

By: Senator(s) Minor

To: Finance

SENATE BILL NO. 2988

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION
2 BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR
3 INSTITUTIONS OF HIGHER LEARNING, STATE AGENCIES AND COMMUNITY AND
4 JUNIOR COLLEGES; TO AUTHORIZE PREPLANNING OF CERTAIN FACILITIES;
5 TO PROVIDE FOR THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR
6 THE AYERS SETTLEMENT CAPITAL IMPROVEMENTS FUND; AND FOR RELATED
7 PURPOSES.

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

9 **SECTION 1.** As used in Sections 1 through 22 of this act, the
10 following words shall have the meanings ascribed herein unless the
11 context clearly requires otherwise:

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

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

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

21 **SECTION 2.** (1) (a) A special fund, to be designated as the
22 "2003 IHL and State Agencies Capital Improvements Fund," is
23 created within the State Treasury. The fund shall be maintained
24 by the State Treasurer as a separate and special fund, separate
25 and apart from the General Fund of the state. Unexpended amounts
26 remaining in the fund at the end of a fiscal year shall not lapse
27 into the State General Fund, and any interest earned or investment
28 earnings on amounts in the fund shall be deposited into such fund.



29 (b) Monies deposited into the fund shall be disbursed,
 30 in the discretion of the Department of Finance and Administration,
 31 to pay the costs of capital improvements, renovation and/or repair
 32 of existing facilities, furnishings and/or equipping facilities
 33 for public facilities for agencies or their successors as
 34 hereinafter described:

35	NAME	PROJECT	AMOUNT
36			ALLOCATED
37	INSTITUTIONS OF HIGHER LEARNING		\$ 67,940,000.00
38	Alcorn State University.....		\$ 6,000,000.00
39	Phase I construction of		
40	a new dining		
41	facility.....		\$ 5,000,000.00
42	Repair and renovation of campus		
43	buildings and facilities and repair,		
44	renovation, replacement and improvement		
45	of campus infrastructure...		\$ 1,000,000.00
46	Delta State University.....		\$ 6,980,000.00
47	Additions to the Chadwick		
48	Dickson Building.....		\$ 1,980,000.00
49	Repair and renovation of campus		
50	buildings and facilities and repair,		
51	renovation, replacement and improvement		
52	of campus infrastructure...		\$ 5,000,000.00
53	Jackson State University.....		\$ 6,400,000.00
54	Phase II of acquiring and installing any		
55	equipment necessary in		
56	establishing and maintaining		
57	a digital transmission		
58	system for TV23.....		\$ 1,000,000.00
59	Relocation of the		
60	baseball field.....		\$ 1,500,000.00
61	Enclosure for the Lynch		



