AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE OF MISSISSIPPI FOR THE PURPOSE OF PROVIDING FUNDS FOR THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES FUND; TO AMEND SECTION 69-46-5, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT MONIES IN THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES FUND BE APPROPRIATED IN ORDER TO BE EXPENDED; AND FOR RELATED PURPOSES.

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

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

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

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

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

SECTION 2. The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Mississippi Land, Water and Timber Resources Fund created in Section 69-46-7, Mississippi Code of 1972. Upon the adoption of a resolution by the Mississippi Land, Water and Timber Resources Board, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this act.
section, the Mississippi Land, Water and Timber Resources Board
shall deliver a certified copy of its resolution or resolutions to
the commission. Upon receipt of such resolution, the commission,
in its discretion, may act as the issuing agent, prescribe the
form of the bonds, advertise for and accept bids, issue and sell
the bonds so authorized to be sold and do any and all other things
necessary and advisable in connection with the issuance and sale
of such bonds. The total amount of bonds issued under Sections 1
through 16 of this act shall not exceed Ten Million Dollars
($10,000,000.00). No bonds shall be issued under Sections 1
through 16 of this act after July 1, 2005.

SECTION 3. The principal of and interest on the bonds
authorized under Sections 1 through 16 of this act shall be
payable in the manner provided in this section. Such bonds shall
bear such date or dates, be in such denomination or denominations,
bear interest at such rate or rates (not to exceed the limits set
forth in Section 75-17-101, Mississippi Code of 1972), be payable
at such place or places within or without the State of
Mississippi, shall mature absolutely at such time or times not to
exceed twenty-five (25) years from date of issue, be redeemable
before maturity at such time or times and upon such terms, with or
without premium, shall bear such registration privileges, and
shall be substantially in such form, all as shall be determined by
resolution of the commission.

SECTION 4. The bonds authorized by Sections 1 through 16 of
this act shall be signed by the chairman of the commission, or by
his facsimile signature, and the official seal of the commission
shall be affixed thereto, attested by the secretary of the
commission. The interest coupons, if any, to be attached to such
bonds may be executed by the facsimile signatures of such
officials. Whenever any such bonds shall have been signed by the
officials designated to sign the bonds who were in office at the
time of such signing but who may have ceased to be such officers
before the sale and delivery of such bonds, or who may not have
been in office on the date such bonds may bear, the signatures of
such officers upon such bonds and coupons shall nevertheless be
valid and sufficient for all purposes and have the same effect as
if the person so officially signing such bonds had remained in
office until their delivery to the purchaser, or had been in
office on the date such bonds may bear. However, notwithstanding
anything herein to the contrary, such bonds may be issued as
provided in the Registered Bond Act of the State of Mississippi.

SECTION 5. All bonds and interest coupons issued under the
provisions of Sections 1 through 16 of this act have all the
qualities and incidents of negotiable instruments under the
provisions of the Mississippi Uniform Commercial Code, and in
exercising the powers granted by Sections 1 through 16 of this
act, the commission shall not be required to and need not comply
with the provisions of the Mississippi Uniform Commercial Code.

SECTION 6. The commission shall act as the issuing agent for
the bonds authorized under Sections 1 through 16 of this act,
 prescribe the form of the bonds, advertise for and accept bids,
 issue and sell the bonds so authorized to be sold, pay all fees
 and costs incurred in such issuance and sale, and do any and all
 other things necessary and advisable in connection with the
 issuance and sale of such bonds. The commission is authorized and
 empowered to pay the costs that are incident to the sale, issuance
 and delivery of the bonds authorized under Sections 1 through 16
 of this act from the proceeds derived from the sale of such bonds.
 The commission shall sell such bonds on sealed bids at public
 sale, and for such price as it may determine to be for the best
 interest of the State of Mississippi, but no such sale shall be
 made at a price less than par plus accrued interest to the date of
delivery of the bonds to the purchaser. All interest accruing on
such bonds so issued shall be payable semiannually or annually;
however, the first interest payment may be for any period of not
more than one (1) year.

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

The commission, when issuing any bonds under the authority of
Sections 1 through 16 of this act, may provide that bonds, at the
option of the State of Mississippi, may be called in for payment
and redemption at the call price named therein and accrued
interest on such date or dates named therein.

