

By: Representative Morris

To: Ways and Means

HOUSE BILL NO. 1834
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972,
2 TO INCREASE FROM \$254,750,000.00 TO \$260,000,000.00, THE AGGREGATE
3 AMOUNT OF BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS
4 INVESTMENT ACT; TO AMEND SECTION 57-61-34, MISSISSIPPI CODE OF
5 1972, TO INCREASE FROM \$5,000,000.00 TO \$7,000,000.00, THE AMOUNT
6 OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY
7 MAKE AVAILABLE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT AS
8 INTEREST BEARING LOANS TO AID IN THE ESTABLISHMENT OF BUSINESS
9 INCUBATION CENTERS AND THE CREATION OF NEW AND EXPANDING
10 TECHNOLOGY-BASED BUSINESS AND INDUSTRY; TO AMEND SECTION 57-61-36,
11 MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$6,500,000.00 TO
12 \$8,500,000.00, THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI
13 DEVELOPMENT AUTHORITY MAY USE UNDER THE MISSISSIPPI BUSINESS
14 INVESTMENT ACT FOR THE PURPOSE OF MAKING GRANTS AND LOANS TO
15 COUNTIES AND MUNICIPALITIES TO AID IN INFRASTRUCTURE RELATED
16 IMPROVEMENTS, THE PURCHASE OF EQUIPMENT AND THE PURCHASE,
17 CONSTRUCTION, REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO
18 EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT AUTHORIZES
19 THE MISSISSIPPI DEVELOPMENT AUTHORITY TO USE A PORTION OF THE BOND
20 PROCEEDS UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE
21 INTEREST-BEARING LOANS TO CERTAIN ENTITIES THROUGH A HOUSING
22 DEVELOPMENT REVOLVING LOAN FUND FOR LOW TO MODERATE INCOME HOUSING
23 PURPOSES; TO PROVIDE FOR THE REPEAL OF THE PROVISION THAT REQUIRES
24 THE MISSISSIPPI DEVELOPMENT AUTHORITY TO USE NOT MORE THAN
25 \$750,000.00 OF BOND PROCEEDS UNDER THE MISSISSIPPI BUSINESS
26 INVESTMENT ACT FOR THE PURPOSE OF ESTABLISHING AN INTERMEDIARY
27 RELENDING PROGRAM; TO AMEND SECTION 57-61-15, MISSISSIPPI CODE OF
28 1972, TO REVISE THE PERCENTAGE OF BOND PROCEEDS UNDER THE
29 MISSISSIPPI BUSINESS INVESTMENT ACT WHICH MUST BE ALLOCATED TO
30 SMALL COMMUNITIES; TO AMEND SECTION 57-61-42, MISSISSIPPI CODE OF
31 1972, WHICH REQUIRES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO USE
32 NOT MORE THAN \$3,500,000.00 OF BOND PROCEEDS UNDER THE MISSISSIPPI
33 BUSINESS INVESTMENT ACT FOR THE PURPOSE OF PROVIDING JOB SERVICES
34 IN CERTAIN AREAS OF THE STATE, TO PROVIDE FOR THE REPEAL OF SUCH
35 SECTION; TO AMEND SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO
36 REVISE THE DEFINITION OF THE TERM "PROJECT" FOR PURPOSES OF THE
37 MISSISSIPPI MAJOR ECONOMIC IMPACT ACT TO REVISE THE TYPE OF JOBS
38 THAT MAY BE CONSIDERED IN DETERMINING WHETHER A PROJECT MEETS THE
39 MINIMUM JOBS REQUIREMENT FOR CERTAIN PROJECTS UNDER SUCH ACT; TO
40 REVISE THE DEFINITION OF THE TERM "PROJECT" UNDER THE MISSISSIPPI
41 MAJOR ECONOMIC IMPACT ACT TO INCLUDE ANY MAJOR CAPITAL PROJECT
42 RELATED TO THE ESTABLISHMENT, IMPROVEMENT, EXPANSION AND/OR
43 OTHERWISE ENHANCEMENT OF ANY ACTIVE DUTY MILITARY INSTALLATION AND
44 HAVING A MINIMUM CAPITAL INVESTMENT FROM ANY SOURCE OR COMBINATION
45 OF SOURCES OTHER THAN THE STATE OF MISSISSIPPI, OF AT LEAST
46 \$40,000,000.00, AND WHICH WILL CREATE AT LEAST FIVE HUNDRED
47 MILITARY INSTALLATION RELATED FULL-TIME JOBS, WHICH JOBS MAY BE
48 MILITARY JOBS, CIVILIAN JOBS OR A COMBINATION OF MILITARY AND
49 CIVILIAN JOBS; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF
50 1972, TO DECREASE THE AMOUNT OF BONDS THAT MAY BE ISSUED FOR
51 CERTAIN PROJECTS UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT
52 AND TO AUTHORIZE THE ISSUANCE OF BONDS FOR CERTAIN PROJECTS UNDER



53 THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION
54 69-2-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BONDS
55 THAT MAY BE ISSUED FOR THE EMERGING CROPS FUND; TO EXTEND THE TIME
56 WITHIN WHICH BONDS MAY BE ISSUED FOR THE EMERGING CROPS FUND; AND
57 FOR RELATED PURPOSES.

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

59 **SECTION 1.** Section 57-61-25, Mississippi Code of 1972, is
60 amended as follows:

61 57-61-25. (1) The seller is authorized to borrow, on the
62 credit of the state upon receipt of a resolution from the
63 Mississippi Development Authority requesting the same, money not
64 exceeding the aggregate sum of Two Hundred Sixty Million Dollars
65 (\$260,000,000.00), not including money borrowed to refund
66 outstanding bonds, notes or replacement notes, as may be necessary
67 to carry out the purposes of this chapter. The aggregate amount
68 of bonds issued prior to June 30, 1987, shall not exceed Fifty
69 Million Dollars (\$50,000,000.00); provided, however, this Fifty
70 Million Dollars (\$50,000,000.00) limitation shall not be construed
71 to limit the aggregate amount of grants which may be awarded prior
72 to June 30, 1987, to less than the full amount authorized under
73 Section 57-61-15(1), Mississippi Code of 1972. The rate of
74 interest on any such bonds or notes which are not subject to
75 taxation shall not exceed the rates set forth in Section
76 75-17-101, Mississippi Code of 1972, for general obligation bonds.

