

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

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2162

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; TO AMEND SECTIONS 61-3-3 AND 61-3-5, MISSISSIPPI CODE
11 OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

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

15 61-3-6. (1) The Metropolitan Area Airport Authority is
16 created and established and full power is vested in the authority
17 to manage, control and enforce all necessary and beneficial
18 matters pertaining to the operation of Jackson-Medgar Wiley Evers
19 International Airport and Hawkins Field Airport. The authority
20 shall have the same powers and duties as a municipal airport
21 authority under this chapter and any other laws pertaining to
22 municipal airport authorities.



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

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

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

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

31 (d) One (1) commissioner appointed by the Governor from
32 a list of three (3) qualified persons submitted by the City
33 Council of the City of Jackson appointed for an initial term of
34 two (2) years;

35 (e) One (1) commissioner appointed by the Governor from
36 a list of three (3) qualified persons submitted by the Board of
37 Supervisors of Madison County appointed for an initial term of
38 three (3) years;

39 (f) One (1) commissioner appointed by the Governor from
40 a list of three (3) qualified persons submitted 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.



72 (5) (a) The Jackson Municipal Airport Authority is
73 abolished on July 1, 2016, and all powers and duties, airport
74 equipment, buildings, facilities, inventories, records, personnel,
75 resources and all other property real or personal, tangible or
76 intangible, including any pertaining to or generated from revenues
77 of the airport are transferred to the Jackson Metropolitan Area
78 Airport Authority.

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

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

86 61-3-3. The following words or terms, whenever used or
87 referred to in this chapter, shall have the following respective
88 meanings unless different meanings clearly appear from the
89 context:

90 (a) "Airport" means any area of land or water which is
91 used, or intended for use, for the landing and taking off of
92 aircraft, and any appurtenant areas which are used, or intended
93 for use, for airport buildings or other airport facilities or
94 rights-of-way, or for other appropriate purposes, including buffer
95 areas and areas for airport compatible development, together with
96 all buildings and facilities located thereon.



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

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

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

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

117 * * *

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



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

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

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

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

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

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

141 61-3-5. Any municipality or a state-supported institution of
142 higher learning or a public community or junior college, by
143 resolution, may create a public body, corporate and politic, to be
144 known as a municipal airport authority, which shall be authorized
145 to exercise its functions upon the appointment and qualification



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

159 **SECTION 4.** This act shall take effect and be in force from
160 and after its passage.

