HOUSE BILL NO. 1702

AN ACT TO AUTHORIZE THE CITY OF PONTOTOC, MISSISSIPPI, TO
ACQUIRE AN INDUSTRIAL ENTERPRISE AND REPAIR AND MAINTAIN SUCH
ENTERPRISE; TO AUTHORIZE THE CITY TO ACQUIRE RAW MATERIALS TO BE
USED BY SUCH ENTERPRISE; TO AUTHORIZE THE CITY TO PROVIDE WORKING
CAPITAL FOR SUCH ENTERPRISE; TO AUTHORIZE THE CITY TO LEASE, SELL
OR OTHERWISE DISPOSE OF THE ENTERPRISE; TO AUTHORIZE THE CITY TO
ISSUE GENERAL OBLIGATION INDUSTRIAL BONDS IN THE AMOUNT OF
$6,000,000.00 TO CARRY OUT THE PURPOSES OF THIS ACT; TO AUTHORIZE
PONTOTOC COUNTY AND THE CITY TO ENTER INTO CONTRACTS AND
AGREEMENTS BY WHICH EACH MAY CONTRIBUTE TAX REVENUES OR OTHER
FUNDS NOT OTHERWISE OBLIGATED TOWARD THE PAYMENT OF THE BONDS
ISSUED UNDER THIS ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. The City of Pontotoc, Mississippi (the "city"),
acting by and through its Mayor and Board of Aldermen (the
"governing authorities"), is authorized to accomplish the
following project (the "project"): the acquisition of an
industrial enterprise, comprised of land and a building or
buildings thereon and equipment and machinery for warehousing,
storing, distributing, manufacturing or processing goods or
industrial products; the repair and maintenance of the industrial
enterprise; the acquisition of raw materials to be used by the
enterprise; and the provision of working capital for the
enterprise. The city is further authorized to issue its general
obligation industrial bonds for the project, and to lease or sell
the project. Such enterprise may be acquired by the city on such
terms and conditions and for such consideration as the governing
authorities may determine is in the public interest without the
necessity for appraisal, advertisement or bidding, notwithstanding
any other statute or rule of law. The city may pay from the
proceeds of the bonds or otherwise all costs of the project,
including, but not limited to, expenses, premiums, fees and commissions that it may deem necessary or advantageous in connection with the issuance and sale of bonds thereof. Capitalized interest for a period ending six (6) months after the projected completion of the project may be deemed to be a cost of the project.

SECTION 2. The governing authorities are authorized to lease, sell or otherwise dispose of the project acquired under the provisions of Section 1 of this act on such terms and conditions and with such safeguards as will best promote employment and promote and protect the public interest; and the governing authorities are authorized to transfer title or possession to such project by warranty deed, lease, lease/purchase, bill of sale, contract or other customary business instrument in the same manner and to the same extent that any private corporation, association or person may now contract with reference to property of a similar nature without the necessity for appraisal, advertising or bidding, notwithstanding any other statute or rule of law. All income derived from the sale or lease of the project authorized hereunder may be applied to the retirement of bonds issued pursuant to this act or deposited into the general fund of the city to be used for any lawful purpose.

SECTION 3. The general obligation industrial bonds of the city issued for the purpose set forth in Section 1 of this act shall not exceed an aggregate principal amount of Six Million Dollars ($6,000,000.00) and shall be payable over a term not to exceed twenty-five (25) years.

SECTION 4. All bonds issued under this act shall not be subject to any debt limitation, notwithstanding any other statute or rule of law. Such bonds shall be issued and the proceeds managed in accordance with the terms and provisions of Sections 21-33-307, 21-33-309, 21-33-311, 21-33-313, 21-33-315 (other than the provisions pertaining to required bond maturities, which shall
not apply to bonds issued pursuant to this act), 21-33-317, 

SECTION 5. The bonds issued under this act may be sold at 
public or private sale. If sold privately, such sale shall be on 
such terms and in such manner as the governing authorities shall 
determine. If sold publicly, such sale shall be conducted in 
accordance with the provisions of Section 31-19-25, Mississippi 

SECTION 6. The city or its designee is authorized to 
agree to negotiate contracts for the acquisition and construction of all or 
any part of the project if the governing authorities make a 
finding that, because of the particular nature of the project and 
each of its components, it would be in the best public interest of 
the city to negotiate the acquisition and construction of all or 
any part of the project and such finding is placed in the minutes 
of the governing authorities.

SECTION 7. This act, without reference to any other statute 
not referred to herein, shall be deemed to be full and complete 
authority for the acquisition and/or construction of the project, 
the borrowing of money and the issuing of bonds, and shall be 
construed as an additional and alternate method therefor.

SECTION 8. Any bonds issued under the provisions of this act 
shall be validated in the manner provided by law.

SECTION 9. (1) Any bonds issued under this act and the 
income from such bonds shall be exempt from all State of 
Mississippi taxation, except inheritance and gift taxes.

(2) Any bonds issued under this act shall be legal 
investments for commercial banks, savings and loan associations 
and insurance companies organized under the laws of this state.

SECTION 10. The governing authorities are further authorized 
to adopt any and all lawful resolutions, orders and/or ordinances; 
to agree to any covenants regarding the project; to execute 
necessary documents, contracts, leases, certificates and
indentures; and to do and perform any and all acts and things
necessary and requisite to carry out the purposes of this act.

SECTION 11. Pontotoc County and the city are authorized to
enter into contracts and agreements by which each may contribute
tax revenues or other funds, not otherwise obligated by law or
contract to another specific purpose, toward the payment of the
bonds issued pursuant to this act.

SECTION 12. The governing authorities of the City of
Pontotoc, Mississippi, shall submit this act, immediately upon
approval by the Governor, or upon approval by the Legislature
subsequent to a veto, to the Attorney General of the United States
or to the United States District Court for the District of
Columbia in accordance with the provisions of the Voting Rights
Act of 1965, as amended and extended.

SECTION 13. This act shall take effect and be in force from
and after the date it is effectuated under Section 5 of the Voting
Rights Act of 1965, as amended and extended.