62 Street Canal..... \$ 400,000.00

63 Acquisition of land..... \$ 500,000.00

64 Phase II of the Lynch

65 Street Corridor

66 Project..... \$ 1,500,000.00

67 Repair and renovation

68 of Dansby Hall..... \$ 1,500,000.00

69 Mississippi University for Women..... \$ 4,500,000.00

70 Repair and renovation of

71 Martin Hall..... \$ 4,500,000.00

72 Mississippi State University..... \$ 10,960,000.00

73 Phase I of repair and renovation

74 of Colvard Student

75 Union..... \$10,000,000.00

76 Expansion of the North

77 Mississippi Research

78 and Extension Center..... \$ 960,000.00

79 Mississippi State University/Division of Agriculture,

80 Forestry and Veterinary Medicine..... \$ 4,750,000.00

81 Phase I construction of

82 a new building for the

83 Department of

84 Agricultural and

85 Biological Engineering..... \$ 4,750,000.00

86 Mississippi Valley State University..... \$ 4,000,000.00

87 Repair and renovation of campus

88 buildings and facilities and

89 repair, renovation, replacement

90 and improvement of campus

91 infrastructure..... \$ 4,000,000.00

92 University of Mississippi..... \$ 9,500,000.00

93 Renovation of Farley Hall..... \$ 5,000,000.00

94 Final phase of renovation



95 of Bryant Hall..... \$ 2,500,000.00
 96 Final phase of relocation
 97 of the Physical Plant..... \$ 1,000,000.00
 98 Repair and renovation of campus
 99 buildings and facilities and
 100 repair, renovation, replacement
 101 and improvement of campus
 102 infrastructure..... \$ 1,000,000.00
 103 University Medical Center..... \$ 3,000,000.00
 104 Repair and renovation of campus
 105 buildings and facilities and
 106 repair, renovation, replacement
 107 and improvement of campus
 108 infrastructure..... \$ 3,000,000.00
 109 University of Southern Mississippi..... \$ 7,000,000.00
 110 Repair and renovation of campus
 111 buildings and facilities and
 112 repair, renovation, replacement
 113 and improvement of campus
 114 infrastructure..... \$ 3,000,000.00
 115 Renovation of the Green
 116 Multipurpose Facility..... \$ 2,000,000.00
 117 Completion of the polymer
 118 product processing
 119 laboratory..... \$ 2,000,000.00
 120 University of Southern Mississippi/
 121 Gulf Coast Campus..... \$ 1,400,000.00
 122 Phase I of completion of
 123 planning and construction of
 124 a nursing facility..... \$ 1,000,000.00
 125 Land acquisition..... \$ 400,000.00
 126 University of Southern Mississippi/
 127 Gulf Coast Research Laboratory..... \$ 750,000.00



128 Repair and renovation of campus
 129 buildings and facilities and
 130 repair, renovation, replacement
 131 and improvement of campus
 132 infrastructure..... \$ 750,000.00
 133 University of Southern Mississippi/
 134 Stennis Space Center..... \$ 1,000,000.00
 135 Expansion, furnishing
 136 and equipping of
 137 the High Performance
 138 Visualization Center..... \$ 1,000,000.00
 139 Education and Research Center..... \$ 700,000.00
 140 Re-roofing of the
 141 Tower Building..... \$ 280,000.00
 142 Resurfacing of the streets
 143 on the campus of the
 144 Center..... \$ 170,000.00
 145 Retrofitting of the
 146 lighting at the Center..... \$ 250,000.00
 147 Board of Trustees of State Institutions of
 148 Higher Learning..... \$ 1,000,000.00
 149 Preparation of master plans for
 150 each campus..... \$ 1,000,000.00
 151 **STATE AGENCIES**..... \$ 42,690,000.00
 152 Department of Mental Health..... \$ 4,840,000.00
 153 Completion of construction
 154 of mental health crisis
 155 intervention centers first
 156 authorized by Chapter 463,
 157 Laws of 1999..... \$ 2,410,000.00
 158 Construction of a
 159 maintenance/warehouse
 160 building at the Mississippi



161 State Hospital..... \$ 1,430,000.00
 162 Completion of furnishing and
 163 equipping of nursing
 164 home facilities at
 165 the East Mississippi
 166 State Hospital..... \$ 1,000,000.00
 167 Department of Finance and Administration..... \$ 16,600,000.00
 168 Completion of construction, equipping
 169 and furnishing of a justice
 170 facility to accommodate the
 171 Supreme Court of Appeals and
 172 State Law Library..... \$16,000,000.00
 173 Preplanning for the project described
 174 in subsection (6) of this
 175 section..... \$ 600,000.00
 176 Mississippi Forestry Commission..... \$ 1,000,000.00
 177 Repair, renovation of equipment
 178 storage facilities and
 179 asbestos removal..... \$ 500,000.00
 180 Construction of facilities
 181 to produce containerized
 182 seedlings..... \$ 500,000.00
 183 Mississippi Library Commission..... \$ 3,500,000.00
 184 Furnishing and equipping
 185 of the new Mississippi
 186 Library Commission
 187 Building..... \$ 3,500,000.00
 188 Mississippi National Guard..... \$ 1,400,000.00
 189 Provide matching funds to the
 190 National Guard for construction
 191 of an armory in Kosciusko,
 192 Mississippi..... \$ 1,400,000.00
 193 Department of Archives and History..... \$ 4,820,000.00



