

By: Representatives Ketchings, Green (96th), To: Ways and Means
Janus, West

HOUSE BILL NO. 1568
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION
2 BONDS FOR THE PURPOSE OF PROVIDING FUNDS TO THE CITY OF NATCHEZ,
3 MISSISSIPPI, FOR MATCHING FUNDS REQUIRED FOR THE UNITED STATES
4 ARMY CORPS OF ENGINEERS BLUFF STABILIZATION PROJECT FOR THE CITY
5 OF NATCHEZ; TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS
6 OF THE STATE OF MISSISSIPPI IN THE AMOUNT OF \$500,000.00 TO
7 PROVIDE FUNDS FOR THE PAT HARRISON WATERWAY DISTRICT; TO AUTHORIZE
8 THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE OF
9 MISSISSIPPI IN THE AMOUNT OF \$2,000,000.00 FOR RENOVATION AND
10 REPAIR OF THE INFRASTRUCTURE OF THE PAT HARRISON WATERWAY AND FOR
11 CAPITAL IMPROVEMENTS ON DISTRICT PROPERTY; AND FOR RELATED
12 PURPOSES.

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

14 SECTION 1. As used in Sections 1 through 49 of this act, the
15 following words shall have the meanings ascribed herein unless the
16 context clearly requires otherwise:

17 (a) "Accreted value" of any bond means, as of any date
18 of computation, an amount equal to the sum of (i) the stated
19 initial value of such bond, plus (ii) the interest accrued thereon
20 from the issue date to the date of computation at the rate,
21 compounded semiannually, that is necessary to produce the
22 approximate yield to maturity shown for bonds of the same
23 maturity.

24 (b) "State" means the State of Mississippi.

25 (c) "Commission" means the State Bond Commission.

26 SECTION 2. (1) (a) A special fund, to be designated as the
27 "1999 City of Natchez, Mississippi, Bluff Stabilization Project
28 Fund," is created within the State Treasury. The fund shall be
29 maintained by the State Treasurer as a separate and special fund,
30 separate and apart from the General Fund of the state. Unexpended
31 amounts remaining in the fund at the end of a fiscal year shall
32 not lapse into the State General Fund, and any interest earned or

33 investment earnings on amounts in the fund shall be deposited into
34 such fund.

35 (b) Monies deposited into the fund shall be disbursed,
36 in the discretion of the Department of Finance and Administration,
37 for the purpose of providing funds to the City of Natchez,
38 Mississippi, for matching funds required for the United States
39 Army Corps of Engineers Bluff Stabilization Project for the City
40 of Natchez, Mississippi.

41 (2) Amounts deposited into such special fund shall be
42 disbursed to provide matching funds to pay the costs of the
43 project described in subsection (1) of this section. Promptly
44 after the commission has certified, by resolution duly adopted,
45 that the project described in subsection (1) of this section shall
46 have been completed, abandoned, or cannot be completed in a timely
47 fashion, any amounts remaining in such special fund shall be
48 applied to pay debt service on the bonds issued under Sections 1
49 through 17 of this act, in accordance with the proceedings
50 authorizing the issuance of such bonds and as directed by the
51 commission.

52 (3) The Department of Finance and Administration is
53 expressly authorized and empowered to receive and expend any local
54 or other source funds in connection with the expenditure of funds
55 provided for in this section. The expenditure of monies deposited
56 into the special fund shall be under the direction of the
57 Department of Finance and Administration, and such funds shall be
58 paid by the State Treasurer upon warrants issued by such
59 department, which warrants shall be issued upon requisitions
60 signed by the Executive Director of the Department of Finance and
61 Administration or his designee.

62 (4) If any land is reclaimed in the downtown area of the
63 City of Natchez as a result of monies made available under the
64 provisions of this act, and such property is used for commercial
65 or other income producing purposes, then fifty percent (50%) of
66 the income derived by the City of Natchez from such property, not
67 to exceed the total costs of the debt service on the bonds issued
68 under Sections 1 through 17 of this act, shall be repaid by the
69 city to the state to retire the debt service on the bonds.