SECTION 7. The bonds issued under the provisions of Sections
1 through 16 of this act are general obligations of the State of
Mississippi, and for the payment thereof the full faith and credit
of the State of Mississippi is irrevocably pledged. If the funds
appropriated by the Legislature are insufficient to pay the
principal of and the interest on such bonds as they become due,
then the deficiency shall be paid by the State Treasurer from any
funds in the State Treasury not otherwise appropriated. All such
bonds shall contain recitals on their faces substantially covering
the provisions of this section.

SECTION 8. Upon the issuance and sale of bonds under the
provisions of Sections 1 through 16 of this act, the commission
shall transfer the proceeds of any such sale or sales to the
Mississippi Land, Water and Timber Resources Fund created in

SECTION 9. The bonds authorized under Sections 1 through 16
of this act may be issued without any other proceedings or the
happening of any other conditions or things other than those
proceedings, conditions and things which are specified or required
by Sections 1 through 16 of this act. Any resolution providing
for the issuance of bonds under the provisions of Sections 1
through 16 of this act shall become effective immediately upon its
adoption by the commission, and any such resolution may be adopted
at any regular or special meeting of the commission by a majority
of its members.

SECTION 10. The bonds authorized under the authority of
Sections 1 through 16 of this act may be validated in the Chancery
Court of the First Judicial District of Hinds County, Mississippi,
in the manner and with the force and effect provided by Chapter
13, Title 31, Mississippi Code of 1972, for the validation of
county, municipal, school district and other bonds. The notice to
taxpayers required by such statutes shall be published in a
newspaper published or having a general circulation in the City of
Jackson, Mississippi.

SECTION 11. Any holder of bonds issued under the provisions
of Sections 1 through 16 of this act or of any of the interest
coupons pertaining thereto may, either at law or in equity, by
suit, action, mandamus or other proceeding, protect and enforce
any and all rights granted under Sections 1 through 16 of this
act, or under such resolution, and may enforce and compel
performance of all duties required by Sections 1 through 16 of
this act to be performed, in order to provide for the payment of
bonds and interest thereon.

SECTION 12. All bonds issued under the provisions of Section
1 through 16 of this act shall be legal investments for trustees
and other fiduciaries, and for savings banks, trust companies and
insurance companies organized under the laws of the State of
Mississippi, and such bonds shall be legal securities which may be
deposited with and shall be received by all public officers and
bodies of this state and all municipalities and political
subdivisions for the purpose of securing the deposit of public
funds.
SECTION 13. Bonds issued under the provisions of Sections 1 through 16 of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

SECTION 14. The proceeds of the bonds issued under Sections 1 through 16 of this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

SECTION 15. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under Sections 1 through 16 of this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

SECTION 16. Sections 1 through 16 of this act shall be deemed to be full and complete authority for the exercise of the powers herein granted, but Sections 1 through 16 of this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 17. Section 69-46-5, Mississippi Code of 1972 is amended as follows:

69-46-5. The board shall have the following powers and duties:

(a) To develop marketing plans and opportunities for independent farmers in Mississippi;

(b) To encourage the commercialization of new agricultural technology businesses;

(c) To initiate the development of processing facilities for Mississippi agricultural commodities;
(d) To initiate the development of Mississippi wholesale distribution businesses for agricultural inputs and products;

(e) To promote the development of institutional and specialty markets for Mississippi agriculture products;

(f) To encourage additional research for new agricultural product development;

(g) To develop a working relationship with the state offices of the United States Department of Agriculture as may be appropriate for the promotion and development of agriculture in Mississippi;

(h) To promote the rural quality of life in Mississippi through such programs as 4-H, Future Farmers of America and agricultural education;

(i) To file an annual report with the Governor, Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, with recommendations for any legislation necessary to accomplish the purposes of the Mississippi Land, Water and Timber Resources Act;

(j) The board may promulgate and enforce rules and regulations, in accordance with the Mississippi Administrative Procedures Law, as may be necessary to carry out the provisions of the Mississippi Land, Water and Timber Resources Act;

(k) To expend funds out of the Mississippi Land, Water and Timber Resources Fund * * * to carry out its powers and duties under the Mississippi Land, Water and Timber Resources Act.

SECTION 18. This act shall take effect and be in force from and after its passage.