194 Repair and renovation of
 195 the Charlotte Capers
 196 Building..... \$ 4,820,000.00
 197 Department of Information and Technology Services. \$ 2,230,000.00
 198 Installation of communications
 199 infrastructure at the capitol
 200 complex, the Education
 201 and Research Center Campus
 202 and other state buildings and
 203 connections between
 204 such locations..... \$ 2,230,000.00
 205 Mississippi Veterinary Diagnostic Laboratory..... \$ 6,000,000.00
 206 Phase II of construction of the
 207 Mississippi Veterinary Diagnostic
 208 Laboratory in Jackson..... \$ 6,000,000.00
 209 State Fire Academy..... \$ 2,300,000.00
 210 Construction, equipping and
 211 furnishing a new burn building
 212 with gas fire simulators
 213 and other related
 214 facilities..... \$ 2,300,000.00
 215 **TOTAL..... \$110,630,000.00**

216 (2) (a) Amounts deposited into such special fund shall be
 217 disbursed to pay the costs of projects described in subsection (1)
 218 of this section. If any monies in such special fund are not used
 219 within four (4) years after the date the proceeds of the bonds
 220 authorized under Sections 1 through 22 of this act are deposited
 221 into the special fund, then the agency or institution of higher
 222 learning for which any unused monies are allocated under
 223 subsection (1) of this section shall provide an accounting of such
 224 unused monies to the commission. Promptly after the commission
 225 has certified, by resolution duly adopted, that the projects
 226 described in subsection (1) of this section shall have been



227 completed, abandoned, or cannot be completed in a timely fashion,
228 any amounts remaining in such special fund shall be applied to pay
229 debt service on the bonds issued under Sections 1 through 22 of
230 this act, in accordance with the proceedings authorizing the
231 issuance of such bonds and as directed by the commission.

232 (b) Monies in the special fund may be used to reimburse
233 reasonable, actual and necessary costs incurred by the Department
234 of Finance and Administration, acting through the Bureau of
235 Building, Grounds and Real Property Management, in administering
236 or providing assistance directly related to a project described in
237 subsection (1) of this section. Reimbursement may be made only
238 until such time as the project is completed. An accounting of
239 actual costs incurred for which reimbursement is sought shall be
240 maintained for each project by the Department of Finance and
241 Administration, Bureau of Building, Grounds and Real Property
242 Management. Reimbursement of reasonable, actual and necessary
243 costs for a project shall not exceed three percent (3%) of the
244 proceeds of bonds issued for such project. Monies authorized for
245 a particular project may not be used to reimburse administrative
246 costs for unrelated projects.

247 (3) The Department of Finance and Administration, acting
248 through the Bureau of Building, Grounds and Real Property
249 Management, is expressly authorized and empowered to receive and
250 expend any local or other source funds in connection with the
251 expenditure of funds provided for in this section. The
252 expenditure of monies deposited into the special fund shall be
253 under the direction of the Department of Finance and
254 Administration, and such funds shall be paid by the State
255 Treasurer upon warrants issued by such department, which warrants
256 shall be issued upon requisitions signed by the Executive Director
257 of the Department of Finance and Administration, or his designee.

258 (4) Any amounts allocated to an agency or institution of
259 higher learning that are in excess of that needed to complete the



260 projects at such agency or institution of higher learning that are
261 described in subsection (1) of this section may be used for
262 general repairs and renovations at the agency or institution of
263 higher learning to which such amount is allocated.

264 (5) The Department of Finance and Administration, acting
265 through the Bureau of Building, Grounds and Real Property
266 Management, is authorized to preplan a female receiving unit at
267 the Mississippi State Hospital. The project authorized in this
268 subsection shall be in addition to the projects authorized in
269 subsection (1) of this section.

270 **SECTION 3.** (1) (a) A special fund, to be designated as the
271 "2003 Community and Junior Colleges Capital Improvements Fund" is
272 created within the State Treasury. The fund shall be maintained
273 by the State Treasurer as a separate and special fund, separate
274 and apart from the General Fund of the state. Unexpended amounts
275 remaining in the fund at the end of a fiscal year shall not lapse
276 into the State General Fund, and any interest earned or investment
277 earnings on amounts in the fund shall be deposited to the credit
278 of the fund. Monies in the fund may not be used or expended for
279 any purpose except as authorized under this act.

