

**\*\*\*Pending\*\*\***

**AMENDMENT No. 1 TO AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 2796**

**By Representative(s) Davis, King, Saucier, Scott(80),  
Watson**

1           **Amend by inserting the following after line 215 and**  
2 **renumbering all succeeding sections:**

3           SECTION 5. As used in this act, the following words shall  
4 have the meanings ascribed herein unless the context clearly  
5 requires otherwise:

6           (a) "Accreted value" of any bond means, as of any date  
7 of computation, an amount equal to the sum of (i) the stated  
8 initial value of such bond, plus (ii) the interest accrued thereon  
9 from the issue date to the date of computation at the rate,  
10 compounded semiannually, that is necessary to produce the  
11 approximate yield to maturity shown for bonds of the same  
12 maturity.

13           (b) "Board" means the Boards of Trustees of the Jones  
14 County Junior College District and the Pearl River Community  
15 College District, meeting jointly as provided under Section 6 of  
16 this act.

17           (c) "Center" means the Southeast Mississippi Center for  
18 Advanced Technology Partnership established in Section 6.

19           (d) "Council" means the Southeast Mississippi Center  
20 for Advanced Technology Advisory Council established in Section 6.

21           (e) "State" means the State of Mississippi.

22           (f) "Commission" means the State Bond Commission.

23           SECTION 6. (1) The purpose of this act is to provide the

24 necessary funding for the acquisition, construction, equipping and  
25 furnishing of the Southeast Mississippi Center for Advanced  
26 Technology Partnership. The development of the center shall be  
27 the responsibility of the Boards of Trustees of the Jones County  
28 Junior College District and the Pearl River Community College  
29 District with the cooperation of the Economic Development  
30 Authority of Jones County, the Area Development Partnership, area  
31 public school systems, and local business, industry, economic  
32 development and government entities. The center shall have two  
33 (2) facilitation sites: the Jones County regional training site  
34 shall be located on or near the campus of Jones County Junior  
35 College in Ellisville, Mississippi, and the Hattiesburg campus of  
36 Pearl River Community College will be the location for the Forrest  
37 County regional training site. Each college may offer courses and  
38 programs at the respective center training sites. Each training  
39 site will have designated technology focuses that employers from  
40 the areas can access.

41 The mission of the center is to:

42 (a) Act as a center for industrial training and  
43 lifelong learning by providing professional development programs,  
44 workshops, training sessions and conferences as well as credit and  
45 noncredit courses (academic and continuing education units);

46 (b) Act as a center for "cutting edge" and under-used  
47 technology development and training;

48 (c) Be a resource and assistance center for community  
49 and economic development;

50 (d) Be a resource center for faculty (teachers), staff  
51 development and students in the area of advanced technology, both  
52 under-used and futuristic, and business/industry trends and needs;

53 (e) Be a comprehensive industrial training center for  
54 new and future workforce entrants, and re-training of workforce by  
55 coordinating existing and new services;

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56 (f) Be a center with a network system which provides a  
57 coalition of partners that can reflect the trend of bridging  
58 resources within a community with international resources;

59 (g) Be an advanced skills center that focuses on an  
60 innovative economic development collaboration of educators,  
61 government and private sector partners; and

62 (h) Be a training, research and development service and  
63 public relations arm of the local colleges and the economic  
64 development entities of the area.

65 (2) The Southeast Mississippi Center for Advanced Technology  
66 Partnership shall be administered by the Boards of Trustees of the  
67 Jones County Junior College District and the Pearl River Community  
68 College District, meeting jointly as hereinafter provided. The  
69 Board of Trustees of the Jones County Junior College District and  
70 the Board of Trustees of the Pearl River Community College  
71 District shall meet jointly within ninety (90) days of the passage  
72 of this act for the purpose of organizing itself as a joint board  
73 for the administration of the Southeast Mississippi Center for  
74 Advanced Technology Partnership. The joint board shall select a  
75 chairman which shall rotate for 12-month periods between the  
76 membership of the two (2) respective boards. The joint board  
77 shall adopt rules for the conduct of business and shall select a  
78 vice-chairman and secretary to keep minutes of its proceedings.  
79 The joint board may delegate the operation of this program to an  
80 executive committee composed of three (3) members from each  
81 respective board. Any action taken by the joint board or joint  
82 executive committee shall require a majority vote of the  
83 membership from each respective board of trustees. Members of the  
84 joint board or executive committee may be reimbursed the same per  
85 diem compensation, expense and travel reimbursement for attending  
86 necessary business of the Southeast Mississippi Center for  
87 Advanced Technology as is received for attending community/junior