77 (2) As evidence of indebtedness authorized in this chapter,
78 general or limited obligation bonds of the state shall be issued
79 from time to time, to provide monies necessary to carry out the
80 purposes of this chapter for such total amounts, in such form, in
81 such denominations payable in such currencies (either domestic or
82 foreign or both) and subject to such terms and conditions of
83 issue, redemption and maturity, rate of interest and time of
84 payment of interest as the seller directs, except that such bonds
85 shall mature or otherwise be retired in annual installments
86 beginning not more than five (5) years from date thereof and
87 extending not more than thirty (30) years from date thereof.



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

92 (4) All bonds and notes issued under authority of this
93 chapter may be general or limited obligations of the state, and
94 the full faith and credit of the State of Mississippi as to
95 general obligation bonds, or the revenues derived from projects
96 assisted as to limited obligation bonds, are hereby pledged for
97 the payment of the principal of and interest on such bonds and
98 notes.

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

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

105 (7) The seller is authorized to provide, by resolution, for
106 the issuance of refunding bonds for the purpose of refunding any
107 debt issued under the provision of this chapter and then
108 outstanding, either by voluntary exchange with the holders of the
109 outstanding debt or to provide funds to redeem and the costs of
110 issuance and retirement of the debt, at maturity or at any call
111 date. The issuance of the refunding bonds, the maturities and
112 other details thereof, the rights of the holders thereof and the
113 duties of the issuing officials in respect to the same shall be
114 governed by the provisions of this section, insofar as they may be
115 applicable.

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



120 (9) The proceeds of bonds issued under this chapter after
121 the effective date of House Bill No. 1834, 2002 Regular Session,
122 may be used to reimburse reasonable actual and necessary costs
123 incurred by the Mississippi Development Authority in administering
124 a program or providing assistance related to a project, or both,
125 for which funding is provided from the use of proceeds of such
126 bonds. An accounting of actual costs incurred for which
127 reimbursement is sought shall be maintained for each project by
128 the Mississippi Development Authority. Reimbursement of
129 reasonable actual and necessary costs for a program or project
130 shall not exceed three percent (3%) of the proceeds of bonds
131 issued for such program or project. Monies authorized for a
132 particular program or project may not be used to reimburse
133 administrative costs for unrelated programs or projects.
134 Reimbursements under this subsection shall satisfy any applicable
135 federal tax law requirements.

136 **SECTION 2.** Section 57-61-34, Mississippi Code of 1972, is
137 amended as follows:

138 57-61-34. Notwithstanding any provision of this chapter to
139 the contrary, the Mississippi Development Authority shall utilize
140 not more than Seven Million Dollars (\$7,000,000.00) out of the
141 proceeds of bonds authorized to be issued in this chapter to be
142 made available as interest-bearing loans to municipalities or
143 private companies to aid in the establishment of business
144 incubation centers and the creation of new and expanding
145 technology-based business and industry.

146 In exercising the power given it under this section, the
147 Mississippi Development Authority shall work in conjunction with
148 the University Research Center and may contract with the center to
149 provide space and assistance to business incubation centers as the
150 center is authorized to do pursuant to Section 57-13-13.

151 The requirements of Section 57-61-9 shall not apply to any
152 loan made under this section. The Mississippi Development



153 Authority shall establish criteria and guidelines to govern loans
154 made pursuant to this section.

155 **SECTION 3.** Section 57-61-36, Mississippi Code of 1972, is
156 amended as follows:

157 57-61-36. (1) Notwithstanding any provision of this chapter
158 to the contrary, the Mississippi Development Authority shall
159 utilize not more than Ten Million Five Hundred Thousand Dollars
160 (\$10,500,000.00) out of the proceeds of bonds authorized to be
161 issued in this chapter for the purpose of making grants to
162 municipalities through a development infrastructure grant fund to
163 complete infrastructure related to new or expanded industry.

164 (2) Notwithstanding any provision of this chapter to the
165 contrary, the Mississippi Development Authority may utilize not
166 more than Seven Million Dollars (\$7,000,000.00) out of the
167 proceeds of bonds authorized to be issued in this chapter for the
168 purpose of making interest-bearing loans to any agency,
169 department, institution, instrumentality or political subdivision
170 of the state; or any agency, department, institution or
171 instrumentality of any political subdivision of the state; or any
172 business, organization, corporation, association or other legal
173 entity meeting criteria established by the department, through a
174 housing development revolving loan fund, to construct or repair
175 housing for low or moderate income earners; provided, however,
176 that the department may not utilize any bond proceeds authorized
177 under this chapter for the purpose of making any loans to the
178 Mississippi Home Corporation for any purpose whatsoever. No more
179 than forty percent (40%) of the additional bonds authorized by
180 this section in House Bill No. 1694, 1998 Regular Session [Laws,
181 1998, Chapter 559], may be used for multiple family housing
182 activities. Funds authorized under this subsection may be
183 deposited in the Mississippi Affordable Housing Development Fund
184 authorized in Section 43-33-759 and used for purposes authorized



185 by that section. This subsection (2) shall be repealed from and
186 after July 1, 2004.

187 (3) Notwithstanding any provision of this chapter to the
188 contrary, the Mississippi Development Authority shall utilize not
189 more than Eight Million Five Hundred Dollars (\$8,500,000.00) out
190 of the proceeds of bonds authorized to be issued in this chapter
191 for the purpose of making grants or loans to municipalities
192 through an equipment and public facilities grant and loan fund to
193 aid in infrastructure-related improvements as determined by the
194 Mississippi Development Authority, the purchase of equipment and
195 in the purchase, construction or repair and renovation of public
196 facilities. Any bonds previously issued for the Development
197 Infrastructure Revolving Loan Program which have not been loaned
198 or applied for are eligible to be administered as grants or loans.

199 The requirements of Section 57-61-9 shall not apply to any
200 grant made under this subsection. The Mississippi Development
201 Authority may establish criteria and guidelines to govern grants
202 made pursuant to this subsection.

203 (4) Notwithstanding any provision of this chapter to the
204 contrary, the Mississippi Development Authority may utilize not
205 more than Seven Hundred Fifty Thousand Dollars (\$750,000.00) out
206 of the proceeds of bonds authorized to be issued in this chapter
207 in order to match federal funds available from the United States
208 Department of Agriculture for the purpose of establishing an
209 intermediary relending program to be administered by the
210 Mississippi Development Authority. The Mississippi Development
211 Authority may establish criteria and guidelines to govern loans
212 made under such program. This subsection (4) shall be repealed
213 from and after the effective date of House Bill No. 1834, 2002
214 Regular Session.