70 SECTION 3. (1) The commission, at one (1) time, or from

71 time to time, may declare by resolution the necessity for issuance
72 of general obligation bonds of the State of Mississippi to provide
73 funds for all costs incurred or to be incurred for the purposes
74 described in Section 2 of this act. Upon the adoption of a
75 resolution by the Department of Finance and Administration,
76 declaring the necessity for the issuance of any part or all of the
77 general obligation bonds authorized by this section, the
78 Department of Finance and Administration shall deliver a certified
79 copy of its resolution or resolutions to the commission. Upon
80 receipt of such resolution, the commission, in its discretion, may
81 act as the issuing agent, prescribe the form of the bonds,
82 advertise for and accept bids, issue and sell the bonds so
83 authorized to be sold and do any and all other things necessary
84 and advisable in connection with the issuance and sale of such
85 bonds. The total amount of bonds issued under Sections 1 through
86 17 of this act shall not exceed three Million Two Hundred Thousand
87 Dollars (\$3,200,000.00).

88 (2) Any investment earnings on amounts deposited into the
89 special fund created in Section 2 of this act shall be used to pay
90 debt service on bonds issued under Sections 1 through 17 of this
91 act, in accordance with the proceedings authorizing issuance of
92 such bonds.

93 SECTION 4. The principal of and interest on the bonds
94 authorized under Sections 1 through 17 of this act shall be
95 payable in the manner provided in this section. Such bonds shall
96 bear such date or dates, be in such denomination or denominations,
97 bear interest at such rate or rates (not to exceed the limits set
98 forth in Section 75-17-101, Mississippi Code of 1972), be payable
99 at such place or places within or without the State of
100 Mississippi, shall mature absolutely at such time or times not to
101 exceed twenty-five (25) years from date of issue, be redeemable
102 before maturity at such time or times and upon such terms, with or
103 without premium, shall bear such registration privileges, and
104 shall be substantially in such form, all as shall be determined by

105 resolution of the commission.

106 SECTION 5. The bonds authorized by Sections 1 through 17 of
107 this act shall be signed by the chairman of the commission, or by
108 his facsimile signature, and the official seal of the commission
109 shall be affixed thereto, attested by the secretary of the
110 commission. The interest coupons, if any, to be attached to such
111 bonds may be executed by the facsimile signatures of such
112 officers. Whenever any such bonds shall have been signed by the
113 officials designated to sign the bonds who were in office at the
114 time of such signing but who may have ceased to be such officers
115 before the sale and delivery of such bonds, or who may not have
116 been in office on the date such bonds may bear, the signatures of
117 such officers upon such bonds and coupons shall nevertheless be
118 valid and sufficient for all purposes and have the same effect as
119 if the person so officially signing such bonds had remained in
120 office until their delivery to the purchaser, or had been in
121 office on the date such bonds may bear. However, notwithstanding
122 anything herein to the contrary, such bonds may be issued as
123 provided in the Registered Bond Act of the State of Mississippi.

124 SECTION 6. All bonds and interest coupons issued under the
125 provisions of Sections 1 through 17 of this act have all the
126 qualities and incidents of negotiable instruments under the
127 provisions of the Uniform Commercial Code, and in exercising the
128 powers granted by Sections 1 through 17 of this act, the
129 commission shall not be required to and need not comply with the
130 provisions of the Uniform Commercial Code.

131 SECTION 7. The commission shall act as the issuing agent for
132 the bonds authorized under Sections 1 through 17 of this act,
133 prescribe the form of the bonds, advertise for and accept bids,
134 issue and sell the bonds so authorized to be sold, pay all fees
135 and costs incurred in such issuance and sale, and do any and all
136 other things necessary and advisable in connection with the
137 issuance and sale of such bonds. The commission is authorized and
138 empowered to pay the costs that are incident to the sale, issuance

139 and delivery of the bonds authorized under Sections 1 through 17
140 of this act from the proceeds derived from the sale of such bonds.

141 The commission shall sell such bonds on sealed bids at public
142 sale, and for such price as it may determine to be for the best
143 interest of the State of Mississippi, but no such sale shall be
144 made at a price less than par plus accrued interest to the date of
145 delivery of the bonds to the purchaser. All interest accruing on
146 such bonds so issued shall be payable semiannually or annually;
147 however, the first interest payment may be for any period of not
148 more than one (1) year.

