

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

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2162
(As Passed the Senate)

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 METROPOLITAN AIRPORT AUTHORITY BY
11 THE FEDERAL AVIATION ADMINISTRATION AS AN ELIGIBLE AIRPORT SPONSOR
12 AND ISSUANCE OF AN AIRPORT OPERATING CERTIFICATE; TO AMEND
13 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 Metropolitan Area Airport Authority is
19 created and established and full power is vested in the authority
20 to manage, control and enforce all necessary and beneficial
21 matters pertaining to the operation of Jackson-Medgar Wiley Evers
22 International Airport and Hawkins Field Airport. The authority
23 shall have the same powers and duties as a municipal airport



24 authority under this chapter and any other laws pertaining to
25 municipal airport authorities.

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

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

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

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

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

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

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

43 (g) Two (2) commissioners appointed by the Governor
44 from the state-at-large appointed for terms of (5) years one of
45 whom shall be the holder of a valid pilot's license or
46 certification issued by the Federal Aviation Administration; and



47 (h) One (1) commissioner appointed by the Lieutenant
48 Governor from the state-at-large appointed for a term of five (5)
49 years.

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

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



(5) (a) Upon review and approval by the Federal Aviation Administration (FAA) of the Metropolitan Area Airport Authority as an eligible airport sponsor and the FAA's review and approval of the issuance of an airport operating certificate under 14 CFR part 139 with respect to the Jackson-Medgar Wiley Evers International Airport, the Jackson Municipal Airport Authority is abolished, and all powers and duties, airport equipment, buildings, facilities, inventories, records, personnel, resources and all other property real or personal, tangible or intangible, including any pertaining to or generated from revenues of the airport are transferred to the Jackson Metropolitan Area Airport Authority.

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

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

61-3-3. The following words or terms, whenever used or referred to in this chapter, shall have the following respective meanings unless different meanings clearly appear from the context:

(a) "Airport" means any area of land or water which is used, or intended for use, for the landing and taking off of aircraft, and any appurtenant areas which are used, or intended



for use, for airport buildings or other airport facilities or rights-of-way, or for other appropriate purposes, including buffer areas and areas for airport compatible development, together with all buildings and facilities located thereon.

(b) "Airport authority" or "authority" means any * * * airport authority created pursuant to the provisions of this chapter.

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

(d) "Air navigation facility" means any facility other than one owned and operated by the United States, used in, available for use in, or designed for use in aid of air navigation, including any structures, mechanisms, lights, beacons, markers, communicating systems, or other instrumentalities, or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking off, navigation and landing of aircraft, or the safe and efficient operation or maintenance of an airport, and any combination of any or all of such facilities.

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

* * *



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

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

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

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

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

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

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

61-3-5. Any municipality or a state-supported institution of higher learning or a public community or junior college, by



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

163 **SECTION 4.** This act shall take effect and be in force from
164 and after July 1, 2016, and shall stand repealed on June 30, 2016.