88 college board meetings. The joint board shall have full power to  
89 do all things necessary to the successful operation of the center  
90 and the training sites located therein, which shall include, but  
91 not be limited to, the power to contract, employ and hold title to  
92 real and personal property.

93 (3) There is hereby established a 16-member Advisory Council  
94 to develop and recommend program standards for the center, subject  
95 to the approval of the board. The Southeast Mississippi Center  
96 for Advanced Technology Advisory Council shall be representative  
97 of Jones County Junior College, Pearl River Community College,  
98 local business, industry, economic development and government  
99 entities, and shall be composed of the following members:

- 100 (a) The President of Jones County Junior College;
- 101 (b) The President of Pearl River Community College;
- 102 (c) The Executive Director of the Jones County Economic  
103 Development Authority;
- 104 (d) The Executive Director of the Area Development  
105 Partnership;
- 106 (e) Two (2) members of the Board of Trustees of the  
107 Jones County Junior College District, to be designated by the  
108 board of trustees on an annual basis;
- 109 (f) Two (2) members of the Board of Trustees of the  
110 Pearl River Community College District, to be designated by the  
111 board of trustees on an annual basis;
- 112 (g) Three (3) representatives of area business and  
113 industry to be appointed by the Jones County Economic Development  
114 Authority and approved by the Board of Trustees of the Jones  
115 County Junior College District for four-year terms of office;
- 116 (h) Three (3) representatives of area business and  
117 industry to be appointed by the Area Development Partnership and  
118 approved by the Board of Trustees of the Pearl River Community  
119 College District for four-year terms of office;

120 (i) One (1) representative of the community-at-large to  
121 be appointed by the Jones County Economic Development Authority  
122 and approved by the Board of Trustees of the Jones County Junior  
123 College District for a four-year term of office; and

124 (j) One (1) representative of the community-at-large to  
125 be appointed by the Area Development Partnership and approved by  
126 the Board of Trustees of the Pearl River Community College  
127 District for a four-year term of office.

128 Appointments to the Southeast Mississippi Center for Advanced  
129 Technology Advisory Council shall be made within ninety (90) days  
130 of the passage of this act, and members may be reappointed to the  
131 council. The council shall organize by electing a chairman from  
132 its membership who shall serve for two (2) years and may be  
133 reappointed. The council shall meet upon call of the chairman and  
134 shall adopt rules for the conduct of meetings and the transaction  
135 of business. The duties of the council shall be to develop and  
136 recommend standards and guidelines for the general government of  
137 the center and the direction of the administration thereof,  
138 subject to the approval of the joint board. The council will  
139 provide employer feedback for the development of technology  
140 training programs and will recommend training and technology  
141 requirements and recommend the necessary curriculum for the center  
142 in each respective county, subject to the approval of the joint  
143 board. The council shall annually prepare a budget to be  
144 submitted to the joint board which shall contain a detailed  
145 estimate of the revenues and expenses anticipated for the ensuing  
146 year for general operation and maintenance and capital outlays for  
147 the center.

148 SECTION 7. Any community or junior college, or group of two  
149 (2) or more community or junior colleges, may individually or  
150 jointly establish an advanced technology center that contains core  
151 services for advanced technology training that would complement

152 the One Stop Career Center services and technology programs in  
153 place at the community and junior colleges. These centers shall  
154 provide the advanced technology training needed to assist  
155 Mississippi business in making employees and processes more  
156 competitive. Community and junior college districts may establish  
157 advanced technology training centers in cooperation and in  
158 conjunction with the local district workforce councils and/or  
159 local economic development and/or business entities. Each  
160 community or junior college may also develop advanced technology  
161 training specialties based on data from state and local studies,  
162 needs of local employers and with the advice of local district  
163 workforce councils.

