

By: Senator(s) Dearing

To: Highways and
Transportation;
Appropriations

SENATE BILL NO. 2255

1 AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION
2 TO BORROW AN AMOUNT OF MONEY NOT TO EXCEED \$50,000,000.00 IN THE
3 AGGREGATE FROM ANY SOURCE FOR CASH FLOW NEEDS THROUGHOUT THE YEAR
4 WHEN THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF
5 TRANSPORTATION CERTIFIES TO THE COMMISSION THAT IN HIS OPINION THE
6 DEPARTMENT WILL EXPERIENCE CASH FLOW DEFICIENCIES; TO PROVIDE THAT
7 THE TERM OF ANY SUCH LOAN SHALL NOT BE MORE THAN 120 DAYS; AND FOR
8 RELATED PURPOSES.

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

10 SECTION 1. (1) The commission may borrow an amount of money
11 not to exceed Fifty Million Dollars (\$50,000,000.00) in the
12 aggregate from any source for cash flow needs throughout the year
13 when the executive director of the department certifies to the
14 commission that in his opinion the department will experience cash
15 flow deficiencies. The commission may pledge as security for such
16 interim financing future funds that will be received by the
17 department. Any such loan shall be repaid from the first
18 available funds received by the department in the manner and
19 subject to the same terms as provided in this section.

20 (2) Such interim financing shall be upon such terms and
21 conditions as may be agreed upon by the commission and the party
22 advancing such interim funds; provided, however, that the
23 principal on any such loan shall be paid within one hundred twenty
24 (120) days after such financing is obtained. The interest rate on
25 such interim financing shall not exceed that allowed in Section
26 75-17-107.

27 (3) Such borrowing shall be authorized by a resolution of
28 the commission and may be evidenced by a negotiable note or notes
29 in such form as may be prescribed in such resolution.

30 (4) Such borrowing, whether or not evidenced by a negotiable
31 note or notes, may be placed or sold at public or private sale for
32 such price and in such manner and from time to time as may be
33 determined by the commission and the commission may pay all
34 expenses, premiums and commissions which the commission may deem
35 necessary or advantageous in connection with the issuance thereto.

36 (5) Such borrowing shall be limited to the amount that may
37 be repaid by the anticipated funds that will be available to pay
38 off the loan when required by the terms of the interim financing
39 agreement.

40 SECTION 2. Section 1 of this act shall be codified as a
41 separate code section in Chapter 1, Title 65, Mississippi Code of
42 1972.

43 SECTION 3. This act shall take effect and be in force from
44 and after July 1, 2001.