149 Notice of the sale of any such bonds shall be published at
150 least one (1) time, not less than ten (10) days before the date of
151 sale, and shall be so published in one or more newspapers
152 published or having a general circulation in the City of Jackson,
153 Mississippi, and in one or more other newspapers or financial
154 journals with a national circulation, to be selected by the
155 commission.

156 The commission, when issuing any bonds under the authority of
157 Sections 1 through 17 of this act, may provide that bonds, at the
158 option of the State of Mississippi, may be called in for payment
159 and redemption at the call price named therein and accrued
160 interest on such date or dates named therein.

161 SECTION 8. The bonds issued under the provisions of Sections
162 1 through 17 of this act are general obligations of the State of
163 Mississippi, and for the payment thereof the full faith and credit
164 of the State of Mississippi is irrevocably pledged. If the funds
165 appropriated by the Legislature are insufficient to pay the
166 principal of and the interest on such bonds as they become due,
167 then the deficiency shall be paid by the State Treasurer from any
168 funds in the State Treasury not otherwise appropriated. All such
169 bonds shall contain recitals on their faces substantially covering
170 the provisions of this section.

171 SECTION 9. Upon the issuance and sale of bonds under the
172 provisions of Sections 1 through 17 of this act, the commission

173 shall transfer the proceeds of any such sale or sales to the
174 special fund created in Section 2 of this act. The proceeds of
175 such bonds shall be disbursed solely upon the order of the
176 Department of Finance and Administration under such restrictions,
177 if any, as may be contained in the resolution providing for the
178 issuance of the bonds.

179 SECTION 10. The bonds authorized under Sections 1 through 17
180 of this act may be issued without any other proceedings or the
181 happening of any other conditions or things other than those
182 proceedings, conditions and things which are specified or required
183 by Sections 1 through 17 of this act. Any resolution providing
184 for the issuance of bonds under the provisions of Sections 1
185 through 17 of this act shall become effective immediately upon its
186 adoption by the commission, and any such resolution may be adopted
187 at any regular or special meeting of the commission by a majority
188 of its members.

189 SECTION 11. The bonds authorized under the authority of
190 Sections 1 through 17 of this act may be validated in the Chancery
191 Court of the First Judicial District of Hinds County, Mississippi,
192 in the manner and with the force and effect provided by Chapter
193 13, Title 31, Mississippi Code of 1972, for the validation of
194 county, municipal, school district and other bonds. The notice to
195 taxpayers required by such statutes shall be published in a
196 newspaper published or having a general circulation in the City of
197 Jackson, Mississippi.

198 SECTION 12. Any holder of bonds issued under the provisions
199 of Sections 1 through 17 of this act or of any of the interest
200 coupons pertaining thereto may, either at law or in equity, by
201 suit, action, mandamus or other proceeding, protect and enforce
202 any and all rights granted under Sections 1 through 17 of this
203 act, or under such resolution, and may enforce and compel
204 performance of all duties required by Sections 1 through 17 of
205 this act to be performed, in order to provide for the payment of
206 bonds and interest thereon.

207 SECTION 13. All bonds issued under the provisions of
208 Sections 1 through 17 of this act shall be legal investments for
209 trustees and other fiduciaries, and for savings banks, trust
210 companies and insurance companies organized under the laws of the
211 State of Mississippi, and such bonds shall be legal securities
212 which may be deposited with and shall be received by all public
213 officers and bodies of this state and all municipalities and
214 political subdivisions for the purpose of securing the deposit of
215 public funds.

216 SECTION 14. Bonds issued under the provisions of Sections 1
217 through 17 of this act and income therefrom shall be exempt from
218 all taxation in the State of Mississippi.

219 SECTION 15. The proceeds of the bonds issued under Sections
220 1 through 17 of this act shall be used solely for the purposes
221 herein provided, including the costs incident to the issuance and
222 sale of such bonds.

223 SECTION 16. The State Treasurer is authorized, without
224 further process of law, to certify to the Department of Finance
225 and Administration the necessity for warrants, and the Department
226 of Finance and Administration is authorized and directed to issue
227 such warrants, in such amounts as may be necessary to pay when due
228 the principal of, premium, if any, and interest on, or the
229 accreted value of, all bonds issued under Sections 1 through 17 of
230 this act; and the State Treasurer shall forward the necessary
231 amount to the designated place or places of payment of such bonds
232 in ample time to discharge such bonds, or the interest thereon, on
233 the due dates thereof.