215 (5) The Mississippi Development Authority may establish a
216 capital access program and may contract with any financial
217 institution to participate in the program upon such terms and



218 conditions as the authority shall consider necessary and proper.
219 The Mississippi Development Authority may establish loss reserve
220 accounts at financial institutions that participate in the program
221 and require payments by the financial institution and the borrower
222 to such loss reserve accounts. All money in such loss reserve
223 accounts is the property of the Mississippi Development Authority.

224 Under the capital access program a participating financial
225 institution may make a loan to any borrower the Mississippi
226 Development Authority determines to be qualified under rules and
227 regulations adopted by the authority and be protected against
228 losses from such loans as provided in the program. Under such
229 rules and regulations as may be adopted by the Mississippi
230 Development Authority, a participating financial institution may
231 submit claims for the reimbursement for losses incurred as a
232 result of default on loans by qualified borrowers.

233 Notwithstanding any provision of this chapter to the
234 contrary, the Mississippi Development Authority may utilize not
235 more than Seven Hundred Fifty Thousand Dollars (\$750,000.00) out
236 of the proceeds of bonds authorized to be issued in this chapter
237 for the purpose of making payments to loan loss reserve accounts
238 established at financial institutions that participate in the
239 capital access program established by the Mississippi Development
240 Authority.

241 (6) Notwithstanding any provision of this chapter to the
242 contrary, the Mississippi Development Authority shall utilize not
243 more than Two Hundred Thousand Dollars (\$200,000.00) out of the
244 proceeds of bonds authorized to be issued in this chapter for the
245 purpose of assisting Warren County, Mississippi, in the
246 continuation and completion of the study for the proposed Kings
247 Point levee.

248 **SECTION 4.** Section 57-61-15, Mississippi Code of 1972, is
249 amended as follows:



250 [From and after the effective date of House Bill No. 1834,
251 2002 Regular Session, through June 30, 2003, this section shall
252 read as follows:]

253 57-61-15. (1) Except for grants authorized for state-owned
254 ports and for grants authorized under Section 57-61-32, Section
255 57-61-33 and Section 57-61-36, Mississippi Code of 1972, no more
256 than Seven Million Five Hundred Thousand Dollars (\$7,500,000.00)
257 of the proceeds of bonds authorized to be issued under this
258 chapter shall be made available for grants to municipalities;
259 however, Two Million Five Hundred Thousand Dollars (\$2,500,000.00)
260 of such amount shall be made available for grants to small
261 communities.

262 (2) In no case shall any municipality receive more than one
263 (1) grant in any single fiscal year. This subsection shall not
264 apply to grants authorized under Section 57-61-36, Mississippi
265 Code of 1972.

266 (3) A minimum of fifteen percent (15%) of the aggregate
267 funds made available under this chapter shall be allocated to
268 small communities. For the purpose of determining the aggregate
269 funds available to make the allocation established in this
270 subsection, there shall be excluded from inclusion therein any
271 funds specifically dedicated pursuant to Sections 57-61-11(e)(iii)
272 and (v), 57-61-32, 57-61-33, 57-61-34, 57-61-36, 57-61-39,
273 57-61-41 and 57-75-27, Mississippi Code of 1972.

274 (4) No loan or grant shall be made without substantiation of
275 the provisions of Section 57-61-9, Mississippi Code of 1972.

276 (5) Except in the case of an application pursuant to Section
277 57-61-9(5)(a), Mississippi Code of 1972, funds loaned shall be
278 secured by a lien and/or collateralized consistent with Section
279 57-61-9(1)(d), Mississippi Code of 1972, if required by the
280 department.

281 (6) Except in the case of an application pursuant to Section
282 57-61-9(5)(a), Mississippi Code of 1972, private companies which



283 fail to create and maintain the number of jobs specified in an
284 approved application shall be liable for, in the discretion of the
285 department, (a) a penalty equal to two percent (2%) greater than
286 the current prime interest rate for the remainder of the loan made
287 for their benefit, or (b) prepayment of the outstanding loan
288 amount incurred by the municipality for their benefit, unless the
289 penalty or a portion thereof is waived by the department because
290 the failure is due to circumstances outside the control of the
291 private company. The penalty shall be payable in installments
292 which the department deems appropriate. Immediate notice of
293 penalties and waivers of penalties, including the penalties in
294 Section 57-61-9(1)(d), Mississippi Code of 1972, with the reasons
295 thereof, shall be submitted by the department to the Governor and
296 the Legislature along with the department's decision on the
297 imposition of penalties and the reasons for this decision.

298 (7) Except in the case of an application pursuant to Section
299 57-61-9(5)(a), Mississippi Code of 1972, municipalities receiving
300 loans which fail to meet their repayment obligations shall forfeit
301 the right to receive their sales tax allocation and/or homestead
302 exemption reimbursement in an amount sufficient to repay
303 obligations due until such time as their indebtedness has been
304 discharged or arrangements to discharge such indebtedness
305 satisfactory to the department have been made. Sales tax
306 allocations and/or homestead exemption reimbursements forfeited
307 hereby shall, upon demand by the department made in writing upon
308 the State Tax Commission, be paid to the department and applied to
309 the discharge of the obligation. The department may prescribe
310 such other penalties it deems necessary.

311 (8) Any municipality which has forfeited its sales tax
312 allocation and/or homestead exemption reimbursement for twelve
313 (12) months may levy an ad valorem tax on the taxable property
314 therein for the purpose of meeting its repayment obligation. The
315 revenue produced from the tax levy shall not be included within



316 the ten percent (10%) growth limitation on ad valorem tax receipts
317 for its general budget.

318 (9) This chapter is expressly not intended to encourage the
319 relocation of a company from one jurisdiction within the state to
320 another. Any request by a local sponsor for assistance to be
321 provided a firm which currently operates a similar business in the
322 state must be accompanied by a demonstration that the total net
323 increase in and maintenance of full-time equivalent jobs, using
324 the current number of jobs in all similar businesses operated by
325 the private company in the state as a base, shall be at least
326 twenty-five percent (25%). This requirement shall not apply to
327 private companies relocating from small business incubators.

328 **[From and after July 1, 2003, this section shall read as**
329 **follows:]**

330 57-61-15. (1) Except for grants authorized for state-owned
331 ports and for grants authorized under Section 57-61-32, Section
332 57-61-33 and Section 57-61-36, Mississippi Code of 1972, no more
333 than Seven Million Five Hundred Thousand Dollars (\$7,500,000.00)
334 of the proceeds of bonds authorized to be issued under this
335 chapter shall be made available for grants to municipalities;
336 however, Two Million Five Hundred Thousand Dollars (\$2,500,000.00)
337 of such amount shall be made available for grants to small
338 communities.

