

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 1681

By Senator(s) Committee

41 **Amend by striking all after the enacting clause and inserting**
42 **in lieu thereof the following:**

43
44 SECTION 1. Section 57-1-307, Mississippi Code of 1972, is
45 amended as follows:
46 57-1-307. (1) The State Bond Commission, at one time, or
47 from time to time, may declare by resolution the necessity for
48 issuance of general obligation bonds of the State of Mississippi
49 to provide funds for all costs incurred or to be incurred for the
50 purposes described in Section 57-1-303. Upon the adoption of a
51 resolution by the Department of Economic and Community
52 Development, declaring the necessity for the issuance of any part
53 or all of the general obligation bonds authorized by this section,
54 the Department of Economic and Community Development shall deliver
55 a certified copy of its resolution or resolutions to the State
56 Bond Commission. Upon receipt of such resolution, the State Bond
57 Commission, in its discretion, may act as the issuing agent,
58 prescribe the form of the bonds, advertise for and accept bids,
59 issue and sell the bonds so authorized to be sold and do any and
60 all other things necessary and advisable in connection with the
61 issuance and sale of such bonds. The total amount of bonds issued
62 under Sections 57-1-307 through 57-1-335 shall not exceed
63 Ninety-five Million Dollars (\$95,000,000.00); provided, however,

64 that an additional amount of bonds may be issued under Sections
65 57-1-307 and 57-1-335 in an amount not to exceed Thirteen Million
66 Five Hundred Thousand Dollars (\$13,500,000.00), and the proceeds
67 of any such additional amount of bonds so issued shall be utilized
68 solely to provide loans for capital improvements that would
69 qualify for the issuance of bonds whose interest is exempt from
70 income taxation under the provisions of the Internal Revenue Code.

71 (2) Proceeds from the sale of bonds shall be deposited in
72 the special fund created in Section 57-1-303. Any investment
73 earnings on amounts deposited into the special fund created in
74 Section 57-1-303 shall be used to pay debt service on bonds issued
75 under Sections 57-1-307 through 57-1-335, in accordance with the
76 proceedings authorizing issuance of such bonds.

77 SECTION 2. Section 57-61-25, Mississippi Code of 1972, is
78 amended as follows:

79 57-61-25. (1) The seller is authorized to borrow, on the
80 credit of the state upon receipt of a resolution from the
81 department requesting the same, money not exceeding the aggregate
82 sum of Two Hundred Fifty-six Million Two Hundred Fifty Thousand
83 Dollars (\$256,250,000.00), not including money borrowed to refund
84 outstanding bonds, notes or replacement notes, as may be necessary
85 to carry out the purposes of this chapter. The aggregate amount
86 of bonds issued prior to June 30, 1987, shall not exceed Fifty
87 Million Dollars (\$50,000,000.00); provided, however, this Fifty
88 Million Dollar (\$50,000,000.00) limitation shall not be construed
89 to limit the aggregate amount of grants which may be awarded prior
90 to June 30, 1987, to less than the full amount authorized under
91 Section 57-61-15(1), Mississippi Code of 1972. The rate of
92 interest on any such bonds or notes which are not subject to
93 taxation shall not exceed the rates set forth in Section
94 75-17-101, Mississippi Code of 1972, for general obligation bonds.

95 (2) As evidence of indebtedness authorized in this chapter,
96 general or limited obligation bonds of the state shall be issued
97 from time to time, to provide monies necessary to carry out the
98 purposes of this chapter for such total amounts, in such form, in

99 such denominations payable in such currencies (either domestic or
100 foreign or both) and subject to such terms and conditions of
101 issue, redemption and maturity, rate of interest and time of
102 payment of interest as the seller directs, except that such bonds
103 shall mature or otherwise be retired in annual installments
104 beginning not more than five (5) years from date thereof and
105 extending not more than thirty (30) years from date thereof.

106 (3) All bonds and notes issued under authority of this
107 chapter shall be signed by the chairman of the seller, or by his
108 facsimile signature, and the official seal of the seller shall be
109 affixed thereto, attested by the secretary of the seller.

110 (4) All bonds and notes issued under authority of this
111 chapter may be general or limited obligations of the state, and
112 the full faith and credit of the State of Mississippi as to
113 general obligation bonds, or the revenues derived from projects
114 assisted as to limited obligation bonds, are hereby pledged for
115 the payment of the principal of and interest on such bonds and
116 notes.

117 (5) Such bonds and notes and the income therefrom shall be
118 exempt from all taxation in the State of Mississippi.

119 (6) The bonds may be issued as coupon bonds or registered as
120 to both principal and interest, as the seller may determine. If
121 interest coupons are attached, they shall contain the facsimile
122 signature of the chairman and secretary of the seller.

123 (7) The seller is authorized to provide, by resolution, for
124 the issuance of refunding bonds for the purpose of refunding any
125 debt issued under the provision of this chapter and then
126 outstanding, either by voluntary exchange with the holders of the
127 outstanding debt or to provide funds to redeem and the costs of
128 issuance and retirement of the debt, at maturity or at any call
129 date. The issuance of the refunding bonds, the maturities and
130 other details thereof, the rights of the holders thereof and the
131 duties of the issuing officials in respect to the same shall be
132 governed by the provisions of this section, insofar as they may be
133 applicable.