234 SECTION 17. The provisions of Sections 1 through 17 of this
235 act shall be deemed to be full and complete authority for the
236 exercise of the powers herein granted, but this act shall not be
237 deemed to repeal or to be in derogation of any existing law of
238 this state.

239 SECTION 18. A special fund, to be designated the "1999 Pat
240 Harrison Waterway District Streamside Stabilization and

241 Conservation Project Fund," is created within the State Treasury.

242 The fund shall be maintained by the State Treasurer as a separate
243 and special fund, separate and apart from the General Fund of the
244 state, and investment earnings on amounts in the fund shall be
245 deposited into such fund. The expenditure of monies deposited
246 into the fund shall be under the direction of the Department of
247 Finance and Administration, and such funds shall be paid by the
248 State Treasurer upon warrants issued by the Department of Finance
249 and Administration. Monies deposited into such fund shall be
250 disbursed, in the discretion of the Department of Finance and
251 Administration, for the purpose of providing funds for matching
252 federal funds for streamside stabilization and conservation
253 projects of any local governmental entity within the Pat Harrison
254 Waterway District.

255 SECTION 19. (1) The Department of Finance and
256 Administration, at one (1) time or from time to time, may declare
257 by resolution the necessity for issuance of general obligation
258 bonds of the State of Mississippi to provide funds for all costs
259 incurred or to be incurred for the purposes described in Section
260 18 of this act. Upon the adoption of a resolution by the
261 Department of Finance and Administration declaring the necessity
262 for the issuance of any part or all of the general obligation
263 bonds authorized by this section, the Department of Finance and
264 Administration shall deliver a certified copy of its resolution or
265 resolutions to the commission. Upon receipt of such resolution,
266 the commission, in its discretion, may act as the issuing agent,
267 prescribe the form of the bonds, advertise for and accept bids,
268 issue and sell the bonds so authorized to be sold, and do any and
269 all other things necessary and advisable in connection with the
270 issuance and sale of such bonds. The total amount of bonds issued
271 under Sections 18 through 33 of this act shall not exceed Five
272 Hundred Thousand Dollars (\$500,000.00).

273 (2) Any investment earnings on amounts deposited into the
274 fund created in Section 18 of this act shall be used to pay debt

275 service on bonds issued under Sections 18 through 33 of this act,
276 in accordance with the proceedings authorizing issuance of such
277 bonds.

278 (3) Upon the completion or abandonment of the projects
279 described in Section 18 of this act, as evidenced by a resolution
280 adopted by the Department of Finance and Administration certifying
281 that all such projects have been completed or abandoned, the
282 balance, if any, remaining in the 1999 Pat Harrison Waterway
283 District Streamside Stabilization and Conservation Project Fund
284 shall be promptly applied to pay debt service on bonds issued
285 under Sections 18 through 33 of this act, in accordance with the
286 proceedings authorizing the issuance of such bonds.

287 SECTION 20. The principal of and interest on the bonds
288 authorized under Sections 18 through 33 of this act shall be
289 payable in the manner provided in this section. Such bonds shall
290 bear such date or dates, be in such denomination or denominations,
291 bear interest at such rate or rates (not to exceed the limits set
292 forth in Section 75-17-101), be payable at such place or places
293 within or without the State of Mississippi, shall mature
294 absolutely at such time or times not to exceed twenty-five (25)
295 years from date of issue, be redeemable before maturity at such
296 time or times and upon such terms, with or without premium, shall
297 bear such registration privileges, and shall be substantially in
298 such form, all as shall be determined by resolution of the
299 commission.

300 SECTION 21. The bonds authorized by Sections 18 through 33
301 of this act shall be signed by the chairman of the commission, or
302 by his facsimile signature, and the official seal of the
303 commission shall be affixed thereto, attested by the secretary of
304 the commission. The interest coupons, if any, to be attached to
305 such bonds may be executed by the facsimile signatures of such
306 officers. Whenever any such bonds shall have been signed by the
307 officials designated to sign the bonds who were in office at the
308 time of such signing but who may have ceased to be such officers

309 before the sale and delivery of such bonds, or who may not have
310 been in office on the date such bonds may bear, the signatures of
311 such officers upon such bonds and coupons shall nevertheless be
312 valid and sufficient for all purposes and have the same effect as
313 if the person so officially signing such bonds had remained in
314 office until their delivery to the purchaser, or had been in
315 office on the date such bonds may bear. However, notwithstanding
316 anything herein to the contrary, such bonds may be issued as
317 provided in the Registered Bond Act of the State of Mississippi.

