

By: Senator(s) White, Flowers

To: Ports and Marine
Resources; Finance

SENATE BILL NO. 2991

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 (3) port directors, one (1) from the Gulf
19 Coast ports, one (1) from the Mississippi River ports, and one (1)
20 from the ports along the Tennessee-Tombigbee Waterway, appointed
21 by the Governor. The port representatives from the Mississippi
22 River ports and the Tennessee-Tombigbee Waterway ports shall not
23 be 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 Senate Bill No. 2991, 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 (2) (a) There is hereby created an Airport Multi-Modal Fund
70 Committee whose membership shall consist of:

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

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

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

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

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

95 (c) 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 65-1-707 by not
99 later than August 1 of each fiscal year.

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

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

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

106 (iii) The Executive Director of MDOT, or his
107 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 65-1-707 by not
112 later than August 1 of each fiscal year.

113 (4) (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 serving the greater Jackson urbanized area, appointed by
118 the President of the Mississippi Public Transit Association, or
119 their designees;

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

122 (iii) The Executive Director of MDOT, or his
123 designee.

124 (b) From and after July 1, 2007, members of the Public
125 Transit Multi-Modal Fund, except for the Executive Directors of

126 the Department of Transportation and the Mississippi Development
127 Authority, shall serve for terms as provided for herein. The
128 Mississippi Public Transit Association shall designate posts for
129 each of the public transit system representatives. The
130 representative of Post One shall serve an initial term of one (1)
131 year, the representative of Post Two shall serve for an initial
132 term of two (2) years and the representative of Post Three shall
133 serve for an initial term of three (3) years. All succeeding
134 terms shall be for three (3) years. Members serving on the
135 committee on June 30, 2007, shall be eligible for reappointment to
136 the committee, and there shall be no limit on the number of terms
137 for which a member may be appointed.

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

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