134 (8) As to bonds issued hereunder and designated as taxable
135 bonds by the seller, any immunity of the state to taxation by the
136 United States government of interest on bonds or notes issued by
137 the state is hereby waived.

138 SECTION 3. Section 57-61-36, Mississippi Code of 1972, is
139 amended as follows:

140 57-61-36. (1) Notwithstanding any provision of this chapter
141 to the contrary, the Department of Economic and Community
142 Development shall utilize not more than Ten Million Five Hundred
143 Thousand Dollars (\$10,500,000.00) out of the proceeds of bonds
144 authorized to be issued in this chapter for the purpose of making
145 grants to municipalities through a development infrastructure
146 grant fund to complete infrastructure related to new or expanded
147 industry.

148 (2) Notwithstanding any provision of this chapter to the
149 contrary, the Department of Economic and Community Development may
150 utilize not more than Seven Million Dollars (\$7,000,000.00) out of
151 the proceeds of bonds authorized to be issued in this chapter for
152 the purpose of making interest-bearing loans to any agency,
153 department, institution, instrumentality or political subdivision
154 of the state; or any agency, department, institution or
155 instrumentality of any political subdivision of the state; or any
156 business, organization, corporation, association or other legal
157 entity meeting criteria established by the department, through a
158 housing development revolving loan fund, to construct or repair
159 housing for low or moderate income earners; provided, however,
160 that the department may not utilize any bond proceeds authorized
161 under this chapter for the purpose of making any loans to the
162 Mississippi Home Corporation for any purpose whatsoever. No more
163 than forty percent (40%) of the additional bonds authorized by
164 this section in House Bill No. 1694, 1998 Regular Session [Laws,
165 1998, Chapter 559], may be used for multiple family housing
166 activities. Funds authorized under this subsection may be
167 deposited in the Mississippi Affordable Housing Development Fund
168 authorized in Section 43-33-759 and used for purposes authorized

169 by that section. This subsection (2) shall be repealed from and
170 after July 1, 2001.

171 (3) Notwithstanding any provision of this chapter to the
172 contrary, the Department of Economic and Community Development
173 shall utilize not more than Five Million Dollars (\$5,000,000.00)
174 out of the proceeds of bonds authorized to be issued in this
175 chapter for the purpose of making grants to municipalities through
176 an equipment and public facilities grant fund to aid in
177 infrastructure-related improvements as determined by the
178 Department of Economic and Community Development, the purchase of
179 equipment and in the purchase, construction or repair and
180 renovation of public facilities. Any bonds previously issued for
181 the Development Infrastructure Revolving Loan Program which have
182 not been loaned or applied for are eligible to be administered as
183 grants.

184 The requirements of Section 57-61-9 shall not apply to any
185 grant made under this subsection. The Department of Economic and
186 Community Development may establish criteria and guidelines to
187 govern grants made pursuant to this subsection.

188 SECTION 4. Section 65-4-25, Mississippi Code of 1972, is
189 amended as follows:

190 65-4-25. The Mississippi Department of Economic and
191 Community Development, acting through its executive director, is
192 authorized, at one time or from time to time, to declare by
193 resolution the necessity for issuance of negotiable general
194 obligation bonds of the State of Mississippi to provide funds for
195 the Economic Development Highway Fund established in Section
196 65-4-15, Mississippi Code of 1972. Upon the adoption of a
197 resolution by the Executive Director of the Mississippi Department
198 of Economic and Community Development, declaring the necessity for
199 the issuance of any part or all of the general obligation bonds
200 authorized by Sections 65-4-25 through 65-4-45, Mississippi Code
201 of 1972, the executive director shall deliver a certified copy of
202 his resolution or resolutions to the State Bond Commission. Upon
203 receipt of same, the State Bond Commission, in its discretion,

204 shall act as the issuing agent, prescribe the form of the bonds,
205 advertise for and accept bids, issue and sell the bonds so
206 authorized to be sold, and do any and all other things necessary
207 and advisable in connection with the issuance and sale of such
208 bonds. The principal amount of bonds issued under Sections
209 65-4-25 through 65-4-45, Mississippi Code of 1972, shall not
210 exceed One Hundred Fifty Million Dollars (\$150,000,000.00) in the
211 aggregate. However, an additional amount of bonds may be issued
212 under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972,
213 in an amount not to exceed Seven Million Dollars (\$7,000,000.00),
214 and the proceeds of any such additional bonds issued shall be used
215 to provide funding for a high economic benefit project as defined
216 in Section 65-4-5(1)(c)(vi), Mississippi Code of 1972.

217 SECTION 5. Section 69-2-13, Mississippi Code of 1972, is
218 amended as follows:

219 69-2-13 (1) There is hereby established in the State
220 Treasury a fund to be known as the "Emerging Crops Fund," which
221 shall be used to pay the interest on loans made to farmers for
222 nonland capital costs of establishing production of emerging crops
223 on land in Mississippi, and to make loans and grants which are
224 authorized under this section to be made from the fund. The fund
225 shall be administered by the Mississippi Department of Economic
226 and Community Development. A board comprised of the directors of
227 the department, the Mississippi Cooperative Extension Service, the
228 Mississippi Small Farm Development Center and the Mississippi
229 Agricultural and Forestry Experiment Station, or their designees,
230 shall develop definitions, guidelines and procedures for the
231 implementation of this chapter. Funds for the Emerging Crops Fund
232 shall be provided from the issuance of bonds or notes under
233 Sections 69-2-19 through 69-2-37 and from repayment of interest
234 loans made from the fund.

