

By: Representatives Rotenberry, Hudson,
Moore (60th), Warren, Weathersby

To: Local and Private
Legislation; Ways and Means

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1644

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SIMPSON
2 COUNTY, MISSISSIPPI, TO PURCHASE AND RENOVATE THE BUILDING AND
3 REAL ESTATE FORMERLY OWNED BY WAL-MART STORES WITHIN THE CORPORATE
4 LIMITS OF THE CITY OF MAGEE, AND TO LEASE SPACE IN THE BUILDING TO
5 COPIAH-LINCOLN COMMUNITY COLLEGE AND FOR THE POSSIBLE LOCATION OF
6 AN INCUBATOR INDUSTRY MULTIPURPOSE AREA AND OTHER USES; TO
7 AUTHORIZE THE BOARD OF SUPERVISORS TO PURCHASE OTHER REAL ESTATE
8 AND CONSTRUCT A BUILDING ON THE PROPERTY IF THE WAL-MART PROPERTY
9 IS NO LONGER AVAILABLE FOR PURCHASE; TO AUTHORIZE THE BOARD OF
10 SUPERVISORS TO ISSUE GENERAL OBLIGATION BONDS OF THE COUNTY IN AN
11 AMOUNT NOT TO EXCEED \$2,000,000.00 FOR THE PURCHASE AND RENOVATION
12 OR CONSTRUCTION OF THE BUILDING AND REAL ESTATE; AND FOR RELATED
13 PURPOSES.

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

15 **SECTION 1.** (1) The Board of Supervisors of Simpson County,
16 Mississippi ("board"), may purchase and renovate the building and
17 real estate formerly owned by Wal-Mart Stores in the City of
18 Magee, and purchase equipment, furniture and other furnishings as
19 necessary to equip the building, for the purposes of (a) leasing
20 space in the building to Copiah-Lincoln Community College for
21 classrooms and administrative office space to continue to offer
22 its college courses, which lease may be for a nominal amount, and
23 (b) leasing space for the possible location of an incubator
24 industry multipurpose area, warehouse space or other uses, upon
25 such terms and conditions and for such monetary rental or other
26 consideration that the board deems to be in the best interest of
27 the public.

28 (2) If the building and real estate formerly owned by
29 Wal-Mart Stores in the City of Magee is no longer available for
30 purchase by the county, then the board of supervisors may purchase
31 other real estate in the county and construct a building on the
32 property, and purchase equipment, furniture and other furnishings



33 as necessary to equip the building for the purposes set forth in
34 subsection (1) of this section.

35 (3) The board may issue general obligation bonds of the
36 county, in accordance with the provisions set forth in Sections 3
37 through 11 of this act, for the purposes described in subsection
38 (1) or (2) of this section.

39 (4) The general obligation bonds of the county issued for
40 the purposes of this section shall not exceed Two Million Dollars
41 (\$2,000,000.00).

42 **SECTION 2.** If the building and real estate acquired and
43 renovated or constructed under Section 1 of this act are no longer
44 needed by the county for county purposes, the board may sell or
45 otherwise dispose of the building and real estate on terms and
46 conditions and with safeguards as will best promote and protect
47 the public interest. The board may transfer title or possession
48 to the building and real estate by warranty deed, bill of sale,
49 contract or other customary business instrument in the same manner
50 and to the same extent that any private corporation, association
51 or person may contract with reference to property of a similar
52 nature. Any sale of the building and real estate authorized under
53 this section may be made at public or private sale. All income
54 derived from the sale of the building and real estate may be
55 applied to the retirement of bonds issued under Sections 3 through
56 11 of this act or deposited into the general fund of the county to
57 be used for any lawful purpose.

58 Contracts for the renovation, construction, improvement,
59 equipping or furnishing of the building authorized to be acquired
60 or constructed under Section 1 of this act shall be entered into
61 upon the basis of public bidding under Section 31-7-1 et seq.,
62 Mississippi Code of 1972.