164       SECTION 8. (1) A special fund, to be designated the  
165 "Southeast Mississippi Center for Advanced Technology Partnership  
166 Fund," is created within the State Treasury. The fund shall be  
167 maintained by the State Treasurer as a separate and special fund,  
168 separate and apart from the General Fund of the state, and  
169 investment earnings on amounts in the fund shall be deposited into  
170 such fund. The expenditure of monies deposited into the fund  
171 shall be under the direction of the Department of Finance and  
172 Administration, and such funds shall be paid by the State  
173 Treasurer upon warrants issued by the Department of Finance and  
174 Administration. Monies deposited into such fund shall be  
175 allocated and disbursed according to the provisions of this act.

176       (2) Monies deposited into the fund shall be disbursed to pay  
177 the costs of the development, acquisition, construction, equipping  
178 and furnishing of the Southeast Mississippi Center for Advanced  
179 Technology Partnership. Monies in the fund shall be allocated and  
180 disbursed, through the Department of Finance and Administration,  
181 to pay the costs associated with the acquisition, construction,  
182 equipping and furnishing of the center.

183       SECTION 9. (1) The Department of Finance and

184 Administration, at one time or from time to time, may declare by  
185 resolution the necessity for issuance of general obligation bonds  
186 of the State of Mississippi to provide funds for all costs  
187 incurred or to be incurred for the purposes described in Sections  
188 6 and 7 of this act. Upon the adoption of a resolution by the  
189 Department of Finance and Administration declaring the necessity  
190 for the issuance of any part or all of the general obligation  
191 bonds authorized by this section, the Department of Finance and  
192 Administration shall deliver a certified copy of its resolution or  
193 resolutions to the State Bond Commission. Upon receipt of such  
194 resolution the commission, in its discretion, may act as the  
195 issuing agent, prescribe the form of the bonds, advertise for and  
196 accept bids, issue and sell the bonds so authorized to be sold,  
197 and do any and all other things necessary and advisable in  
198 connection with the issuance and sale of such bonds. The amount  
199 of bonds issued under this act shall not exceed Eleven Million  
200 Dollars (\$11,000,000.00).

201 (2) Any investment earnings on amounts deposited into the  
202 Southeast Mississippi Center for Advanced Technology Partnership  
203 Fund created in Section 8 of this act shall be used to pay debt  
204 service on bonds issued under this act, in accordance with the  
205 proceedings authorizing issuance of such bonds.

206 (3) Upon the completion or abandonment of the project  
207 described in Section 6 of this act, as evidenced by a resolution  
208 adopted by the Department of Finance and Administration certifying  
209 that all such projects have been completed or abandoned, the  
210 balance, if any, remaining in the Southeast Mississippi Center for  
211 Advanced Technology Partnership Fund shall be promptly applied to  
212 pay debt service on bonds issued under this act, in accordance  
213 with the proceedings authorizing the issuance of such bonds.

214 SECTION 10. The principal of and interest on the bonds  
215 authorized under this act shall be payable in the manner provided

216 in this section. Such bonds shall bear such date or dates, be in  
217 such denomination or denominations, bear interest at such rate or  
218 rates (not to exceed the limits set forth in Section 75-17-101,  
219 Mississippi Code of 1972), be payable at such place or places  
220 within or without the State of Mississippi, shall mature  
221 absolutely at such time or times not to exceed twenty-five (25)  
222 years from date of issue, be redeemable before maturity at such  
223 time or times and upon such terms, with or without premium, shall  
224 bear such registration privileges, and shall be substantially in  
225 such form, all as shall be determined by resolution of the  
226 commission.