318 SECTION 22. All bonds and interest coupons issued under the
319 provisions of Sections 18 through 33 of this act have all the
320 qualities and incidents of negotiable instruments under the
321 provisions of the Uniform Commercial Code, and in exercising the
322 powers granted by Sections 18 through 33 of this act, the
323 commission shall not be required to and need not comply with the
324 provisions of the Uniform Commercial Code.

325 SECTION 23. The commission shall act as the issuing agent
326 for the bonds authorized under Sections 18 through 33 of this act,
327 prescribe the form of the bonds, advertise for and accept bids,
328 issue and sell the bonds so authorized to be sold, pay all fees
329 and costs incurred in such issuance and sale, and do any and all
330 other things necessary and advisable in connection with the
331 issuance and sale of such bonds. The commission is authorized and
332 empowered to pay the costs that are incident to the sale, issuance
333 and delivery of the bonds authorized under Sections 18 through 33
334 of this act from the proceeds derived from the sale of such bonds.

335 The commission shall sell such bonds on sealed bids at public
336 sale, and for such price as it may determine to be for the best
337 interest of the State of Mississippi, but no such sale shall be
338 made at a price less than par plus accrued interest to the date of
339 delivery of the bonds to the purchaser. All interest accruing on
340 such bonds so issued shall be payable semiannually or annually;
341 however, the first interest payment may be for any period of not
342 more than one (1) year.

343 Notice of the sale of any such bonds shall be published at
344 least one (1) time, not less than ten (10) days before the date of
345 sale, and shall be so published in one or more newspapers
346 published or having a general circulation in the City of Jackson,
347 Mississippi, and in one or more other newspapers or financial
348 journals with a national circulation, to be selected by the
349 commission.

350 The commission, when issuing any bonds under the authority of
351 Sections 18 through 33 of this act, may provide that bonds, at the
352 option of the State of Mississippi, may be called in for payment
353 and redemption at the call price named therein and accrued
354 interest on such date or dates named therein.

355 SECTION 24. The bonds issued under the provisions of
356 Sections 18 through 33 of this act are general obligations of the
357 State of Mississippi, and for the payment thereof the full faith
358 and credit of the State of Mississippi is irrevocably pledged. If
359 the funds appropriated by the Legislature are insufficient to pay
360 the principal of and the interest on such bonds as they become
361 due, then the deficiency shall be paid by the State Treasurer from
362 any funds in the State Treasury not otherwise appropriated. All
363 such bonds shall contain recitals on their faces substantially
364 covering the provisions of this section.

365 SECTION 25. Upon the issuance and sale of bonds under the
366 provisions of Sections 18 through 33 of this act, the commission
367 shall transfer the proceeds of any such sale or sales to the 1999
368 Pat Harrison Waterway District Streamside Stabilization and
369 Conservation Project Fund created in Section 18 of this act. The
370 proceeds of such bonds shall be disbursed solely upon the order of
371 the Department of Finance and Administration under such
372 restrictions, if any, as may be contained in the resolution
373 providing for the issuance of the bonds.

374 SECTION 26. The bonds authorized under Sections 18 through
375 33 of this act may be issued without any other proceedings or the
376 happening of any other conditions or things other than those

377 proceedings, conditions and things which are specified or required
378 by Sections 18 through 33 of this act. Any resolution providing
379 for the issuance of bonds under the provisions of Sections 18
380 through 33 of this act shall become effective immediately upon its
381 adoption by the commission, and any such resolution may be adopted
382 at any regular or special meeting of the commission by a majority
383 of its members.

384 SECTION 27. The bonds authorized under the authority of the
385 provisions of Sections 18 through 33 of this act may be validated
386 in the Chancery Court of the First Judicial District of Hinds
387 County, Mississippi, in the manner and with the force and effect
388 provided by Chapter 13, Title 31, Mississippi Code of 1972, for
389 the validation of county, municipal, school district and other
390 bonds. The notice to taxpayers required by such statutes shall be
391 published in a newspaper published or having a general circulation
392 in the City of Jackson, Mississippi.