339 (2) In no case shall any municipality receive more than one
340 (1) grant in any single fiscal year. This subsection shall not
341 apply to grants authorized under Section 57-61-36, Mississippi
342 Code of 1972.

343 (3) A minimum of twenty-five percent (25%) of the aggregate
344 funds made available under this chapter shall be allocated to
345 small communities. For the purpose of determining the aggregate
346 funds available to make the allocation established in this
347 subsection, there shall be excluded from inclusion therein any
348 funds specifically dedicated pursuant to Sections 57-61-11(e)(iii)



349 and (v), 57-61-32, 57-61-33, 57-61-34, 57-61-36, 57-61-39,
350 57-61-41 and 57-75-27, Mississippi Code of 1972.

351 (4) No loan or grant shall be made without substantiation of
352 the provisions of Section 57-61-9, Mississippi Code of 1972.

353 (5) Except in the case of an application pursuant to Section
354 57-61-9(5) (a), Mississippi Code of 1972, funds loaned shall be
355 secured by a lien and/or collateralized consistent with Section
356 57-61-9(1) (d), Mississippi Code of 1972, if required by the
357 department.

358 (6) Except in the case of an application pursuant to Section
359 57-61-9(5) (a), Mississippi Code of 1972, private companies which
360 fail to create and maintain the number of jobs specified in an
361 approved application shall be liable for, in the discretion of the
362 department, (a) a penalty equal to two percent (2%) greater than
363 the current prime interest rate for the remainder of the loan made
364 for their benefit, or (b) prepayment of the outstanding loan
365 amount incurred by the municipality for their benefit, unless the
366 penalty or a portion thereof is waived by the department because
367 the failure is due to circumstances outside the control of the
368 private company. The penalty shall be payable in installments
369 which the department deems appropriate. Immediate notice of
370 penalties and waivers of penalties, including the penalties in
371 Section 57-61-9(1) (d), Mississippi Code of 1972, with the reasons
372 thereof, shall be submitted by the department to the Governor and
373 the Legislature along with the department's decision on the
374 imposition of penalties and the reasons for this decision.

375 (7) Except in the case of an application pursuant to Section
376 57-61-9(5) (a), Mississippi Code of 1972, municipalities receiving
377 loans which fail to meet their repayment obligations shall forfeit
378 the right to receive their sales tax allocation and/or homestead
379 exemption reimbursement in an amount sufficient to repay
380 obligations due until such time as their indebtedness has been
381 discharged or arrangements to discharge such indebtedness



382 satisfactory to the department have been made. Sales tax
383 allocations and/or homestead exemption reimbursements forfeited
384 hereby shall, upon demand by the department made in writing upon
385 the State Tax Commission, be paid to the department and applied to
386 the discharge of the obligation. The department may prescribe
387 such other penalties it deems necessary.

388 (8) Any municipality which has forfeited its sales tax
389 allocation and/or homestead exemption reimbursement for twelve
390 (12) months may levy an ad valorem tax on the taxable property
391 therein for the purpose of meeting its repayment obligation. The
392 revenue produced from the tax levy shall not be included within
393 the ten percent (10%) growth limitation on ad valorem tax receipts
394 for its general budget.

395 (9) This chapter is expressly not intended to encourage the
396 relocation of a company from one jurisdiction within the state to
397 another. Any request by a local sponsor for assistance to be
398 provided a firm which currently operates a similar business in the
399 state must be accompanied by a demonstration that the total net
400 increase in and maintenance of full-time equivalent jobs, using
401 the current number of jobs in all similar businesses operated by
402 the private company in the state as a base, shall be at least
403 twenty-five percent (25%). This requirement shall not apply to
404 private companies relocating from small business incubators.

405 **SECTION 5.** Section 57-61-42, Mississippi Code of 1972, is
406 amended as follows:

407 57-61-42. (1) Notwithstanding any provision of this chapter
408 to the contrary, the Mississippi Development Authority shall
409 utilize not more than Three Million Five Hundred Thousand Dollars
410 (\$3,500,000.00) out of the proceeds of bonds issued in this
411 chapter to provide funds for a job recruitment, training,
412 development, counseling, motivation and referral services program
413 for less developed counties of this state. The services provided



414 under this program shall include, but not be limited to, the
415 following:

- 416 (a) Recruitment for available positions;
- 417 (b) Job orientation;
- 418 (c) Job related counseling;
- 419 (d) Motivational services;
- 420 (e) Tutoring of job applicants when appropriate;
- 421 (f) Training;
- 422 (g) Job placement;
- 423 (h) Follow-up services to ensure successful employment;
- 424 (i) Referrals to social services where appropriate.

425 (2) The Mississippi Development Authority may contract with
426 a public or private entity to administer the program authorized in
427 subsection (1) of this section.

428 (3) The primary focus of such program shall be to meet the
429 State of Mississippi's work requirements under the Temporary
430 Assistance to Needy Families ("TANF") Program, but the program may
431 also be used for other purposes that meet the criteria of this
432 section.

433 (4) As used in this section the term "less developed
434 counties" means the twenty-eight (28) counties in this state
435 ranked and designated annually by the State Tax Commission as
436 having the highest unemployment rate for the most recent
437 thirty-six-month period. The State Tax Commission shall make such
438 ranking and designation annually by December 31, using the most
439 current data available from the University Research Center,
440 Mississippi State Employment Security Commission and the United
441 States Department of Commerce.

442 (5) This section shall be repealed from and after the
443 effective date of House Bill No. 1834, 2002 Regular Session.

444 **SECTION 6.** Section 57-75-5, Mississippi Code of 1972, is
445 amended as follows:



446 57-75-5. Words and phrases used in this chapter shall have
447 meanings as follows, unless the context clearly indicates a
448 different meaning:

449 (a) "Act" means the Mississippi Major Economic Impact
450 Act as originally enacted or as hereafter amended.

451 (b) "Authority" means the Mississippi Major Economic
452 Impact Authority created pursuant to the act.

453 (c) "Bonds" means general obligation bonds, interim
454 notes and other evidences of debt of the State of Mississippi
455 issued pursuant to this chapter.

