

By: Senator(s) Harkins, Kirby, Moran,
Caughman, Browning

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2162
(As Sent to Governor)

1 AN ACT TO CREATE SECTION 61-3-6, MISSISSIPPI CODE OF 1972, TO
2 CREATE THE JACKSON METROPOLITAN AREA AIRPORT AUTHORITY; TO
3 ESTABLISH ITS POWERS AND DUTIES; TO PROVIDE THAT THE JACKSON
4 METROPOLITAN AREA AIRPORT AUTHORITY SHALL EXERCISE ALL POWERS AND
5 DUTIES DELEGATED TO MUNICIPAL AIRPORT AUTHORITIES BY LAW; TO
6 PROVIDE FOR THE APPOINTMENT OF THE COMMISSIONERS OF THE JACKSON
7 METROPOLITAN AREA AIRPORT AUTHORITY; TO ABOLISH THE JACKSON
8 MUNICIPAL AIRPORT AUTHORITY AND TRANSFER ALL POWERS, DUTIES,
9 FACILITIES AND RESOURCES TO THE JACKSON METROPOLITAN AREA AIRPORT
10 AUTHORITY UPON APPROVAL OF THE JACKSON METROPOLITAN AIRPORT
11 AUTHORITY BY THE FEDERAL AVIATION ADMINISTRATION AS AN ELIGIBLE
12 AIRPORT SPONSOR AND ISSUANCE OF AN AIRPORT OPERATING CERTIFICATE;
13 TO AMEND SECTIONS 61-3-3 AND 61-3-5, MISSISSIPPI CODE OF 1972, IN
14 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** This section shall be codified as Section 61-3-6,
17 Mississippi Code of 1972:

18 61-3-6. (1) The Jackson Metropolitan Area Airport Authority
19 is created and established and full power is vested in the
20 authority to manage, control and enforce all necessary and
21 beneficial matters pertaining to the operation of Jackson-Medgar
22 Wiley Evers International Airport and Hawkins Field Airport. The
23 authority shall have the same powers and duties as a municipal
24 airport authority under this chapter and any other laws pertaining



25 to municipal airport authorities except in respect to the sale or
26 disposal of real property prohibited under subsection (5) (a) or
27 this section.

28 (2) The Jackson Metropolitan Area Airport Authority shall
29 consist of the following nine (9) commissioners:

30 (a) The Adjutant General of the Mississippi National
31 Guard, or his designee;

32 (b) The Executive Director of the Mississippi
33 Development Authority, or his designee;

34 (c) One (1) commissioner appointed by the Mayor of the
35 City of Jackson appointed for an initial term of one (1) year;

36 (d) One (1) commissioner appointed by the City Council
37 of the City of Jackson appointed for an initial term of two (2)
38 years;

39 (e) One (1) commissioner appointed by the Board of
40 Supervisors of Madison County appointed for an initial term of
41 three (3) years;

42 (f) One (1) commissioner appointed by the Board of
43 Supervisors of Rankin County appointed for an initial term of four
44 (4) years;

45 (g) Two (2) commissioners appointed by the Governor
46 from the City of Jackson appointed for terms of (5) years one of
47 whom shall be the holder of a valid pilot's license or
48 certification issued by the Federal Aviation Administration; and



49 (h) One (1) commissioner appointed by the Lieutenant
50 Governor from the City of Jackson appointed for a term of five (5)
51 years.

52 (3) Unless otherwise provided in subsection (2) of this
53 section, commissioners appointed under paragraphs (c) through (h)
54 of subsection (2) of this section shall be persons with at least
55 ten (10) years' experience as a certified public accountant or
56 charter financial analyst, business owners with at least ten (10)
57 years' experience in executive management, persons with at least
58 ten (10) years' experience in the aviation industry, persons with
59 at least ten (10) years' experience in economic development,
60 attorneys with at least ten (10) years' experience in commercial
61 law, construction law or aviation law, persons who have been
62 holders of a pilot's license or certification issued by the
63 Federal Aviation Administration for at least ten (10) years,
64 persons with at least ten (10) years' experience in dealing with
65 public financing transactions, or persons holding certificates of
66 registration as a professional engineer with at least ten (10)
67 years' experience in the practice of engineering.

68 (4) After the initial terms, commissioners shall be
69 appointed in the same manner as the original appointment for terms
70 of five (5) years or until their successor is appointed and
71 qualified. Vacancies occurring other than the expiration of a
72 term shall be filled for the unexpired term in the same manner as
73 the original appointment.