235 (2) (a) The Mississippi Business Finance Corporation shall
236 develop a program which gives fair consideration to making loans
237 for the processing and manufacturing of goods and services by
238 agribusiness and small business concerns. It is the policy of the

239 State of Mississippi that such corporation shall give due
240 recognition to and shall aid, counsel, assist and protect, insofar
241 as is possible, the interests of agribusiness and small business
242 concerns. To ensure that the purposes of this subsection are
243 carried out, the corporation shall loan not more than One Million
244 Dollars (\$1,000,000.00) to finance any single agribusiness or
245 small business concern. Loans made pursuant to this subsection
246 shall be made in accordance with the criteria established in
247 Section 57-71-11.

248 (b) The Mississippi Business Finance Corporation may,
249 out of the total amount of bonds authorized to be issued under
250 this chapter, make available funds to any planning and development
251 district in accordance with the criteria established in Section
252 57-71-11. Planning and development districts which receive monies
253 pursuant to this provision shall use such monies to make loans to
254 private companies for purposes consistent with this subsection.

255 (c) The Mississippi Business Finance Corporation is
256 hereby authorized to engage legal services, financial advisors,
257 appraisers and consultants if needed to review and close loans
258 made hereunder and to establish and assess reasonable fees
259 including, but not limited to, liquidation expenses.

260 (3) The department shall, in addition to the other programs
261 described in this section, provide for a program of loans to be
262 made to agribusiness enterprises for the purpose of encouraging
263 thereby the extension of conventional financing and the issuance
264 of letters of credit to such agribusiness enterprises by private
265 institutions. Monies to make such loans by the department shall
266 be drawn from the Emerging Crops Fund. The amount of a loan to
267 any single agribusiness enterprise shall not exceed twenty percent
268 (20%) of the total cost of the project for which financing is
269 sought or Two Hundred Thousand Dollars (\$200,000.00), whichever is
270 less. No interest shall be charged on such loans, and only the
271 amount actually loaned shall be required to be repaid. Repayments
272 shall be deposited into the Emerging Crops Fund.

273 (4) Through June 30, 2002, the Mississippi Business Finance

274 Corporation may loan or grant to qualified planning and
275 development districts, and to small business investment
276 corporations, bank-based community development corporations, the
277 Recruitment and Training Program, Inc., the City of Jackson
278 Business Development Loan Fund, the Lorman Southwest Mississippi
279 Development Corporation, the West Jackson Community Development
280 Corporation, the East Mississippi Development Corporation, and
281 other entities meeting the criteria established by the Mississippi
282 Business Corporation (all referred to hereinafter as "qualified
283 entities"), funds for the purpose of establishing loan revolving
284 funds to assist in providing financing for minority economic
285 development. The monies loaned or granted by the Mississippi
286 Business Finance Corporation shall be drawn from the Emerging
287 Crops Fund and shall not exceed Eighteen Million Dollars
288 (\$18,000,000.00) in the aggregate. Planning and development
289 districts or qualified entities which receive monies pursuant to
290 this provision shall use such monies to make loans to minority
291 business enterprises consistent with criteria established by the
292 Mississippi Business Finance Corporation. Such criteria shall
293 include, at a minimum, the following:

294 (a) The business enterprise must be a private,
295 for-profit enterprise.

296 (b) If the business enterprise is a proprietorship, the
297 borrower must be a resident citizen of the State of Mississippi;
298 if the business enterprise is a corporation or partnership, at
299 least fifty percent (50%) of the owners must be resident citizens
300 of the State of Mississippi.

301 (c) The borrower must have at least five percent (5%)
302 equity interest in the business enterprise.

303 (d) The borrower must demonstrate ability to repay the
304 loan.

305 (e) The borrower must not be in default of any previous
306 loan from the state or federal government.

307 (f) Loan proceeds may be used for financing all project
308 costs associated with development or expansion of a new small

309 business, including fixed assets, working capital, start-up costs,
310 rental payments, interest expense during construction and
311 professional fees related to the project.

312 (g) Loan proceeds shall not be used to pay off existing
313 debt for loan consolidation purposes; to finance the acquisition,
314 construction, improvement or operation of real property which is
315 to be held primarily for sale or investment; to provide for, or
316 free funds, for speculation in any kind of property; or as a loan
317 to owners, partners or stockholders of the applicant which do not
318 change ownership interest by the applicant. However, this does
319 not apply to ordinary compensation for services rendered in the
320 course of business.

321 (h) The maximum amount that may be loaned to any one
322 (1) borrower shall be Two Hundred Fifty Thousand Dollars
323 (\$250,000.00).

324 (i) The Mississippi Business Finance Corporation shall
325 review each loan before it is made, and no loan shall be made to
326 any borrower until the loan has been reviewed and approved by the
327 Mississippi Business Finance Corporation.

328 For the purpose of this subsection, the term "minority
329 business enterprise" means a socially and economically
330 disadvantaged small business concern, organized for profit,
331 performing a commercially useful function which is owned and
332 controlled by one or more minorities or minority business
333 enterprises certified by the Mississippi Business Finance
334 Corporation, at least fifty percent (50%) of whom are resident
335 citizens of the State of Mississippi. For purposes of this
336 subsection, the term "socially and economically disadvantaged
337 small business concern" shall have the meaning ascribed to such
338 term under the Small Business Act (15 USCS, Section 637(a)), or
339 women, and the term "owned and controlled" means a business in
340 which one or more minorities or minority business enterprises
341 certified by the Mississippi Business Finance Corporation own
342 sixty percent (60%) or, in the case of a corporation, sixty
343 percent (60%) of the voting stock, and control sixty percent (60%)

344 of the management and daily business operations of the business.