456 (d) "Facility related to the project" means and
457 includes any of the following, as the same may pertain to the
458 project within the project area: (i) facilities to provide
459 potable and industrial water supply systems, sewage and waste
460 disposal systems and water, natural gas and electric transmission
461 systems to the site of the project; (ii) airports, airfields and
462 air terminals; (iii) rail lines; (iv) port facilities; (v)
463 highways, streets and other roadways; (vi) public school
464 buildings, classrooms and instructional facilities, training
465 facilities and equipment, including any functionally related
466 facilities; (vii) parks, outdoor recreation facilities and
467 athletic facilities; (viii) auditoriums, pavilions, campgrounds,
468 art centers, cultural centers, folklore centers and other public
469 facilities; (ix) health care facilities, public or private; and
470 (x) fire protection facilities, equipment and elevated water
471 tanks.

472 (e) "Person" means any natural person, corporation,
473 association, partnership, receiver, trustee, guardian, executor,
474 administrator, fiduciary, governmental unit, public agency,
475 political subdivision, or any other group acting as a unit, and
476 the plural as well as the singular.

477 (f) "Project" means:



478 (i) Any industrial, commercial, research and
479 development, warehousing, distribution, transportation,
480 processing, mining, United States government or tourism enterprise
481 together with all real property required for construction,
482 maintenance and operation of the enterprise with an initial
483 capital investment of not less than Three Hundred Million Dollars
484 (\$300,000,000.00) from private or United States government sources
485 together with all buildings, and other supporting land and
486 facilities, structures or improvements of whatever kind required
487 or useful for construction, maintenance and operation of the
488 enterprise; or with an initial capital investment of not less than
489 One Hundred Fifty Million Dollars (\$150,000,000.00) from private
490 or United States government sources together with all buildings
491 and other supporting land and facilities, structures or
492 improvements of whatever kind required or useful for construction,
493 maintenance and operation of the enterprise and which creates at
494 least one thousand (1,000) net new full-time jobs; or which
495 creates at least one thousand (1,000) net new full-time jobs which
496 provides an average salary, excluding benefits which are not
497 subject to Mississippi income taxation, of at least one hundred
498 twenty-five percent (125%) of the most recently published average
499 annual wage of the state as determined by the Mississippi
500 Employment Security Commission. "Project" shall include any
501 addition to or expansion of an existing enterprise if such
502 addition or expansion has an initial capital investment of not
503 less than Three Hundred Million Dollars (\$300,000,000.00) from
504 private or United States government sources, or has an initial
505 capital investment of not less than One Hundred Fifty Million
506 Dollars (\$150,000,000.00) from private or United States government
507 sources together with all buildings and other supporting land and
508 facilities, structures or improvements of whatever kind required
509 or useful for construction, maintenance and operation of the
510 enterprise and which creates at least one thousand (1,000) net new



511 full-time jobs; or which creates at least one thousand (1,000) net
512 new full-time jobs which provides an average salary, excluding
513 benefits which are not subject to Mississippi income taxation, of
514 at least one hundred twenty-five percent (125%) of the most
515 recently published average annual wage of the state as determined
516 by the Mississippi Employment Security Commission. "Project"
517 shall also include any ancillary development or business resulting
518 from the enterprise, of which the authority is notified, within
519 three (3) years from the date that the enterprise entered into
520 commercial production, that the project area has been selected as
521 the site for the ancillary development or business.

522 (ii) Any major capital project designed to
523 improve, expand or otherwise enhance any active duty United States
524 Air Force or Navy training bases or naval stations, their support
525 areas or their military operations, upon designation by the
526 authority that any such base was or is at risk to be recommended
527 for closure or realignment pursuant to the Defense Base Closure
528 and Realignment Act of 1990; or any major development project
529 determined by the authority to be necessary to acquire base
530 properties and to provide employment opportunities through
531 construction of projects as defined in Section 57-3-5, which shall
532 be located on or provide direct support service or access to such
533 military installation property as such property exists on July 1,
534 1993, in the event of closure or reduction of military operations
535 at the installation. From and after July 1, 1997, projects
536 described in this subparagraph (ii) shall not be considered to be
537 within the meaning of the term "project" for purposes of this
538 section, unless such projects are commenced before July 1, 1997,
539 and shall not be eligible for any funding provided under the
540 Mississippi Major Economic Impact Act.

541 (iii) Any enterprise to be maintained, improved or
542 constructed in Tishomingo County by or for a National Aeronautics
543 and Space Administration facility in such county.



544 (iv) 1. Any major capital project with an initial
545 capital investment from private sources of not less than Seven
546 Hundred Fifty Million Dollars (\$750,000,000.00) which will create
547 at least three thousand (3,000) jobs in the aggregate. For
548 purposes of determining whether a project meets such minimum jobs
549 requirement, the jobs created may be direct project related jobs,
550 jobs created by suppliers of the project which jobs are directly
551 related to the project, or a combination thereof.

552 2. "Project" shall also include any ancillary
553 development or business resulting from an enterprise operating a
554 project as defined in item 1 of this paragraph (f)(iv), of which
555 the authority is notified, within three (3) years from the date
556 that the enterprise entered into commercial production, that the
557 state has been selected as the site for the ancillary development
558 or business.

559 (v) Any major capital project designed to
560 construct the corporate headquarters and initial factory, to be
561 located in the Golden Triangle Region of the state, for any
562 Mississippi corporation that develops, constructs and operates
563 automated robotic systems to improve the quality of, and reduce
564 the costs of, manufacturing wire harness assemblies for certain
565 industries, or manufactures thin film polymer lithium-ion
566 rechargeable batteries which project has a ten-year strategic plan
567 of supporting one thousand (1,000) direct project-related jobs for
568 each group of wire harness contracts amounting to Thirty-five
569 Million Dollars (\$35,000,000.00), or which has a ten-year
570 strategic plan of supporting one thousand five hundred (1,500)
571 direct project-related jobs for each group of polymer lithium-ion
572 rechargeable battery contracts amounting to Forty Million Dollars
573 (\$40,000,000.00).

574 (vi) Any real property owned or controlled by the
575 National Aeronautics and Space Administration, the United States
576 government, or any agency thereof, which is legally conveyed to



577 the State of Mississippi or to the State of Mississippi for the
578 benefit of the Mississippi Major Economic Impact Authority, its
579 successors and assigns pursuant to Section 212 of Public Law
580 104-99, enacted January 26, 1996 (110 Stat. 26 at 38).

581 (vii) Any major capital project designed to
582 manufacture, produce and transmit electrical power using natural
583 gas as its primary raw material to be constructed and maintained
584 in Panola County, Mississippi, with an initial capital investment
585 of not less than Two Hundred Fifty Million Dollars
586 (\$250,000,000.00).