280 (b) Monies deposited into the fund shall be disbursed,
281 in the discretion of the Department of Finance and Administration,
282 to pay the costs of acquisition of real property, construction of
283 new facilities and addition to or renovation of existing
284 facilities for community and junior college campuses as
285 recommended by the State Board for Community and Junior Colleges.
286 The amount to be expended at each community and junior college is
287 as follows:

288	Coahoma.....	\$ 675,264.00
289	Copiah-Lincoln.....	796,970.00
290	East Central.....	717,168.00
291	East Mississippi.....	827,782.00
292	Hinds.....	1,564,648.00



293	Holmes.....	861,367.00
294	Itawamba.....	906,352.00
295	Jones.....	1,085,985.00
296	Meridian.....	828,399.00
297	Mississippi Delta.....	872,460.00
298	Mississippi Gulf Coast.....	1,383,012.00
299	Northeast Mississippi.....	866,451.00
300	Northwest Mississippi.....	1,108,324.00
301	Pearl River.....	835,639.00
302	Southwest Mississippi.....	670,180.00
303	GRAND TOTAL.....	\$14,000,000.00

304 (2) Amounts deposited into such special fund shall be
305 disbursed to pay the costs of projects described in subsection (1)
306 of this section. If any monies in such special fund are not used
307 within four (4) years after the date the proceeds of the bonds
308 authorized under Sections 1 through 22 of this act are deposited
309 into the special fund, then the community college or junior
310 college for which any such monies are allocated under subsection
311 (1) of this section shall provide an accounting of such unused
312 monies to the commission. Promptly after the commission has
313 certified, by resolution duly adopted, that the projects described
314 in subsection (1) shall have been completed, abandoned, or cannot
315 be completed in a timely fashion, any amounts remaining in such
316 special fund shall be applied to pay debt service on the bonds
317 issued under Sections 1 through 22 of this act, in accordance with
318 the proceedings authorizing the issuance of such bonds and as
319 directed by the commission.

320 (3) The Department of Finance and Administration, acting
321 through the Bureau of Building, Grounds and Real Property
322 Management, is expressly authorized and empowered to receive and
323 expend any local or other source funds in connection with the
324 expenditure of funds provided for in this section. The
325 expenditure of monies deposited into the special fund shall be



326 under the direction of the Department of Finance and
327 Administration, and such funds shall be paid by the State
328 Treasurer upon warrants issued by such department, which warrants
329 shall be issued upon requisitions signed by the Executive Director
330 of the Department of Finance and Administration, or his designee.

331 **SECTION 4.** (1) (a) A special fund, to be designated as the
332 "2003 Ayers Settlement Agreement Capital Improvements Fund," is
333 created within the State Treasury. The fund shall be maintained
334 by the State Treasurer as a separate and special fund, separate
335 and apart from the General Fund of the state. Unexpended amounts
336 remaining in the fund at the end of a fiscal year shall not lapse
337 into the State General Fund, and any interest earned or investment
338 earnings on amounts in the fund shall be deposited to the credit
339 of the fund. Monies in the fund may not be used or expended for
340 any purpose except as authorized under this section.

341 (b) Monies deposited into the fund shall constitute
342 Ayers bond revenues to be disbursed by the Department of Finance
343 and Administration to pay the costs of capital improvements at
344 Alcorn State University, Jackson State University and Mississippi
345 Valley State University as recommended by the Board of Trustees of
346 State Institutions of Higher Learning in order to comply with the
347 Settlement Agreement in the case of Ayers vs. Musgrove.

348 (2) Amounts deposited into such special fund shall be
349 disbursed to pay the costs of projects described in subsection (1)
350 of this section.

351 (3) The Department of Finance and Administration, acting
352 through the Bureau of Building, Grounds and Real Property
353 Management, is expressly authorized and empowered to receive and
354 expend any local or other source funds in connection with the
355 expenditure of funds provided for in this section. The
356 expenditure of monies deposited into the special fund shall be
357 under the direction of the Department of Finance and
358 Administration, and such funds shall be paid by the State



359 Treasurer upon warrants issued by such department, which warrants
360 shall be issued upon requisitions signed by the Executive Director
361 of the Department of Finance and Administration, or his designee.

362 (4) It is the intent of the Legislature that not less than
363 ten percent (10%) of the amounts authorized to be expended in this
364 section shall be expended with small business concerns owned and
365 controlled by socially and economically disadvantaged individuals.
366 The term "socially and economically disadvantaged individuals"
367 shall have the meaning ascribed to such term under Section 8(d) of
368 the Small Business Act (15 USCS, Section 637(d)) and relevant
369 subcontracting regulations promulgated pursuant thereto; except
370 that women shall be presumed to be socially and economically
371 disadvantaged individuals for the purposes of this subsection.

