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Chapter No. 456
16/SS26/R45SG
LR 1/24/14

SENATE BILL NO. 2162

Originated in Senate

LizWalch

Secretary

SENATE BILL NO. 2162

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

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

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

61-3-6. (1) The Jackson Metropolitan Area Airport Authority is created and established and full power is vested in the authority to manage, control and enforce all necessary and beneficial matters pertaining to the operation of Jackson-Medgar Wiley Evers International Airport and Hawkins Field Airport. The authority shall have the same powers and duties as a municipal

airport authority under this chapter and any other laws pertaining to municipal airport authorities except in respect to the sale or disposal of real property prohibited under subsection (5) (a) or this section.

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

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

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

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

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

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

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

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

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

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

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

(5) (a) Upon review and approval by the Federal Aviation Administration (FAA) of the Jackson 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. The Jackson Metropolitan Area Airport Authority may not, by sale or otherwise, dispose of any real property acquired by transfer in accordance with this paragraph (a) or subsequently acquired by the 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.

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

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

PASSED BY THE SENATE
April 14, 2016



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 24, 2016



SPEAKER OF THE HOUSE OF REPRESENTATIVES

~~APPROVED BY THE GOVERNOR~~



GOVERNOR

May 4, 2016

3:20pm