587 (viii) Any major capital project related to the
588 establishment, improvement, expansion and/or other enhancement of
589 any active duty military installation and having a minimum capital
590 investment from any source or combination of sources other than
591 the State of Mississippi of at least Forty Million Dollars
592 (\$40,000,000.00), and which will create at least five hundred
593 (500) military installation related full-time jobs, which jobs may
594 be military jobs, civilian jobs or a combination of military and
595 civilian jobs.

596 (g) "Project area" means the project site, together
597 with any area or territory within the state lying within
598 sixty-five (65) miles of any portion of the project site whether
599 or not such area or territory be contiguous; provided, however,
600 that for the project defined in paragraph (f)(iv) of this section
601 the term "project area" means any area or territory within the
602 state. The project area shall also include all territory within a
603 county if any portion of such county lies within sixty-five (65)
604 miles of any portion of the project site. "Project site" means
605 the real property on which the principal facilities of the
606 enterprise will operate.

607 (h) "Public agency" means:

608 (i) Any department, board, commission, institution
609 or other agency or instrumentality of the state;



610 (ii) Any city, town, county, political
611 subdivision, school district or other district created or existing
612 under the laws of the state or any public agency of any such city,
613 town, county, political subdivision or district or any other
614 public entity created or existing under local and private
615 legislation;

616 (iii) Any department, commission, agency or
617 instrumentality of the United States of America; and

618 (iv) Any other state of the United States of
619 America which may be cooperating with respect to location of the
620 project within the state, or any agency thereof.

621 (i) "State" means State of Mississippi.

622 (j) "Fee-in-lieu" means a negotiated fee to be paid by
623 the project in lieu of any franchise taxes imposed on the project
624 by Chapter 13, Title 27, Mississippi Code of 1972. The
625 fee-in-lieu shall not be less than Twenty-five Thousand Dollars
626 (\$25,000.00) annually. A fee-in-lieu shall not be negotiated for
627 existing enterprises that fall within the definition of the term
628 "project."

629 **SECTION 7.** Section 57-75-15, Mississippi Code of 1972, is
630 amended as follows:

631 57-75-15. (1) Upon notification to the authority by the
632 enterprise that the state has been finally selected as the site
633 for the project, the State Bond Commission shall have the power
634 and is hereby authorized and directed, upon receipt of a
635 declaration from the authority as hereinafter provided, to borrow
636 money and issue general obligation bonds of the state in one or
637 more series for the purposes herein set out. Upon such
638 notification, the authority may thereafter from time to time
639 declare the necessity for the issuance of general obligation bonds
640 as authorized by this section and forward such declaration to the
641 State Bond Commission, provided that before such notification, the
642 authority may enter into agreements with the United States



643 government, private companies and others that will commit the
644 authority to direct the State Bond Commission to issue bonds for
645 eligible undertakings set out in subsection (4) of this section,
646 conditioned on the siting of the project in the state.

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

652 (3) (a) Bonds issued under the authority of this section
653 for projects as defined in Section 57-75-5(f)(i) shall not exceed
654 an aggregate principal amount in the sum of Sixty-seven Million
655 Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

656 (b) Bonds issued under the authority of this section
657 for projects as defined in Section 57-75-5(f)(ii) shall not exceed
658 Fifty Million Dollars (\$50,000,000.00), nor shall the bonds issued
659 for projects related to any single military installation exceed
660 Sixteen Million Six Hundred Sixty-seven Thousand Dollars
661 (\$16,667,000.00). If any proceeds of bonds issued for projects
662 related to the Meridian Naval Auxiliary Air Station ("NAAS") are
663 used for the development of a water and sewer service system by
664 the City of Meridian, Mississippi, to serve the NAAS and if the
665 City of Meridian annexes any of the territory served by the water
666 and sewer service system, the city shall repay the State of
667 Mississippi the amount of all bond proceeds expended on any
668 portion of the water and sewer service system project; and if
669 there are any monetary proceeds derived from the disposition of
670 any improvements located on real property in Kemper County
671 purchased pursuant to this act for projects related to the NAAS
672 and if there are any monetary proceeds derived from the
673 disposition of any timber located on real property in Kemper
674 County purchased pursuant to this act for projects related to the
675 NAAS, all of such proceeds (both from the disposition of



676 improvements and the disposition of timber) commencing July 1,
677 1996, through June 30, 2010, shall be paid to the Board of
678 Education of Kemper County, Mississippi, for expenditure by such
679 board of education to benefit the public schools of Kemper County.
680 No bonds shall be issued under this paragraph (b) until the State
681 Bond Commission by resolution adopts a finding that the issuance
682 of such bonds will improve, expand or otherwise enhance the
683 military installation, its support areas or military operations,
684 or will provide employment opportunities to replace those lost by
685 closure or reductions in operations at the military installation.
686 From and after July 1, 1997, bonds shall not be issued for any
687 projects, as defined in Section 57-75-5(f)(ii), which are not
688 commenced before July 1, 1997. The proceeds of any bonds issued
689 for projects commenced before July 1, 1997, shall be used for the
690 purposes for which the bonds were issued until completion of the
691 projects.

692 (c) Bonds issued under the authority of this section
693 for projects as defined in Section 57-75-5(f)(iii) shall not
694 exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be
695 issued under this paragraph after December 31, 1996.

696 (d) Bonds issued under the authority of this section
697 for projects defined in Section 57-75-5(f)(iv) shall not exceed
698 Two Hundred Ninety-five Million Dollars (\$295,000,000.00). No
699 bonds shall be issued under this paragraph after June 30, 2003.

700 (e) Bonds issued under the authority of this section
701 for the project defined in Section 57-75-5(f)(v) shall not exceed
702 Twenty Million Three Hundred Seventy Thousand Dollars
703 (\$20,370,000.00). No bonds shall be issued under this paragraph
704 (e) until the State Bond Commission by resolution adopts a finding
705 that the project has secured wire harness contracts or contracts
706 to manufacture thin film polymer lithium-ion rechargeable
707 batteries, or any combination of such contracts, in the aggregate
708 amount of Twenty Million Dollars (\$20,000,000.00), either from the



709 United States government or the private sector. No bonds shall be
710 issued under this paragraph after June 30, 2001.

711 (f) Bonds issued under the authority of this section
712 for projects defined in Section 57-75-5(f)(vii) shall not exceed
713 Twenty-six Million Dollars (\$26,000,000.00). No bonds shall be
714 issued after June 30, 2001.