345 From and after July 1, 2002, monies not loaned or granted by
346 the Business Finance Corporation to planning and development
347 districts or qualified entities under this subsection, and monies
348 not loaned by planning and development districts or qualified
349 entities, shall be deposited to the credit of the sinking fund
350 created and maintained in the State Treasury for the retirement of
351 bonds issued under Section 69-2-19.

352 (5) The Mississippi Business Finance Corporation shall
353 develop a program which will assist minority business enterprises
354 by guaranteeing bid, performance and payment bonds which such
355 minority businesses are required to obtain in order to contract
356 with federal agencies, state agencies or political subdivisions of
357 the state. Monies for such program shall be drawn from the monies
358 allocated under subsection (4) of this section to assist the
359 financing of minority economic development and shall not exceed
360 Two Million Dollars (\$2,000,000.00) in the aggregate. The
361 Mississippi Business Finance Corporation may promulgate rules and
362 regulations for the operation of the program established pursuant
363 to this subsection. For the purpose of this subsection (5) the
364 term "minority business enterprise" has the meaning assigned such
365 term in subsection (4) of this section.

366 (6) The Mississippi Business Finance Corporation may loan or
367 grant to public entities and to nonprofit corporations funds to
368 defray the expense of financing (or to match any funds available
369 from other public or private sources for the expense of financing)
370 projects in this state which are devoted to the study, teaching
371 and/or promotion of regional crafts and which are deemed by the
372 corporation to be significant tourist attractions. The monies
373 loaned or granted shall be drawn from the Emerging Crops Fund and
374 shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00)
375 in the aggregate.

376 (7) Through June 30, 1998, the Mississippi Business Finance
377 Corporation shall make available to the Mississippi Department of
378 Agriculture and Commerce funds for the purpose of establishing

379 loan revolving funds and other methods of financing for
380 agribusiness programs administered under the Mississippi
381 Agribusiness Council Act of 1993. The monies made available by
382 the Mississippi Business Finance Corporation shall be drawn from
383 the Emerging Crops Fund and shall not exceed Seven Hundred
384 Thousand Dollars (\$700,000.00) in the aggregate. The Mississippi
385 Department of Agriculture and Commerce shall establish control and
386 auditing procedures for use of these funds. These funds will be
387 used primarily for quick payment to farmers for vegetable and
388 fruit crops processed and sold through vegetable processing plants
389 associated with the Department of Agriculture and Commerce and the
390 Mississippi State Extension Service.

391 (8) From and after July 1, 1996, the Mississippi Business
392 Finance Corporation shall make available to the Mississippi Small
393 Farm Development Center One Million Dollars (\$1,000,000.00) to be
394 used by the center to assist small entrepreneurs as provided in
395 Section 37-101-25, Mississippi Code of 1972. The monies made
396 available by the Mississippi Business Finance Corporation shall be
397 drawn from the Emerging Crops Fund.

398 (9) The Mississippi Business Finance Corporation shall make
399 available to the Mississippi Department of Agriculture and
400 Commerce for disbursement, upon warrant or warrants issued by the
401 State Fiscal Officer upon requisitions made by the Commissioner of
402 Agriculture and Commerce, or his designee, to the Certified Cotton
403 Growers Organization, as defined in Section 69-37-5, funds on a
404 one-time basis in a lump sum, an amount not to exceed Two Million
405 Dollars (\$2,000,000.00) for the purpose of assisting in carrying
406 out the purposes of the Mississippi Boll Weevil Management Act.
407 The monies made available by the Mississippi Business Finance
408 Corporation shall be drawn from the Emerging Crops Fund. This
409 subsection (9) shall be repealed from and after June 30, 1999.

410 (10) Upon request by resolution of the Board of Directors of
411 the Institute for Technology Development and the Mississippi
412 Agribusiness Council, the Mississippi Business Finance Corporation
413 shall make available to the Institute for Technology Development

414 on a one-time basis, an amount not to exceed Two Hundred Fifty
415 Thousand Dollars (\$250,000.00) from the cash balance of the
416 Emerging Crops Fund to support the development of a cooperative
417 program for agribusiness development with the Alternative
418 Agriculture Research and Commercialization Program (AARC) of the
419 United States Department of Agriculture.

420 (11) The Mississippi Business Finance Corporation shall make
421 available to the Mississippi Forestry Commission on a lump sum
422 amount not to exceed Five Hundred Thousand Dollars (\$500,000.00)
423 to be drawn from the Emerging Crops Fund and used for the
424 commission's Reforestation Cost-Share Program. This subsection
425 (11) shall be repealed from and after June 30, 1999.

426 (12) The Mississippi Business Finance Corporation shall make
427 available to the Mississippi Forestry Commission for fiscal year
428 1999 a lump sum amount not to exceed Three Million Dollars
429 (\$3,000,000.00) to be drawn from the Emerging Crops Fund and used
430 for the purpose of replacing fire fighting units/equipment. This
431 subsection (12) shall be repealed from and after June 30, 1999.