372 **SECTION 5.** (1) (a) A special fund, to be designated as the
373 "2003 Chalmers Institute Repair and Renovation Fund," is created
374 within the State Treasury. The fund shall be maintained by the
375 State Treasurer as a separate and special fund, separate and apart
376 from the General Fund of the state. Unexpended amounts remaining
377 in the fund at the end of a fiscal year shall not lapse into the
378 State General Fund, and any interest earned or investment earnings
379 on amounts in the fund shall be deposited to the credit of the
380 fund. Monies in the fund may not be used or expended for any
381 purpose except as authorized under this section.

382 (b) Monies deposited into the fund shall be disbursed
383 by the Department of Finance and Administration, to pay the costs
384 of repairs and renovations of the Chalmers Institute in Holly
385 Springs, Mississippi.

386 (2) Amounts deposited into such special fund shall be
387 disbursed to pay the costs of projects described in subsection (1)
388 of this section.

389 (3) The Department of Finance and Administration, acting
390 through the Bureau of Building, Grounds and Real Property
391 Management, is expressly authorized and empowered to receive and



392 expend any local or other source funds in connection with the
393 expenditure of funds provided for in this section. The
394 expenditure of monies deposited into the special fund shall be
395 under the direction of the Department of Finance and
396 Administration, and such funds shall be paid by the State
397 Treasurer upon warrants issued by such department, which warrants
398 shall be issued upon requisitions signed by the Executive Director
399 of the Department of Finance and Administration, or his designee.

400 **SECTION 6.** (1) (a) A special fund, to be designated as the
401 "2003 Hillcrest Cemetery Repair Fund," is created within the State
402 Treasury. The fund shall be maintained by the State Treasurer as
403 a separate and special fund, separate and apart from the General
404 Fund of the state. Unexpended amounts remaining in the fund at
405 the end of a fiscal year shall not lapse into the State General
406 Fund, and any interest earned or investment earnings on amounts in
407 the fund shall be deposited to the credit of the fund. Monies in
408 the fund may not be used or expended for any purpose except as
409 authorized under this section.

410 (b) Monies deposited into the fund shall be disbursed
411 by the Department of Finance and Administration to the City of
412 Holly Springs, Mississippi, to pay the costs of repairs to the
413 historical portion of the Hillcrest Cemetery.

414 (2) Amounts deposited into such special fund shall be
415 disbursed by the Department of Finance and Administration to pay
416 the costs of projects described in subsection (1) of this section.

417 (3) Such funds shall be paid by the State Treasurer to the
418 City of Corinth, Mississippi, upon warrants issued by the
419 Department of Finance and Administration, which warrants shall be
420 issued upon requisitions signed by the Executive Director of the
421 Department of Finance and Administration, or his designee.

422 **SECTION 7.** (1) The commission, at one time, or from time to
423 time, may declare by resolution the necessity for issuance of
424 general obligation bonds of the State of Mississippi to provide



425 funds for all costs incurred or to be incurred for the purposes
426 described in Sections 2, 3, 5 and 6 of this act. Upon the
427 adoption of a resolution by the Department of Finance and
428 Administration, declaring the necessity for the issuance of any
429 part or all of the general obligation bonds authorized by this
430 section, the Department of Finance and Administration shall
431 deliver a certified copy of its resolution or resolutions to the
432 commission. Upon receipt of such resolution, the commission, in
433 its discretion, may act as the issuing agent, prescribe the form
434 of the bonds, advertise for and accept bids, issue and sell the
435 bonds so authorized to be sold and do any and all other things
436 necessary and advisable in connection with the issuance and sale
437 of such bonds. Except as otherwise provided in Section 8 of this
438 act, the total amount of bonds issued under Sections 1 through 22
439 of this act shall not exceed One Hundred Twenty-four Million Seven
440 Hundred Fifty Thousand Dollars (\$124,750,000.00). No bonds shall
441 be issued under this section after July 1, 2005.

