ON PORTS SHALL BE THE PORT MULTI-MODAL
5 FUND COMMITTEE; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) There is hereby created within the
8 Mississippi Development Authority a Mississippi Commission on
9 Public Ports. The commission shall consist of the following
10 members:

11 (a) The Executive Director of the Mississippi
12 Development Authority or his designee;

13 (b) The Executive Director of the Mississippi
14 Department of Transportation or his designee;

15 (c) A state port director appointed by the Governor;

16 (d) A business person with knowledge of the import and
17 export trade appointed by the Governor; and

18 (e) Three port directors, one (1) from the Gulf Coast
19 ports, one (1) from the Mississippi River ports, and one (1) from
20 the ports along the Tennessee-Tombigbee Waterway appointed by the
21 Governor. The port representatives from the Mississippi River
22 ports and the Tennessee-Tombigbee Waterway ports shall not be
23 representatives of state ports.

24 The initial term of the state port director appointee shall
25 be for a term of one (1) year, the initial term of the business
26 person appointee shall be for two (2) years, the initial term for
27 the Mississippi River port director appointee shall be for three
28 (3) years, the initial term for the Gulf Coast port director

29 appointee shall be for four (4) years, and the initial term for
30 the Tennessee-Tombigbee Waterway port director appointee shall be
31 for five (5) years. All future terms for the members shall be for
32 five (5) years. All appointments shall be subject to the advice
33 and consent of the Senate.

34 (2) The commission shall by December 31 of the year in which
35 it was created prepare a report to be delivered to the
36 Appropriations Committees of both the House of Representatives and
37 the Senate, the Ports and Marine Resources Committee of the
38 Senate, and the Ports, Harbors and Airports Committee of the House
39 of Representatives, addressing the following:

40 (a) Proposed legislation detailing a set of permanent
41 duties for the commission including, but not limited to, the
42 following: the responsibility for preparing and recommending a
43 strategic plan for the commercial expansion of the public ports of
44 the state as a statewide system, the provision of an active
45 program of marketing for the state's public ports, and a capital
46 improvement program for the state's public ports to be supported
47 by state bond funds.

48 (b) The commission shall also be charged with
49 responsibility for identifying any federal or other funds
50 available to support the commission's ongoing operations.

51 (3) The Mississippi Development Authority shall be
52 responsible for providing the commission with suitable workspace
53 and both administrative and programmatic staff support. All
54 commission members, except for the Executive Directors of the
55 Department of Transportation and the Mississippi Development
56 Authority, shall be authorized to receive per diem as provided in
57 Section 25-3-69 and travel reimbursement as provided for in
58 Section 25-3-41.

59 **SECTION 2.** Section 65-1-705, Mississippi Code of 1972, is
60 amended as follows:

61 65-1-705. (1) The Commission on Public Ports created within
62 the Mississippi Development Authority shall be the Port
63 Multi-Modal Fund Committee. Any references to the Port
64 Multi-Modal Fund Committee shall mean the Commission on Ports
65 created by authority of Section 1 of House Bill No. , 2007
66 Regular Session. The Commission on Ports shall have the duties
67 and responsibilities provided for in law and previously granted to
68 the Port Multi-Modal Fund Committee.

69 * * *

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

72 (i) Five (5) directors of airports appointed by
73 the President of the Mississippi Airport Association, or their
74 designees, at least three (3) of whom shall represent airports
75 with commercial passenger service;

76 (ii) The Executive Director of MDA, or his
77 designee; and

78 (iii) The Executive Director of MDOT, or his
79 designee.

80 (b) From and after July 1, 2007, members of the Airport
81 Multi-Modal Fund Committee, except for the Executive Directors of
82 the Department of Transportation and the Mississippi Development
83 Authority, shall serve for terms as provided for herein. The
84 Mississippi Airport Association shall designate posts for each of
85 the airport representatives. The representative of Post One shall
86 serve an initial term of one (1) year, the representative of Post
87 Two shall serve for an initial term of two (2) years, the
88 representative of Post Three shall serve for an initial term of
89 three (3) years, the representative of Post Four shall serve an
90 initial term of four (4) years, and the representative of Post
91 Five shall serve an initial term of five (5) years. All
92 succeeding terms shall be for five (5) years. Members serving on
93 the committee on June 30, 2007, shall be eligible for

94 reappointment to the committee, and there shall be no limit on the
95 number of terms for which a member may be appointed.

96 (c) A majority of the membership of the committee shall
97 constitute a quorum. MDOT shall call meetings of the committee
98 and shall call a meeting for the purpose of reviewing and
99 approving applications as required in Section 65-1-707 by not
100 later than August 1 of each fiscal year.

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

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

105 (ii) The Executive Director of MDA, or his
106 designee; and

107 (iii) The Executive Director of MDOT, or his
108 designee.

109 (b) From and after July 1, 2007, members of the Public
110 Transit Multi-Modal Fund, except for the Executive Directors of
111 the Department of Transportation and the Mississippi Development
112 Authority, shall serve for terms as provided for herein. The
113 Mississippi Public Transit Association shall designate posts for
114 each of the public transit system representatives. The
115 representative of Post One shall serve an initial term of one (1)
116 year, the representative of Post Two shall serve for an initial
117 term of two (2) years, the representative of Post Three shall
118 serve for an initial term of three (3) years. All succeeding
119 terms shall be for three (3) years. Members serving on the
120 committee on June 30, 2007, shall be eligible for reappointment to
121 the committee, and there shall be no limit on the number of terms
122 for which a member may be appointed.

123 (c) A majority of the membership of the committee
124 shall constitute a quorum. MDOT shall call meetings of the
125 committee and shall call a meeting for the purpose of reviewing

126 and approving applications as required in Section 65-1-707 by not
127 later than August 1 of each fiscal year.

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129 **SECTION 3.** This act shall take effect and be in force from
130 and after July 1, 2007.