393 SECTION 28. Any holder of bonds issued under Sections 18
394 through 33 of this act or of any of the interest coupons
395 pertaining thereto may, either at law or in equity, by suit,
396 action, mandamus or other proceeding, protect and enforce any and
397 all rights granted under Sections 18 through 33 of this act, or
398 under such resolution, and may enforce and compel performance of
399 all duties required by Sections 18 through 33 of this act to be
400 performed, in order to provide for the payment of bonds and
401 interest thereon.

402 SECTION 29. All bonds issued under the provisions of
403 Sections 18 through 33 of this act shall be legal investments for
404 trustees and other fiduciaries, and for savings banks, trust
405 companies and insurance companies organized under the laws of the
406 State of Mississippi, and such bonds shall be legal securities
407 which may be deposited with and shall be received by all public
408 officers and bodies of this state and all municipalities and
409 political subdivisions for the purpose of securing the deposit of
410 public funds.

411 SECTION 30. Bonds issued under Sections 18 through 33 of
412 this act and income therefrom shall be exempt from all taxation in
413 the State of Mississippi.

414 SECTION 31. The proceeds of the bonds issued under Sections
415 18 through 33 of this act shall be used solely for the purposes
416 herein provided, including the costs incident to the issuance and
417 sale of such bonds.

418 SECTION 32. The State Treasurer is authorized, without
419 further process of law, to certify to the Department of Finance
420 and Administration the necessity for warrants, and the Department
421 of Finance and Administration is authorized and directed to issue
422 such warrants, in such amounts as may be necessary to pay when due
423 the principal of, premium, if any, and interest on, or the
424 accreted value of, all bonds issued under Sections 18 through 33
425 of this act; and the State Treasurer shall forward the necessary
426 amount to the designated place or places of payment of such bonds
427 in ample time to discharge such bonds, or the interest thereon, on
428 the due dates thereof.

429 SECTION 33. The provisions of Sections 18 through 33 of this
430 act shall be deemed to be full and complete authority for the
431 exercise of the powers therein granted, but Sections 18 through 33
432 of this act shall not be deemed to repeal or to be in derogation
433 of any existing law of this state.

434 SECTION 34. A special fund, to be designated the "1999 Pat
435 Harrison Waterway District Improvement Fund," is created within
436 the State Treasury. The fund shall be maintained by the State
437 Treasurer as a separate and special fund, separate and apart from
438 the General Fund of the state, and investment earnings on amounts
439 in the fund shall be deposited into such fund. The expenditure of
440 monies deposited into the fund shall be under the direction of the
441 Department of Finance and Administration, and such funds shall be
442 paid by the State Treasurer upon warrants issued by the Department
443 of Finance and Administration. Monies deposited into such fund
444 shall be disbursed to the Pat Harrison Waterway District to pay

445 the cost of repair and renovation of infrastructure of the
446 district and construction of capital improvements on district
447 property.

448 SECTION 35. (1) Upon recommendation of the Pat Harrison
449 Waterway Commission, the Department of Finance and Administration,
450 at one (1) time or from time to time, may declare by resolution
451 the necessity for issuance of general obligation bonds of the
452 State of Mississippi to provide funds for all costs incurred or to
453 be incurred for the purposes described in Section 34 of this act.

454 Upon the adoption of a resolution by the Department of Finance
455 and Administration declaring the necessity for the issuance of any
456 part or all of the general obligation bonds authorized by this
457 section, the Department of Finance and Administration shall
458 deliver a certified copy of its resolution or resolutions to the
459 State Bond Commission. Upon receipt of such resolution the
460 commission, in its discretion, may act as the issuing agent,
461 prescribe the form of the bonds, advertise for and accept bids,
462 issue and sell the bonds so authorized to be sold, and do any and
463 all other things necessary and advisable in connection with the
464 issuance and sale of such bonds. The amount of bonds issued under
465 Sections 34 through 49 of this act shall not exceed Two Million
466 Dollars (\$2,000,000.00).