74 (5) (a) Upon review and approval by the Federal Aviation
75 Administration (FAA) of the Jackson Metropolitan Area Airport
76 Authority as an eligible airport sponsor and the FAA's review and
77 approval of the issuance of an airport operating certificate under
78 14 CFR part 139 with respect to the Jackson-Medgar Wiley Evers
79 International Airport, the Jackson Municipal Airport Authority is
80 abolished, and all powers and duties, airport equipment,
81 buildings, facilities, inventories, records, personnel, resources
82 and all other property, real or personal, tangible or intangible,
83 including any pertaining to or generated from revenues of the
84 airport, are transferred to the Jackson Metropolitan Area Airport
85 Authority. The Jackson Metropolitan Area Airport Authority may
86 not, by sale or otherwise, dispose of any real property acquired
87 by transfer in accordance with this paragraph (a) or subsequently
88 acquired by the authority.

89 (b) Upon the transfer required by paragraph (a) of this
90 subsection, the Jackson Metropolitan Area Airport Authority shall
91 assume all obligations of the Jackson Municipal Airport Authority
92 pertaining to the airport that are in effect at the time of the
93 transfer.

94 **SECTION 2.** Section 61-3-3, Mississippi Code of 1972, is
95 amended as follows:

96 61-3-3. The following words or terms, whenever used or
97 referred to in this chapter, shall have the following respective



98 meanings unless different meanings clearly appear from the
99 context:

100 (a) "Airport" means any area of land or water which is
101 used, or intended for use, for the landing and taking off of
102 aircraft, and any appurtenant areas which are used, or intended
103 for use, for airport buildings or other airport facilities or
104 rights-of-way, or for other appropriate purposes, including buffer
105 areas and areas for airport compatible development, together with
106 all buildings and facilities located thereon.

107 (b) "Airport authority" or "authority" means any * * *
108 ~~regional airport authority or municipal~~ airport authority created
109 pursuant to the provisions of this chapter.

110 (c) "Airport hazard" means any structure, object or
111 natural growth, or use of land which obstructs the airspace
112 required for the flight of aircraft in landing or taking off at an
113 airport, or is otherwise hazardous to such landing or taking off
114 of aircraft.

115 (d) "Air navigation facility" means any facility other
116 than one owned and operated by the United States, used in,
117 available for use in, or designed for use in aid of air
118 navigation, including any structures, mechanisms, lights, beacons,
119 markers, communicating systems, or other instrumentalities, or
120 devices used or useful as an aid, or constituting an advantage or
121 convenience, to the safe taking off, navigation and landing of



122 aircraft, or the safe and efficient operation or maintenance of an
123 airport, and any combination of any or all of such facilities.

124 (e) "Bonds" means any bonds, notes, interim
125 certificates, debentures or similar obligations issued by an
126 authority pursuant to this chapter.

127 * * * ~~(f) "Clerk" means the custodian of the official~~
128 ~~records of a municipality.~~

129 (* * * g) "Governing body" means the official or
130 officials authorized by law to exercise ordinance or other
131 lawmaking powers of a municipality.

132 (* * * h) "Local government" means any local
133 governmental unit as defined in Section 17-13-5.

134 (* * * i) "Municipal airport authority" or "municipal
135 authority" means a municipal airport authority created pursuant to
136 the provisions of Section 61-3-5 or 61-3-6.

137 (* * * j) "Municipality" means any county, supervisors
138 district or supervisors districts, or all that portion of the
139 county lying outside the territorial boundaries of any named city,
140 town or village, and a city, town and village of this state or any
141 state-supported institution of higher learning or any public
142 community or junior college.

143 (* * * k) "Person" means any individual, firm,
144 partnership, corporation, company, association, joint-stock
145 association or body politic, and includes any trustee, receiver,
146 assignee or other similar representative thereof.



147 (* * *~~1~~k) "Regional airport authority" or "regional
148 authority" means a regional airport authority created pursuant to
149 the provisions of Section 61-3-7.

150 **SECTION 3.** Section 61-3-5, Mississippi Code of 1972, is
151 amended as follows:

152 61-3-5. Any municipality or a state-supported institution of
153 higher learning or a public community or junior college, by
154 resolution, may create a public body, corporate and politic, to be
155 known as a municipal airport authority, which shall be authorized
156 to exercise its functions upon the appointment and qualification
157 of the first commissioners thereof. Upon the adoption of a
158 resolution creating a municipal airport authority, the governing
159 body of the municipality or of the state-supported institution of
160 higher learning or other public community or junior college,
161 pursuant to the resolution, shall appoint five (5) persons as
162 commissioners of the authority. The commissioners who are first
163 appointed shall be designated to serve for terms of one (1), two
164 (2), three (3), four (4) and five (5) years, respectively.
165 Thereafter, each commissioner shall be appointed for a term of
166 five (5) years, except that vacancies occurring otherwise than by
167 the expiration of term shall be filled for the unexpired term in
168 the same manner as the original appointments. This section shall
169 not apply to the airport authority created in Section 61-3-6.

170 **SECTION 4.** This act shall take effect and be in force from
171 and after July 1, 2016.