432 (13) In addition to the amount provided in subsection (11)
433 of this section, the Mississippi Business Finance Corporation
434 shall make available to the Mississippi Forestry Commission for
435 fiscal year 1999 a lump sum amount not to exceed Five Hundred
436 Thousand Dollars (\$500,000.00) to be drawn from the Emerging Crops
437 Fund and used for the commission's Reforestation Cost-Share
438 Program. This subsection (13) shall be repealed from and after
439 June 30, 1999.

440 (14) The Mississippi Business Finance Corporation shall make
441 available to the Small Farm Development Center at Alcorn State
442 University for fiscal year 1999 funds in the amount of Fifty
443 Thousand Dollars (\$50,000.00) and for fiscal year 2000 funds in
444 the amount of Fifty Thousand Dollars (\$50,000.00) to be drawn from
445 the Emerging Crops Fund to support a cooperative program for
446 agribusiness development in Mississippi. This subsection (14)
447 shall be repealed from and after June 30, 2002.

448 SECTION 6. Section 69-2-19, Mississippi Code of 1972, is

449 amended as follows:

450 69-2-19. The State Department of Economic and Community
451 Development is authorized, at one (1) time or from time to time,
452 to declare by resolution the necessity for issuance of negotiable
453 general obligation bonds of the State of Mississippi to provide
454 funds for the Emerging Crops Fund established in Section 69-2-13.
455 Upon the adoption of a resolution by the board, declaring the
456 necessity for the issuance of any part or all of the general
457 obligation bonds authorized by Sections 69-2-19 through 69-2-39,
458 the department shall deliver a certified copy of its resolution or
459 resolutions to the State Bond Commission. Upon receipt of same,
460 the State Bond Commission, in its discretion, shall act as the
461 issuing agent, prescribe the form of the bonds, advertise for and
462 accept bids, issue and sell the bonds so authorized to be sold,
463 and do any and all other things necessary and advisable in
464 connection with the issuance and sale of such bonds. The amount
465 of bonds issued under Sections 69-2-19 through 69-2-39 shall not
466 exceed Ninety-seven Million Dollars (\$97,000,000.00) in the
467 aggregate; provided, however, an additional amount of bonds may be
468 issued under Sections 69-2-19 through 69-2-39 in an amount not to
469 exceed Fifteen Million Dollars (\$15,000,000.00) to provide funds
470 for loans issued under Section 69-2-13(3) for new construction of
471 poultry houses. No bonds may be issued under Sections 69-2-19
472 through 69-2-39 after October 1, 2003.

473 SECTION 7. Section 57-75-15, Mississippi Code of 1972, is
474 amended as follows:

475 57-75-15. (1) Upon notification to the authority by the
476 enterprise that the state has been finally selected as the site
477 for the project, the State Bond Commission shall have the power
478 and is hereby authorized and directed, upon receipt of a
479 declaration from the authority as hereinafter provided, to borrow
480 money and issue general obligation bonds of the state in one or
481 more series for the purposes herein set out. Upon such
482 notification, the authority may thereafter from time to time
483 declare the necessity for the issuance of general obligation bonds

484 as authorized by this section and forward such declaration to the
485 State Bond Commission, provided that before such notification, the
486 authority may enter into agreements with the United States
487 Government, private companies and others that will commit the
488 authority to direct the State Bond Commission to issue bonds for
489 eligible undertakings set out in subsection (4) of this section,
490 conditioned on the siting of the project in the state.

491 (2) Upon receipt of any such declaration from the authority,
492 the State Bond Commission shall verify that the state has been
493 selected as the site of the project and shall act as the issuing
494 agent for the series of bonds directed to be issued in such
495 declaration pursuant to authority granted in this section.

496 (3) (a) Bonds issued under the authority of this section
497 for projects as defined in Section 57-75-5(f)(i) shall not exceed
498 an aggregate principal amount in the sum of Sixty-three Million
499 Dollars (\$63,000,000.00).

500 (b) Bonds issued under the authority of this section
501 for projects as defined in Section 57-75-5(f)(ii) shall not exceed
502 Ninety Million Dollars (\$90,000,000.00). The provisions of this
503 paragraph (b) shall be repealed from and after July 1, 1996.

504 (c) Bonds issued under the authority of this section
505 for projects as defined in Section 57-75-5(f)(iii) shall not
506 exceed Fifty Million Dollars (\$50,000,000.00), nor shall the bonds
507 issued for projects related to any single military installation
508 exceed Sixteen Million Six Hundred Sixty-seven Thousand Dollars
509 (\$16,667,000.00). If any proceeds of bonds issued for projects
510 related to the Meridian Naval Auxiliary Air Station ("NAAS") are
511 used for the development of a water and sewer service system by
512 the City of Meridian, Mississippi, to serve the NAAS and if the
513 City of Meridian annexes any of the territory served by the water
514 and sewer service system, the city shall repay the State of
515 Mississippi the amount of all bond proceeds expended on any
516 portion of the water and sewer service system project; and if
517 there are any monetary proceeds derived from the disposition of
518 any improvements located on real property in Kemper County

519 purchased pursuant to this act for projects related to the NAAS
520 and if there are any monetary proceeds derived from the
521 disposition of any timber located on real property in Kemper
522 County purchased pursuant to this act for projects related to the
523 NAAS, all of such proceeds (both from the disposition of
524 improvements and the disposition of timber) commencing July 1,
525 1996, through June 30, 2010, shall be paid to the Board of
526 Education of Kemper County, Mississippi, for expenditure by such
527 board of education to benefit the public schools of Kemper County.