467 (2) Any investment earnings on amounts deposited into the
468 1999 Pat Harrison Waterway District Improvement Fund created in
469 Section 34 of this act shall be used to pay debt service on bonds
470 issued under Sections 34 through 49 of this act, in accordance
471 with the proceedings authorizing issuance of such bonds.

472 (3) Upon the completion or abandonment of the projects
473 described in Section 34 of this act, as evidenced by a resolution
474 adopted by the Department of Finance and Administration certifying
475 that all such projects have been completed or abandoned, the
476 balance, if any, remaining in the 1999 Pat Harrison Waterway
477 District Improvement Fund shall be promptly applied to pay debt
478 service on bonds issued under Sections 34 through 49 of this act,

479 in accordance with the proceedings authorizing the issuance of
480 such bonds.

481 SECTION 36. The principal of and interest on the bonds
482 authorized under Sections 34 through 49 of this act shall be
483 payable in the manner provided in this section. Such bonds shall
484 bear such date or dates, be in such denomination or denominations,
485 bear interest at such rate or rates (not to exceed the limits set
486 forth in Section 75-17-101), be payable at such place or places
487 within or without the State of Mississippi, shall mature
488 absolutely at such time or times not to exceed twenty-five (25)
489 years from date of issue, be redeemable before maturity at such
490 time or times and upon such terms, with or without premium, shall
491 bear such registration privileges, and shall be substantially in
492 such form, all as shall be determined by resolution of the
493 commission.

494 SECTION 37. The bonds authorized by Sections 34 through 49
495 of this act shall be signed by the chairman of the commission, or
496 by his facsimile signature, and the official seal of the
497 commission shall be affixed thereto, attested by the secretary of
498 the commission. The interest coupons, if any, to be attached to
499 such bonds may be executed by the facsimile signatures of such
500 officers. Whenever any such bonds shall have been signed by the
501 officials designated to sign the bonds who were in office at the
502 time of such signing but who may have ceased to be such officers
503 before the sale and delivery of such bonds, or who may not have
504 been in office on the date such bonds may bear, the signatures of
505 such officers upon such bonds and coupons shall nevertheless be
506 valid and sufficient for all purposes and have the same effect as
507 if the person so officially signing such bonds had remained in
508 office until their delivery to the purchaser, or had been in
509 office on the date such bonds may bear. However, notwithstanding
510 anything herein to the contrary, such bonds may be issued as
511 provided in the Registered Bond Act of the State of Mississippi.

512 SECTION 38. All bonds and interest coupons issued under the

513 provisions of Sections 34 through 49 of this act have all the
514 qualities and incidents of negotiable instruments under the
515 provisions of the Uniform Commercial Code, and in exercising the
516 powers granted by Sections 34 through 49 of this act, the
517 commission shall not be required to and need not comply with the
518 provisions of the Uniform Commercial Code.

519 SECTION 39. The commission shall act as the issuing agent
520 for the bonds authorized under Sections 34 through 49 of this act,
521 prescribe the form of the bonds, advertise for and accept bids,
522 issue and sell the bonds so authorized to be sold, pay all fees
523 and costs incurred in such issuance and sale, and do any and all
524 other things necessary and advisable in connection with the
525 issuance and sale of such bonds. The commission is authorized and
526 empowered to pay the costs that are incident to the sale, issuance
527 and delivery of the bonds authorized under Sections 34 through 49
528 of this act from the proceeds derived from the sale of such bonds.

529 The commission shall sell such bonds on sealed bids at public
530 sale, and for such price as it may determine to be for the best
531 interest of the State of Mississippi, but no such sale shall be
532 made at a price less than par plus accrued interest to the date of
533 delivery of the bonds to the purchaser. All interest accruing on
534 such bonds so issued shall be payable semiannually or annually;
535 however, the first interest payment may be for any period of not
536 more than one (1) year.

537 Notice of the sale of any such bonds shall be published at
538 least one (1) time, not less than ten (10) days before the date of
539 sale, and shall be so published in one or more newspapers
540 published or having a general circulation in the City of Jackson,
541 Mississippi, and in one or more other newspapers or financial
542 journals with a national circulation, to be selected by the
543 commission.

544 The commission, when issuing any bonds under the authority of
545 Sections 34 through 49 of this act, may provide that bonds, at the
546 option of the State of Mississippi, may be called in for payment

547 and redemption at the call price named therein and accrued
548 interest on such date or dates named therein.