715 (g) Bonds issued under the authority of this section
716 for projects defined in Section 57-75-5(f)(viii) shall not exceed
717 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
718 under this paragraph after June 30, 2006.

719 (4) The proceeds from the sale of the bonds issued under
720 this section may be applied for the purposes of: (a) defraying
721 all or any designated portion of the costs incurred with respect
722 to acquisition, planning, design, construction, installation,
723 rehabilitation, improvement, relocation and with respect to
724 state-owned property, operation and maintenance of the project and
725 any facility related to the project located within the project
726 area, including costs of design and engineering, all costs
727 incurred to provide land, easements and rights-of-way, relocation
728 costs with respect to the project and with respect to any facility
729 related to the project located within the project area, and costs
730 associated with mitigation of environmental impacts and
731 environmental impact studies; (b) defraying the cost of providing
732 for the recruitment, screening, selection, training or retraining
733 of employees, candidates for employment or replacement employees
734 of the project and any related activity; (c) reimbursing the
735 Mississippi Development Authority for expenses it incurred in
736 regard to projects defined in Section 57-75-5(f)(iv) prior to
737 November 6, 2000. The Mississippi Development Authority shall
738 submit an itemized list of expenses it incurred in regard to such
739 projects to the Chairmen of the Finance and Appropriations
740 Committees of the Senate and the Chairmen of the Ways and Means
741 and Appropriations Committees of the House of Representatives; (d)



742 providing grants to enterprises operating projects defined in
743 Section 57-75-5(f)(iv)1; (e) paying any warranty made by the
744 authority regarding site work for a project defined in Section
745 57-75-5(f)(iv)1; (f) defraying the cost of marketing and promotion
746 of a project as defined in Section 57-75-5(f)(iv)1. The authority
747 shall submit an itemized list of costs incurred for marketing and
748 promotion of such project to the Chairmen of the Finance and
749 Appropriations Committees of the Senate and the Chairmen of the
750 Ways and Means and Appropriations Committees of the House of
751 Representatives; (g) providing for the payment of interest on the
752 bonds; (h) providing debt service reserves; and (i) paying
753 underwriters' discount, original issue discount, accountants'
754 fees, engineers' fees, attorneys' fees, rating agency fees and
755 other fees and expenses in connection with the issuance of the
756 bonds. Such bonds shall be issued from time to time and in such
757 principal amounts as shall be designated by the authority, not to
758 exceed in aggregate principal amounts the amount authorized in
759 subsection (3) of this section. Proceeds from the sale of the
760 bonds issued under this section may be invested, subject to
761 federal limitations, pending their use, in such securities as may
762 be specified in the resolution authorizing the issuance of the
763 bonds or the trust indenture securing them, and the earning on
764 such investment applied as provided in such resolution or trust
765 indenture.

766 (5) The principal of and the interest on the bonds shall be
767 payable in the manner hereinafter set forth. The bonds shall bear
768 date or dates; be in such denomination or denominations; bear
769 interest at such rate or rates; be payable at such place or places
770 within or without the state; mature absolutely at such time or
771 times; be redeemable before maturity at such time or times and
772 upon such terms, with or without premium; bear such registration
773 privileges; and be substantially in such form; all as shall be
774 determined by resolution of the State Bond Commission except that



775 such bonds shall mature or otherwise be retired in annual
776 installments beginning not more than five (5) years from the date
777 thereof and extending not more than twenty-five (25) years from
778 the date thereof. The bonds shall be signed by the Chairman of
779 the State Bond Commission, or by his facsimile signature, and the
780 official seal of the State Bond Commission shall be imprinted on
781 or affixed thereto, attested by the manual or facsimile signature
782 of the Secretary of the State Bond Commission. Whenever any such
783 bonds have been signed by the officials herein designated to sign
784 the bonds, who were in office at the time of such signing but who
785 may have ceased to be such officers before the sale and delivery
786 of such bonds, or who may not have been in office on the date such
787 bonds may bear, the signatures of such officers upon such bonds
788 shall nevertheless be valid and sufficient for all purposes and
789 have the same effect as if the person so officially signing such
790 bonds had remained in office until the delivery of the same to the
791 purchaser, or had been in office on the date such bonds may bear.

792 (6) All bonds issued under the provisions of this section
793 shall be and are hereby declared to have all the qualities and
794 incidents of negotiable instruments under the provisions of the
795 Uniform Commercial Code and in exercising the powers granted by
796 this chapter, the State Bond Commission shall not be required to
797 and need not comply with the provisions of the Uniform Commercial
798 Code.

799 (7) The State Bond Commission shall sell the bonds on sealed
800 bids at public sale, and for such price as it may determine to be
801 for the best interest of the State of Mississippi, but no such
802 sale shall be made at a price less than par plus accrued interest
803 to date of delivery of the bonds to the purchaser. The bonds
804 shall bear interest at such rate or rates not exceeding the limits
805 set forth in Section 75-17-101 as shall be fixed by the State Bond
806 Commission. All interest accruing on such bonds so issued shall
807 be payable semiannually or annually; provided that the first



808 interest payment may be for any period of not more than one (1)
809 year.

810 Notice of the sale of any bonds shall be published at least
811 one time, the first of which shall be made not less than ten (10)
812 days prior to the date of sale, and shall be so published in one
813 or more newspapers having a general circulation in the City of
814 Jackson and in one or more other newspapers or financial journals
815 with a large national circulation, to be selected by the State
816 Bond Commission.

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

822 (8) State bonds issued under the provisions of this section
823 shall be the general obligations of the state and backed by the
824 full faith and credit of the state. The Legislature shall
825 appropriate annually an amount sufficient to pay the principal of
826 and the interest on such bonds as they become due. All bonds
827 shall contain recitals on their faces substantially covering the
828 foregoing provisions of this section.

829 (9) The State Treasurer is authorized to certify to the
830 Department of Finance and Administration the necessity for
831 warrants, and the Department of Finance and Administration is
832 authorized and directed to issue such warrants payable out of any
833 funds appropriated by the Legislature under this section for such
834 purpose, in such amounts as may be necessary to pay when due the
835 principal of and interest on all bonds issued under the provisions
836 of this section. The State Treasurer shall forward the necessary
837 amount to the designated place or places of payment of such bonds
838 in ample time to discharge such bonds, or the interest thereon, on
839 the due dates thereof.