528 No bonds shall be issued under this paragraph (c) until the State
529 Bond Commission by resolution adopts a finding that the issuance
530 of such bonds will improve, expand or otherwise enhance the
531 military installation, its support areas or military operations,
532 or will provide employment opportunities to replace those lost by
533 closure or reductions in operations at the military installation.

534 From and after July 1, 1997, bonds shall not be issued for any
535 projects, as defined in Section 57-75-5(f)(iii), which are not
536 commenced before July 1, 1997. The proceeds of any bonds issued
537 for projects commenced before July 1, 1997, shall be used for the
538 purposes for which the bonds were issued until completion of the
539 projects.

540 (d) Bonds issued under the authority of this section
541 for projects as defined in Section 57-75-5(f)(iv) shall not exceed
542 Ten Million Dollars (\$10,000,000.00). No bonds shall be issued
543 under this paragraph after December 31, 1996.

544 (e) Bonds issued under the authority of this section
545 for projects defined in Section 57-75-5(f)(v) shall not exceed One
546 Hundred Ten Million Dollars (\$110,000,000.00). No bonds shall be
547 issued under this paragraph after June 30, 2001.

548 (f) Bonds issued under the authority of this section
549 for the project defined in Section 57-75-5(f)(vi) shall not exceed
550 Twenty Million Three Hundred Seventy Thousand Dollars
551 (\$20,370,000.00). No bonds shall be issued under this paragraph
552 (f) until the State Bond Commission by resolution adopts a finding
553 that the project has secured wire harness contracts or contracts

554 to manufacture thin film polymer lithium-ion rechargeable
555 batteries, or any combination of such contracts, in the aggregate
556 amount of Twenty Million Dollars (\$20,000,000.00), either from the
557 United States Government or the private sector. No bonds shall be
558 issued under this paragraph after June 30, 2001.

559 (g) Bonds issued under the authority of this section
560 for projects defined in Section 57-75-5(f)(viii) shall not exceed
561 Twenty-six Million Dollars (\$26,000,000.00). No bonds shall be
562 issued after June 30, 2001.

563 (4) The proceeds from the sale of the bonds issued under
564 this section may be applied for the purposes of: (a) defraying all
565 or any designated portion of the costs incurred with respect to
566 acquisition, planning, design, construction, installation,
567 rehabilitation, improvement, relocation and with respect to
568 state-owned property, operation and maintenance of the project and
569 any facility related to the project located within the project
570 area, including costs of design and engineering, all costs
571 incurred to provide land, easements and rights-of-way, relocation
572 costs with respect to the project and with respect to any facility
573 related to the project located within the project area, and costs
574 associated with mitigation of environmental impacts; (b) providing
575 for the payment of interest on the bonds; (c) providing debt
576 service reserves; and (d) paying underwriters' discount, original
577 issue discount, accountants' fees, engineers' fees, attorneys'
578 fees, rating agency fees and other fees and expenses in connection
579 with the issuance of the bonds. Such bonds shall be issued from
580 time to time and in such principal amounts as shall be designated
581 by the authority, not to exceed in aggregate principal amounts the
582 amount authorized in subsection (3) of this section. Proceeds
583 from the sale of the bonds issued under this section may be
584 invested, subject to federal limitations, pending their use, in
585 such securities as may be specified in the resolution authorizing
586 the issuance of the bonds or the trust indenture securing them,
587 and the earning on such investment applied as provided in such
588 resolution or trust indenture.

589 (5) The principal of and the interest on the bonds shall be
590 payable in the manner hereinafter set forth. The bonds shall bear
591 date or dates; be in such denomination or denominations; bear
592 interest at such rate or rates; be payable at such place or places
593 within or without the state; mature absolutely at such time or
594 times; be redeemable before maturity at such time or times and
595 upon such terms, with or without premium; bear such registration
596 privileges; and be substantially in such form; all as shall be
597 determined by resolution of the State Bond Commission except that
598 such bonds shall mature or otherwise be retired in annual
599 installments beginning not more than five (5) years from the date
600 thereof and extending not more than twenty-five (25) years from
601 the date thereof. The bonds shall be signed by the Chairman of
602 the State Bond Commission, or by his facsimile signature, and the
603 official seal of the State Bond Commission shall be imprinted on
604 or affixed thereto, attested by the manual or facsimile signature
605 of the Secretary of the State Bond Commission. Whenever any such
606 bonds have been signed by the officials herein designated to sign
607 the bonds, who were in office at the time of such signing but who
608 may have ceased to be such officers before the sale and delivery
609 of such bonds, or who may not have been in office on the date such
610 bonds may bear, the signatures of such officers upon such bonds
611 shall nevertheless be valid and sufficient for all purposes and
612 have the same effect as if the person so officially signing such
613 bonds had remained in office until the delivery of the same to the
614 purchaser, or had been in office on the date such bonds may bear.

615 (6) All bonds issued under the provisions of this section
616 shall be and are hereby declared to have all the qualities and
617 incidents of negotiable instruments under the provisions of the
618 Uniform Commercial Code and in exercising the powers granted by
619 this chapter, the State Bond Commission shall not be required to
620 and need not comply with the provisions of the Uniform Commercial
621 Code.