442 (2) The proceeds of the bonds issued pursuant to this act
443 shall be deposited into the following special funds in not more
444 than the following amounts:

445 (a) The 2003 IHL Capital and State Agencies
446 Improvements Fund created pursuant to Section 2 of this
447 act..... \$110,630,000.00.

448 (b) The 2003 Community and Junior College Capital
449 Improvements Fund created pursuant to Section 3 of this
450 act..... \$ 14,000,000.00.

451 (c) The 2003 Chalmers Institute Repair and Renovation
452 Fund created pursuant to Section 5 of this act... \$ 90,000.00.

453 (e) The 2003 Hillcrest Cemetery Fund created pursuant
454 to Section 6 of this act..... \$ 30,000.00.

455 (3) Any investment earnings on amounts deposited into the
456 special funds created in Sections 2, 3, 5 and 6 of this act shall
457 be used to pay debt service on bonds issued under Sections 1



458 through 22 of this act, in accordance with the proceedings
459 authorizing issuance of such bonds.

460 **SECTION 8.** (1) The United States District Court for the
461 Northern District of Mississippi having approved the Settlement
462 Agreement in the case of Ayers v. Musgrove and on notification
463 that such agreement has become final and effective according to
464 its terms, including, but not limited to, the exhaustion of all
465 rights to appeal, the commission, at one time, or from time to
466 time, shall declare by resolution the necessity for issuance of
467 general obligation bonds of the State of Mississippi to provide
468 funds for all costs incurred or to be incurred for the purposes
469 describe in Section 4 of this act. Upon the adoption of a
470 resolution by the Department of Finance and Administration
471 declaring the necessity for the issuance of any part or all of the
472 general obligation bonds authorized by this section, the
473 Department of Finance and Administration shall deliver a certified
474 copy of its resolution or resolutions to the commission. Upon
475 receipt of such resolution, the commission, in its discretion, may
476 act as the issuing agent, prescribe the form of the bonds so
477 authorized to be sold and do any and all other things necessary
478 and advisable in connection with the issuance and sale of such
479 bonds. The total amount of bonds issued pursuant to this section
480 shall not exceed Fifteen Million Dollars (\$15,000,000.00).

481 (2) The proceeds of the bonds issued pursuant to this
482 section shall be deposited into the special fund created in
483 Section 4 of this act. Any investment earnings on amount
484 deposited into the special fund created in Section 4 of this act
485 shall be used to pay debt service on bonds issued under Sections 1
486 through 22 of this act, in accordance with the proceedings
487 authorizing the issuance of such bonds.

488 **SECTION 9.** The principal of and interest on the bonds
489 authorized under Sections 1 through 22 of this act shall be
490 payable in the manner provided in this section. Such bonds shall



491 bear such date or dates, be in such denomination or denominations,
492 bear interest at such rate or rates (not to exceed the limits set
493 forth in Section 75-17-101, Mississippi Code of 1972), be payable
494 at such place or places within or without the State of
495 Mississippi, shall mature absolutely at such time or times not to
496 exceed twenty-five (25) years from date of issue, be redeemable
497 before maturity at such time or times and upon such terms, with or
498 without premium, shall bear such registration privileges, and
499 shall be substantially in such form, all as shall be determined by
500 resolution of the commission.

501 **SECTION 10.** The bonds authorized by Sections 1 through 22 of
502 this act shall be signed by the chairman of the commission, or by
503 his facsimile signature, and the official seal of the commission
504 shall be affixed thereto, attested by the secretary of the
505 commission. The interest coupons, if any, to be attached to such
506 bonds may be executed by the facsimile signatures of such
507 officers. Whenever any such bonds shall have been signed by the
508 officials designated to sign the bonds who were in office at the
509 time of such signing but who may have ceased to be such officers
510 before the sale and delivery of such bonds, or who may not have
511 been in office on the date such bonds may bear, the signatures of
512 such officers upon such bonds and coupons shall nevertheless be
513 valid and sufficient for all purposes and have the same effect as
514 if the person so officially signing such bonds had remained in
515 office until their delivery to the purchaser, or had been in
516 office on the date such bonds may bear. However, notwithstanding
517 anything herein to the contrary, such bonds may be issued as
518 provided in the Registered Bond Act of the State of Mississippi.