840 (10) The bonds may be issued without any other proceedings
841 or the happening of any other conditions or things other than
842 those proceedings, conditions and things which are specified or
843 required by this chapter. Any resolution providing for the
844 issuance of general obligation bonds under the provisions of this
845 section shall become effective immediately upon its adoption by
846 the State Bond Commission, and any such resolution may be adopted
847 at any regular or special meeting of the State Bond Commission by
848 a majority of its members.

849 (11) In anticipation of the issuance of bonds hereunder, the
850 State Bond Commission is authorized to negotiate and enter into
851 any purchase, loan, credit or other agreement with any bank, trust
852 company or other lending institution or to issue and sell interim
853 notes for the purpose of making any payments authorized under this
854 section. All borrowings made under this provision shall be
855 evidenced by notes of the state which shall be issued from time to
856 time, for such amounts not exceeding the amount of bonds
857 authorized herein, in such form and in such denomination and
858 subject to such terms and conditions of sale and issuance,
859 prepayment or redemption and maturity, rate or rates of interest
860 not to exceed the maximum rate authorized herein for bonds, and
861 time of payment of interest as the State Bond Commission shall
862 agree to in such agreement. Such notes shall constitute general
863 obligations of the state and shall be backed by the full faith and
864 credit of the state. Such notes may also be issued for the
865 purpose of refunding previously issued notes; except that no notes
866 shall mature more than three (3) years following the date of
867 issuance of the first note hereunder and provided further, that
868 all outstanding notes shall be retired from the proceeds of the
869 first issuance of bonds hereunder. The State Bond Commission is
870 authorized to provide for the compensation of any purchaser of the
871 notes by payment of a fixed fee or commission and for all other
872 costs and expenses of issuance and service, including paying agent



873 costs. Such costs and expenses may be paid from the proceeds of
874 the notes.

875 (12) The bonds and interim notes authorized under the
876 authority of this section may be validated in the First Judicial
877 District of the Chancery Court of Hinds County, Mississippi, in
878 the manner and with the force and effect provided now or hereafter
879 by Chapter 13, Title 31, Mississippi Code of 1972, for the
880 validation of county, municipal, school district and other bonds.
881 The necessary papers for such validation proceedings shall be
882 transmitted to the State Bond Attorney, and the required notice
883 shall be published in a newspaper published in the City of
884 Jackson, Mississippi.

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

891 (14) All bonds issued under this chapter shall be legal
892 investments for trustees, other fiduciaries, savings banks, trust
893 companies and insurance companies organized under the laws of the
894 State of Mississippi; and such bonds shall be legal securities
895 which may be deposited with and shall be received by all public
896 officers and bodies of the state and all municipalities and other
897 political subdivisions thereof for the purpose of securing the
898 deposit of public funds.

899 (15) The Attorney General of the State of Mississippi shall
900 represent the State Bond Commission in issuing, selling and
901 validating bonds herein provided for, and the Bond Commission is
902 hereby authorized and empowered to expend from the proceeds
903 derived from the sale of the bonds authorized hereunder all
904 necessary administrative, legal and other expenses incidental and
905 related to the issuance of bonds authorized under this chapter.



906 (16) There is hereby created a special fund in the State
907 Treasury to be known as the Mississippi Major Economic Impact
908 Authority Fund wherein shall be deposited the proceeds of the
909 bonds issued under this chapter and all monies received by the
910 authority to carry out the purposes of this chapter. Expenditures
911 authorized herein shall be paid by the State Treasurer upon
912 warrants drawn from the fund, and the Department of Finance and
913 Administration shall issue warrants upon requisitions signed by
914 the director of the authority.

915 (17) (a) There is hereby created the Mississippi Economic
916 Impact Authority Sinking Fund from which the principal of and
917 interest on such bonds shall be paid by appropriation. All monies
918 paid into the sinking fund not appropriated to pay accruing bonds
919 and interest shall be invested by the State Treasurer in such
920 securities as are provided by law for the investment of the
921 sinking funds of the state.

922 (b) In the event that all or any part of the bonds and
923 notes are purchased, they shall be canceled and returned to the
924 loan and transfer agent as canceled and paid bonds and notes and
925 thereafter all payments of interest thereon shall cease and the
926 canceled bonds, notes and coupons, together with any other
927 canceled bonds, notes and coupons, shall be destroyed as promptly
928 as possible after cancellation but not later than two (2) years
929 after cancellation. A certificate evidencing the destruction of
930 the canceled bonds, notes and coupons shall be provided by the
931 loan and transfer agent to the seller.

932 (c) The State Treasurer shall determine and report to
933 the Department of Finance and Administration and Legislative
934 Budget Office by September 1 of each year the amount of money
935 necessary for the payment of the principal of and interest on
936 outstanding obligations for the following fiscal year and the
937 times and amounts of the payments. It shall be the duty of the
938 Governor to include in every executive budget submitted to the



939 Legislature full information relating to the issuance of bonds and
940 notes under the provisions of this chapter and the status of the
941 sinking fund for the payment of the principal of and interest on
942 the bonds and notes.

943 **SECTION 8.** Section 69-2-19, Mississippi Code of 1972, is
944 amended as follows:

945 69-2-19. The Mississippi Development Authority is
946 authorized, at one (1) time or from time to time, to declare by
947 resolution the necessity for issuance of negotiable general
948 obligation bonds of the State of Mississippi to provide funds for
949 the Emerging Crops Fund established in Section 69-2-13. Upon the
950 adoption of a resolution by the board, declaring the necessity for
951 the issuance of any part or all of the general obligation bonds
952 authorized by Sections 69-2-19 through 69-2-39, the authority
953 shall deliver a certified copy of its resolution or resolutions to
954 the State Bond Commission. Upon receipt of same, the State Bond
955 Commission, in its discretion, shall act as the issuing agent,
956 prescribe the form of the bonds, advertise for and accept bids,
957 issue and sell the bonds so authorized to be sold, and do any and
958 all other things necessary and advisable in connection with the
959 issuance and sale of such bonds. The amount of bonds issued under
960 Sections 69-2-19 through 69-2-39 shall not exceed One Hundred Two
961 Million Dollars (\$102,000,000.00) in the aggregate; however, an
962 additional amount of bonds may be issued under Sections 69-2-19
963 through 69-2-39 in an amount not to exceed Twenty-one Million
964 Dollars (\$21,000,000.00), and the proceeds of any such additional
965 bonds shall be used solely for the purposes described in Section
966 69-2-13(3)(b). No bonds may be issued under Sections 69-2-19
967 through 69-2-39 after October 1, 2019.

968 **SECTION 9.** This act shall take effect and be in force from
969 and after its passage.