227 SECTION 11. The bonds authorized by this act shall be signed  
228 by the Chairman of the State Bond Commission, or by his facsimile  
229 signature, and the official seal of the commission shall be  
230 affixed thereto, attested by the secretary of the commission. The  
231 interest coupons, if any, to be attached to such bonds may be  
232 executed by the facsimile signatures of such officers. Whenever  
233 any such bonds shall have been signed by the officials designated  
234 to sign the bonds who were in office at the time of such signing  
235 but who may have ceased to be such officers before the sale and  
236 delivery of such bonds, or who may not have been in office on the  
237 date such bonds may bear, the signatures of such officers upon  
238 such bonds and coupons shall nevertheless be valid and sufficient  
239 for all purposes and have the same effect as if the person so  
240 officially signing such bonds had remained in office until their  
241 delivery to the purchaser, or had been in office on the date such  
242 bonds may bear. However, notwithstanding anything herein to the  
243 contrary, such bonds may be issued as provided in the Registered  
244 Bond Act of the State of Mississippi.

245 SECTION 12. All bonds and interest coupons issued under the  
246 provisions of this act have all the qualities and incidents of  
247 negotiable instruments under the provisions of the Mississippi

248 Uniform Commercial Code, and in exercising the powers granted by  
249 this act, the commission shall not be required to and need not  
250 comply with the provisions of the Mississippi Uniform Commercial  
251 Code.

252 SECTION 13. The commission shall act as the issuing agent  
253 for the bonds authorized under this act, prescribe the form of the  
254 bonds, advertise for and accept bids, issue and sell the bonds so  
255 authorized to be sold, pay all fees and costs incurred in such  
256 issuance and sale, and do any and all other things necessary and  
257 advisable in connection with the issuance and sale of such bonds.

258 The commission is authorized and empowered to pay the costs that  
259 are incident to the sale, issuance and delivery of the bonds  
260 authorized under this act from the proceeds derived from the sale  
261 of such bonds. The commission shall sell such bonds on sealed  
262 bids at public sale, and for such price as it may determine to be  
263 for the best interest of the State of Mississippi, but no such  
264 sale shall be made at a price less than par plus accrued interest  
265 to the date of delivery of the bonds to the purchaser. All  
266 interest accruing on such bonds so issued shall be payable  
267 semiannually or annually; however, the first interest payment may  
268 be for any period of not more than one (1) year.

269 Notice of the sale of any such bond shall be published at  
270 least one (1) time, not less than ten (10) days before the date of  
271 sale, and shall be so published in one or more newspapers  
272 published or having a general circulation in the City of Jackson,  
273 Mississippi, and in one or more other newspapers or financial  
274 journals with a national circulation, to be selected by the  
275 commission.

276 The commission, when issuing any bonds under the authority of  
277 this act, may provide that bonds, at the option of the State of  
278 Mississippi, may be called in for payment and redemption at the  
279 call price named therein and accrued interest on such date or

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280 dates named therein.

281 SECTION 14. The bonds issued under the provisions of this  
282 act are general obligations of the State of Mississippi, and for  
283 the payment thereof the full faith and credit of the State of  
284 Mississippi is irrevocably pledged. If the funds appropriated by  
285 the Legislature are insufficient to pay the principal of and the  
286 interest on such bonds as they become due, then the deficiency  
287 shall be paid by the State Treasurer from any funds in the State  
288 Treasury not otherwise appropriated. All such bonds shall contain  
289 recitals on their faces substantially covering the provisions of  
290 this section.

291 SECTION 15. Upon the issuance and sale of bonds under the  
292 provisions of this act, the commission shall transfer the proceeds  
293 of any such sale or sales to the Southeast Mississippi Center for  
294 Advanced Technology Partnership Fund created in Section 8 of this  
295 act. The proceeds of such bonds shall be disbursed solely upon  
296 the order of the Department of Finance and Administration under  
297 such restrictions, if any, as may be contained in the resolution  
298 providing for the issuance of the bonds.

