

By: Senator(s) Hewes

To: Fees, Salaries and Administration

SENATE BILL NO. 2529

1 AN ACT TO AMEND SECTION 59-5-37, MISSISSIPPI CODE OF 1972, TO
2 CONFORM STATE PORT PURCHASING LIMITATIONS TO STATE PURCHASING
3 LAWS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 59-5-37, Mississippi Code of 1972, is
6 amended as follows:

7 59-5-37. The board or State Port Authority, in the
8 performance of its duties, may employ such personnel and make all
9 contracts and purchases incidental to or necessary for the
10 advancement, promotion, development, establishment, insurance,
11 maintenance, repair, improvement and operation of any ports,
12 harbors, rivers, channels and waterways including, if required for
13 its protection, retirement benefits, workers' compensation
14 insurance and other employee benefits for the benefit of any
15 employees of the board or State Port Authority. The board or
16 State Port Authority may establish a trade development and
17 promotion account to pay all direct and necessary expenses for the
18 promotion and development of the state port. The authority is
19 granted the power to sue and be sued in its own name.

20 The board or State Port Authority may, in its discretion,
21 make such contracts or purchases * * * according to the state
22 purchasing laws. * * * Contracts let for any port, harbor, river,
23 channel or waterway improvements shall be advertised as required
24 by law for the letting of public contracts, and such contracts
25 shall be awarded to the lowest and best bidder who shall make bond
26 as shall be required by the board or State Port Authority
27 conditioned for the faithful prosecution and completion of work

28 according to such contracts, such bond to be furnished by a
29 corporate surety company qualified to do business in this state.
30 Except, however, that the board may negotiate and enter into
31 contracts with responsible lessees for the construction of
32 facilities by lessees, such as those referred to in Section
33 59-5-11, and the acquisition thereof by the board upon such terms
34 and conditions and for such amount as may be approved by the
35 board.

36 SECTION 2. This act shall take effect and be in force from
37 and after its passage.