549 SECTION 40. The bonds issued under the provisions of
550 Sections 34 through 49 of this act are general obligations of the
551 State of Mississippi, and for the payment thereof the full faith
552 and credit of the State of Mississippi is irrevocably pledged. If
553 the funds appropriated by the Legislature are insufficient to pay
554 the principal of and the interest on such bonds as they become
555 due, then the deficiency shall be paid by the State Treasurer from
556 any funds in the State Treasury not otherwise appropriated. All
557 such bonds shall contain recitals on their faces substantially
558 covering the provisions of this section.

559 SECTION 41. Upon the issuance and sale of bonds under the
560 provisions of Sections 34 through 49 of this act, the commission
561 shall transfer the proceeds of any such sale or sales to the
562 special fund created in Section 34 of this act. The proceeds of
563 such bonds shall be disbursed solely upon the order of the
564 Department of Finance and Administration under such restrictions,
565 if any, as may be contained in the resolution providing for the
566 issuance of the bonds.

567 SECTION 42. The bonds authorized under Sections 34 through
568 49 of this act may be issued without any other proceedings or the
569 happening of any other conditions or things other than those
570 proceedings, conditions and things which are specified or required
571 by Sections 34 through 49 of this act. Any resolution providing
572 for the issuance of bonds under the provisions of Sections 34
573 through 49 of this act shall become effective immediately upon its
574 adoption by the commission, and any such resolution may be adopted
575 at any regular or special meeting of the commission by a majority
576 of its members.

577 SECTION 43. The bonds authorized under the authority of
578 Sections 34 through 49 of this act may be validated in the
579 Chancery Court of the First Judicial District of Hinds County,
580 Mississippi, in the manner and with the force and effect provided

581 by Chapter 13, Title 31, Mississippi Code of 1972, for the
582 validation of county, municipal, school district and other bonds.

583 The notice to taxpayers required by such statutes shall be
584 published in a newspaper published or having a general circulation
585 in the City of Jackson, Mississippi.

586 SECTION 44. Any holder of bonds issued under the provisions
587 of Sections 34 through 49 of this act or of any of the interest
588 coupons pertaining thereto may, either at law or in equity, by
589 suit, action, mandamus or other proceeding, protect and enforce
590 any and all rights granted under Sections 34 through 49 of this
591 act, or under such resolution, and may enforce and compel
592 performance of all duties required by Sections 34 through 49 of
593 this act to be performed, in order to provide for the payment of
594 bonds and interest thereon.

595 SECTION 45. All bonds issued under the provisions of
596 Sections 34 through 49 of this act shall be legal investments for
597 trustees and other fiduciaries, and for savings banks, trust
598 companies and insurance companies organized under the laws of the
599 State of Mississippi, and such bonds shall be legal securities
600 which may be deposited with and shall be received by all public
601 officers and bodies of this state and all municipalities and
602 political subdivisions for the purpose of securing the deposit of
603 public funds.

604 SECTION 46. Bonds issued under the provisions of Sections 34
605 through 49 of this act and income therefrom shall be exempt from
606 all taxation in the State of Mississippi.

607 SECTION 47. The proceeds of the bonds issued under Sections
608 34 through 49 of this act shall be used solely for the purposes
609 herein provided, including the costs incident to the issuance and
610 sale of such bonds.

611 SECTION 48. The State Treasurer is authorized, without
612 further process of law, to certify to the Department of Finance
613 and Administration the necessity for warrants, and the Department
614 of Finance and Administration is authorized and directed to issue

615 such warrants, in such amounts as may be necessary to pay when due
616 the principal of, premium, if any, and interest on, or the
617 accreted value of, all bonds issued under Sections 34 through 49
618 of this act; and the State Treasurer shall forward the necessary
619 amount to the designated place or places of payment of such bonds
620 in ample time to discharge such bonds, or the interest thereon, on
621 the due dates thereof.

622 SECTION 49. The provisions of Sections 34 through 49 of this
623 act shall be deemed to be full and complete authority for the
624 exercise of the powers therein granted, but Sections 34 through 49
625 of this act shall not be deemed to repeal or to be in derogation
626 of any existing law of this state.

627 SECTION 50. This act shall take effect and be in force from
628 and after July 1, 1999.