299 SECTION 16. The bonds authorized under this act may be  
300 issued without any other proceedings or the happening of any other  
301 conditions or things other than those proceedings, conditions and  
302 things which are specified or required by this act. Any  
303 resolution providing for the issuance of bonds under the  
304 provisions of this act shall become effective immediately upon its  
305 adoption by the commission, and any such resolution may be adopted  
306 at any regular or special meeting of the commission by a majority  
307 of its members.

308 SECTION 17. The bonds authorized under the authority of this  
309 act may be validated in the Chancery Court of the First Judicial  
310 District of Hinds County, Mississippi, in the manner and with the  
311 force and effect provided by Chapter 13, Title 31, Mississippi

312 Code of 1972, for the validation of county, municipal, school  
313 district and other bonds. The notice to taxpayers required by  
314 such statutes shall be published in a newspaper published or  
315 having a general circulation in the City of Jackson, Mississippi.

316 SECTION 18. Any holder of bonds issued under the provisions  
317 of this act or of any of the interest coupons pertaining thereto  
318 may, either at law or in equity, by suit, action, mandamus or  
319 other proceeding, protect and enforce any and all rights granted  
320 under this act, or under such resolution, and may enforce and  
321 compel performance of all duties required by this act to be  
322 performed, in order to provide for the payment of bonds and  
323 interest thereon.

324 SECTION 19. All bonds issued under the provisions of this  
325 act shall be legal investments for trustees and other fiduciaries,  
326 and for savings banks, trust companies and insurance companies  
327 organized under the laws of the State of Mississippi, and such  
328 bonds shall be legal securities which may be deposited with and  
329 shall be received by all public officers and bodies of this state  
330 and all municipalities and political subdivisions for the purpose  
331 of securing the deposit of public funds.

332 SECTION 20. Bonds issued under the provisions of this act  
333 and income therefrom shall be exempt from all taxation in the  
334 State of Mississippi.

335 SECTION 21. The proceeds of the bonds issued under this act  
336 shall be used solely for the purposes herein provided, including  
337 the costs incident to the issuance and sale of such bonds.

338 SECTION 22. The State Treasurer is authorized, without  
339 further process of law, to certify to the Department of Finance  
340 and Administration the necessity for warrants, and the Department  
341 of Finance and Administration is authorized and directed to issue  
342 such warrants, in such amounts as may be necessary to pay when due  
343 the principal of, premium, if any, and interest on, or the

344 accreted value of, all bonds issued under this act; and the State  
345 Treasurer shall forward the necessary amount to the designated  
346 place or places of payment of such bonds in ample time to  
347 discharge such bonds, or the interest thereon, on the due dates  
348 thereof.

349 SECTION 23. The provisions of this act shall be deemed to be  
350 full and complete authority for the exercise of the powers therein  
351 granted, but this act shall not be deemed to repeal or to be in  
352 derogation of any existing law of this state.

353 **AMEND FURTHER the title by inserting the following after the**  
354 **semicolon on line 11:**  
355

356 TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE  
357 STATE OF MISSISSIPPI FOR THE PURPOSE OF THE ACQUISITION,  
358 CONSTRUCTION, EQUIPPING AND FURNISHING OF THE CENTER FOR ADVANCED  
359 TECHNOLOGY PARTNERSHIP TO BE UNDER THE ADMINISTRATIVE  
360 RESPONSIBILITY OF THE BOARDS OF TRUSTEES OF THE JONES COUNTY  
361 JUNIOR COLLEGE DISTRICT AND THE PEARL RIVER COMMUNITY COLLEGE  
362 DISTRICT, WITH THE COOPERATION OF THE ECONOMIC DEVELOPMENT  
363 AUTHORITY OF JONES COUNTY, THE AREA DEVELOPMENT PARTNERSHIP,  
364 PUBLIC SCHOOLS, BUSINESS, INDUSTRY AND GOVERNMENT; TO ESTABLISH  
365 AND EMPOWER A REGIONAL ADVISORY COUNCIL FOR THE CENTER; TO  
366 AUTHORIZE COMMUNITY OR JUNIOR COLLEGES TO PROVIDE ADVANCED  
367 TECHNOLOGY SERVICES UNDER CERTAIN CONDITIONS;