63 **SECTION 3.** Before the issuance of any bonds under the
64 provisions of this act, the board shall adopt a resolution
65 declaring its intention so to do, stating the maximum amount of



66 the bonds proposed to be issued, the purpose for which the bonds
67 are to be issued, and the date upon which the board proposes to
68 authorize the issuance of the bonds. The resolution shall be
69 published once a week for at least three (3) consecutive weeks in
70 at least one (1) newspaper published in the county. The
71 advertisement shall be no less than one-fourth (1/4) page in size
72 and the type used shall be no smaller than eighteen (18) point and
73 surrounded by a one-fourth-inch solid black border. The first
74 publication of the resolution shall be made not less than
75 twenty-one (21) days before the date fixed in the resolution to
76 authorize the issuance of the bonds, and the last publication
77 shall be made not more than seven (7) days before that date. If
78 twenty percent (20%) or one thousand five hundred (1,500) of the
79 qualified electors of the county, whichever is the lesser, file a
80 written protest against the issuance of the bonds on or before the
81 date specified in the resolution, then an election on the question
82 of the issuance of the bonds shall be called and held as provided
83 in this act. If no protest is filed, then the bonds may be issued
84 without an election on the question of the issuance thereof at any
85 time within a period of two (2) years after the date specified in
86 the above-mentioned resolution; however, the board, in its
87 discretion, may nevertheless call an election on that question, in
88 which event it shall not be necessary to publish the resolution
89 declaring its intention to issue the bonds as provided in this
90 act.

91 **SECTION 4.** Whenever an election is to be called as provided
92 in Section 3 of this act, notice of the election shall be signed
93 by the clerk of the board of supervisors and shall be published
94 once a week for at least three (3) consecutive weeks in at least
95 one (1) newspaper published in the county. The first publication
96 of notice shall be made not less than twenty-one (21) days before
97 the date fixed for the election, and the last publication shall be
98 made not more than seven (7) days before that date.



99 **SECTION 5.** The election shall be held, as far as is
100 practicable, in the same manner as other elections are held in
101 counties. At the election, all qualified electors of the county
102 may vote, and the ballots used at the election shall have printed
103 thereon a brief statement of the amount and purpose of the
104 proposed bond issue and the words "FOR THE BOND ISSUE" and
105 "AGAINST THE BOND ISSUE," and the voter shall vote by placing a
106 cross (x) or check mark (✓) opposite his choice on the
107 proposition.

108 **SECTION 6.** When the results of the election on the question
109 of the issuance of the bonds shall have been canvassed by the
110 election commissioners of the county and certified by them to the
111 board, it shall be the duty of the board to determine and
112 adjudicate whether or not a majority of the qualified electors who
113 voted thereon in the election voted in favor of the issuance of
114 the bonds, and unless a majority of the qualified electors who
115 voted thereon in the election have voted in favor of the issuance
116 of the bonds, then the bonds shall not be issued. If a majority
117 of the qualified electors who vote thereon in the election vote in
118 favor of the issuance of the bonds, then the board may issue the
119 bonds, whether in whole or in part, within two (2) years after the
120 date of the election or the date of the final favorable
121 termination of any litigation affecting the issuance of the bonds.

122 **SECTION 7.** This act, without reference to any other statute
123 not referred to herein, shall be deemed to be full and complete
124 authority for the borrowing of money and the issuing of bonds as
125 authorized by the board and shall be construed as an additional
126 and alternate method therefor.

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

129 **SECTION 9.** No member of the Legislature, elected official or
130 appointed official, or any partner or associate of any member of



131 the Legislature, elected official or appointed official, shall
132 derive any income from the issuance of any bonds under this act.

133 **SECTION 10.** The board is further authorized to adopt any and
134 all lawful resolutions, orders or ordinances and do and perform
135 any and all acts and things necessary and requisite to carry out
136 the purposes of this act.

137 **SECTION 11.** The Board of Supervisors of Simpson County,
138 Mississippi, shall submit this act, immediately upon approval by
139 the Governor, or upon approval by the Legislature subsequent to a
140 veto, to the Attorney General of the United States or to the
141 United States District Court for the District of Columbia in
142 accordance with the provisions of the Voting Rights Act of 1965,
143 as amended and extended.

144 **SECTION 12.** If this act is effectuated under Section 5 of
145 the Voting Rights Act of 1965, as amended and extended, then this
146 act shall take effect and be in force from and after the date it
147 is effectuated under Section 5 of the Voting Rights Act of 1965,
148 as amended and extended.