622 (7) The State Bond Commission shall sell the bonds on sealed
623 bids at public sale, and for such price as it may determine to be

624 for the best interest of the State of Mississippi, but no such
625 sale shall be made at a price less than par plus accrued interest
626 to date of delivery of the bonds to the purchaser. The bonds
627 shall bear interest at such rate or rates not exceeding the limits
628 set forth in Section 75-17-101 as shall be fixed by the State Bond
629 Commission. All interest accruing on such bonds so issued shall
630 be payable semiannually or annually; provided that the first
631 interest payment may be for any period of not more than one (1)
632 year.

633 Notice of the sale of any bonds shall be published at least
634 one (1) time, the first of which shall be made not less than ten
635 (10) days prior to the date of sale, and shall be so published in
636 one or more newspapers having a general circulation in the City of
637 Jackson and in one or more other newspapers or financial journals
638 with a large national circulation, to be selected by the State
639 Bond Commission.

640 The State Bond Commission, when issuing any bonds under the
641 authority of this section, may provide that the bonds, at the
642 option of the state, may be called in for payment and redemption
643 at the call price named therein and accrued interest on such date
644 or dates named therein.

645 (8) State bonds issued under the provisions of this section
646 shall be the general obligations of the state and backed by the
647 full faith and credit of the state. The Legislature shall
648 appropriate annually an amount sufficient to pay the principal of
649 and the interest on such bonds as they become due. All bonds
650 shall contain recitals on their faces substantially covering the
651 foregoing provisions of this section.

652 (9) The State Treasurer is authorized to certify to the
653 Department of Finance and Administration the necessity for
654 warrants, and the Department of Finance and Administration is
655 authorized and directed to issue such warrants payable out of any
656 funds appropriated by the Legislature under this section for such
657 purpose, in such amounts as may be necessary to pay when due the
658 principal of and interest on all bonds issued under the provisions

659 of this section. The State Treasurer shall forward the necessary
660 amount to the designated place or places of payment of such bonds
661 in ample time to discharge such bonds, or the interest thereon, on
662 the due dates thereof.

663 (10) The bonds may be issued without any other proceedings
664 or the happening of any other conditions or things other than
665 those proceedings, conditions and things which are specified or
666 required by this chapter. Any resolution providing for the
667 issuance of general obligation bonds under the provisions of this
668 section shall become effective immediately upon its adoption by
669 the State Bond Commission, and any such resolution may be adopted
670 at any regular or special meeting of the State Bond Commission by
671 a majority of its members.

672 (11) In anticipation of the issuance of bonds hereunder, the
673 State Bond Commission is authorized to negotiate and enter into
674 any purchase, loan, credit or other agreement with any bank, trust
675 company or other lending institution or to issue and sell interim
676 notes for the purpose of making any payments authorized under this
677 section. All borrowings made under this provision shall be
678 evidenced by notes of the state which shall be issued from time to
679 time, for such amounts not exceeding the amount of bonds
680 authorized herein, in such form and in such denomination and
681 subject to such terms and conditions of sale and issuance,
682 prepayment or redemption and maturity, rate or rates of interest
683 not to exceed the maximum rate authorized herein for bonds, and
684 time of payment of interest as the State Bond Commission shall
685 agree to in such agreement. Such notes shall constitute general
686 obligations of the state and shall be backed by the full faith and
687 credit of the state. Such notes may also be issued for the
688 purpose of refunding previously issued notes; except that no notes
689 shall mature more than three (3) years following the date of
690 issuance of the first note hereunder and provided further, that
691 all outstanding notes shall be retired from the proceeds of the
692 first issuance of bonds hereunder. The State Bond Commission is
693 authorized to provide for the compensation of any purchaser of the

694 notes by payment of a fixed fee or commission and for all other
695 costs and expenses of issuance and service, including paying agent
696 costs. Such costs and expenses may be paid from the proceeds of
697 the notes.

698 (12) The bonds and interim notes authorized under the
699 authority of this section may be validated in the First Judicial
700 District of the Chancery Court of Hinds County, Mississippi, in
701 the manner and with the force and effect provided now or hereafter
702 by Chapter 13, Title 31, Mississippi Code of 1972, for the
703 validation of county, municipal, school district and other bonds.

704 The necessary papers for such validation proceedings shall be
705 transmitted to the state bond attorney, and the required notice
706 shall be published in a newspaper published in the City of
707 Jackson, Mississippi.

708 (13) Any bonds or interim notes issued under the provisions
709 of this chapter, a transaction relating to the sale or securing of
710 such bonds or interim notes, their transfer and the income
711 therefrom shall at all times be free from taxation by the state or
712 any local unit or political subdivision or other instrumentality
713 of the state, excepting inheritance and gift taxes.

714 (14) All bonds issued under this chapter shall be legal
715 investments for trustees, other fiduciaries, savings banks, trust
716 companies and insurance companies organized under the laws of the
717 State of Mississippi; and such bonds shall be legal securities
718 which may be deposited with and shall be received by all public
719 officers and bodies of the state and all municipalities and other
720 political subdivisions thereof for the purpose of securing the
721 deposit of public funds.

722 (15) The Attorney General of the State of Mississippi shall
723 represent the State Bond Commission in issuing, selling and
724 validating bonds herein provided for, and the bond commission is
725 hereby authorized and empowered to expend from the proceeds
726 derived from the sale of the bonds authorized hereunder all
727 necessary administrative, legal and other expenses incidental and
728 related to the issuance of bonds authorized under this chapter.

729 (16) There is hereby created a special fund in the State
730 Treasury to be known as the Mississippi Major Economic Impact
731 Authority Fund wherein shall be deposited the proceeds of the
732 bonds issued under this chapter and all monies received by the
733 authority to carry out the purposes of this chapter. Expenditures
734 authorized herein shall be paid by the State Treasurer upon
735 warrants drawn from the fund, and the Department of Finance and
736 Administration shall issue warrants upon requisitions signed by
737 the director of the authority.

738 (17) (a) There is hereby created the Mississippi Economic
739 Impact Authority Sinking Fund from which the principal of and
740 interest on such bonds shall be paid by appropriation. All monies
741 paid into the sinking fund not appropriated to pay accruing bonds
742 and interest shall be invested by the State Treasurer in such
743 securities as are provided by law for the investment of the
744 sinking funds of the state.

745 (b) In the event that all or any part of the bonds and
746 notes are purchased, they shall be canceled and returned to the
747 loan and transfer agent as canceled and paid bonds and notes and
748 thereafter all payments of interest thereon shall cease and the
749 canceled bonds, notes and coupons, together with any other
750 canceled bonds, notes and coupons, shall be destroyed as promptly
751 as possible after cancellation but not later than two (2) years
752 after cancellation. A certificate evidencing the destruction of
753 the canceled bonds, notes and coupons shall be provided by the
754 loan and transfer agent to the seller.

755 (c) The State Treasurer shall determine and report to
756 the Department of Finance and Administration and Legislative
757 Budget Office by September 1 of each year the amount of money
758 necessary for the payment of the principal of and interest on
759 outstanding obligations for the following fiscal year and the
760 times and amounts of the payments. It shall be the duty of the
761 Governor to include in every executive budget submitted to the
762 Legislature full information relating to the issuance of bonds and
763 notes under the provisions of this chapter and the status of the

764 sinking fund for the payment of the principal of and interest on
765 the bonds and notes.

766 SECTION 8. This act shall take effect and be in force from
767 and after July 1, 2000.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 57-1-307, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE
3 ISSUED UNDER THE LOCAL GOVERNMENTS CAPITAL IMPROVEMENTS REVOLVING
4 LOAN PROGRAM FOR PROJECTS THAT WOULD QUALIFY FOR THE ISSUANCE OF
5 BONDS WHOSE INTEREST IS EXEMPT FROM INCOME TAXATION UNDER THE
6 PROVISIONS OF THE INTERNAL REVENUE CODE, FROM \$5,000,000.00 TO
7 \$13,500,000.00; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF
8 1972, TO INCREASE THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY
9 BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT FROM
10 \$254,750,000.00 TO \$256,250,000.00; TO AMEND SECTION 57-61-36,
11 MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF GRANTS THAT
12 MAY BE ISSUED BY THE DEPARTMENT OF ECONOMIC AND COMMUNITY
13 DEVELOPMENT UNDER THE DEVELOPMENT INFRASTRUCTURE GRANT PROGRAM
14 UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT FROM \$9,000,000.00
15 TO \$10,500,000.00; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF
16 1972, TO INCREASE THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY
17 BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT FROM
18 \$135,000,000.00 TO \$150,000,000.00; TO AMEND SECTION 69-2-13,
19 MISSISSIPPI CODE OF 1972, TO EXTEND THE PROGRAM THAT AUTHORIZES
20 THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO LOAN OR GRANT
21 FUNDS TO CERTAIN ENTITIES FOR LOAN REVOLVING FUNDS TO ASSIST IN
22 PROVIDING FINANCING FOR MINORITY ECONOMIC DEVELOPMENT AND TO
23 INCREASE THE AMOUNT THAT MAY BE DRAWN FOR SUCH PURPOSE FROM THE
24 EMERGING CROPS FUND FROM \$16,000,000.00 TO \$18,000,000.00; TO
25 AUTHORIZE THE PROGRAM THAT GUARANTEES CERTAIN BONDS THAT MINORITY
26 BUSINESSES ARE REQUIRED TO OBTAIN CONTRACTS WITH GOVERNMENTAL
27 ENTITIES TO APPLY TO CONTRACTS WITH FEDERAL AGENCIES; TO EXTEND
28 THE DATE OF THE REPEAL OF PROVISIONS CONCERNING THE SMALL FARM
29 DEVELOPMENT CENTER AT ALCORN STATE UNIVERSITY; TO AMEND SECTION
30 69-2-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE
31 BONDS THAT MAY BE ISSUED GENERALLY FOR THE EMERGING CROPS FUND
32 FROM \$95,000,000.00 TO \$97,000,000.00 AND TO PROVIDE FOR THE
33 ISSUANCE OF GENERAL OBLIGATION BONDS IN THE AMOUNT OF
34 \$15,000,000.00 TO PROVIDE FUNDS FOR THE EMERGING CROPS FUND TO BE
35 LOANED FOR THE CONSTRUCTION OF NEW POULTRY HOUSES; TO AMEND
36 SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT
37 OF BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC
38 IMPACT ACT FOR CERTAIN PROJECTS FROM \$62,000,000.00 TO
39 \$63,000,000.00; AND FOR RELATED PURPOSES.