519 **SECTION 11.** All bonds and interest coupons issued under the
520 provisions of Sections 1 through 22 of this act have all the
521 qualities and incidents of negotiable instruments under the
522 provisions of the Uniform Commercial Code, and in exercising the
523 powers granted by Sections 1 through 22 of this act, the



524 commission shall not be required to and need not comply with the
525 provisions of the Uniform Commercial Code.

526 **SECTION 12.** The commission shall act as the issuing agent
527 for the bonds authorized under Sections 1 through 22 of this act,
528 prescribe the form of the bonds, advertise for and accept bids,
529 issue and sell the bonds so authorized to be sold, pay all fees
530 and costs incurred in such issuance and sale, and do any and all
531 other things necessary and advisable in connection with the
532 issuance and sale of such bonds. The commission is authorized and
533 empowered to pay the costs that are incident to the sale, issuance
534 and delivery of the bonds authorized under Sections 1 through 22
535 of this act from the proceeds derived from the sale of such bonds.
536 The commission shall sell such bonds on sealed bids at public
537 sale, and for such price as it may determine to be for the best
538 interest of the State of Mississippi, but no such sale shall be
539 made at a price less than par plus accrued interest to the date of
540 delivery of the bonds to the purchaser. All interest accruing on
541 such bonds so issued shall be payable semiannually or annually;
542 however, the first interest payment may be for any period of not
543 more than one (1) year.

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

551 The commission, when issuing any bonds under the authority of
552 Sections 1 through 22 of this act, may provide that bonds, at the
553 option of the State of Mississippi, may be called in for payment
554 and redemption at the call price named therein and accrued
555 interest on such date or dates named therein.



556 **SECTION 13.** The bonds issued under the provisions of
557 Sections 1 through 22 of this act are general obligations of the
558 State of Mississippi, and for the payment thereof the full faith
559 and credit of the State of Mississippi is irrevocably pledged. If
560 the funds appropriated by the Legislature are insufficient to pay
561 the principal of and the interest on such bonds as they become
562 due, then the deficiency shall be paid by the State Treasurer from
563 any funds in the State Treasury not otherwise appropriated. All
564 such bonds shall contain recitals on their faces substantially
565 covering the provisions of this section.

566 **SECTION 14.** Upon the issuance and sale of bonds under the
567 provisions of Sections 1 through 22 of this act, the commission
568 shall transfer the proceeds of any such sale or sales to the
569 special funds created in Sections 2, 3, 4, 5 and 6 of this act in
570 the amounts provided for in Sections 7(2) and 8 of this act. The
571 proceeds of such bonds shall be disbursed solely upon the order of
572 the Department of Finance and Administration under such
573 restrictions, if any, as may be contained in the resolution
574 providing for the issuance of the bonds.

575 **SECTION 15.** The bonds authorized under Sections 1 through 22
576 of this act may be issued without any other proceedings or the
577 happening of any other conditions or things other than those
578 proceedings, conditions and things which are specified or required
579 by Sections 1 through 22 of this act. Any resolution providing
580 for the issuance of bonds under the provisions of Sections 1
581 through 22 of this act shall become effective immediately upon its
582 adoption by the commission, and any such resolution may be adopted
583 at any regular or special meeting of the commission by a majority
584 of its members.

585 **SECTION 16.** The bonds authorized under the authority of
586 Sections 1 through 22 of this act may be validated in the Chancery
587 Court of the First Judicial District of Hinds County, Mississippi,
588 in the manner and with the force and effect provided by Chapter



589 13, Title 31, Mississippi Code of 1972, for the validation of
590 county, municipal, school district and other bonds. The notice to
591 taxpayers required by such statutes shall be published in a
592 newspaper published or having a general circulation in the City of
593 Jackson, Mississippi.

594 **SECTION 17.** Any holder of bonds issued under the provisions
595 of Sections 1 through 22 of this act or of any of the interest
596 coupons pertaining thereto may, either at law or in equity, by
597 suit, action, mandamus or other proceeding, protect and enforce
598 any and all rights granted under Sections 1 through 22 of this
599 act, or under such resolution, and may enforce and compel
600 performance of all duties required by Sections 1 through 22 of
601 this act to be performed, in order to provide for the payment of
602 bonds and interest thereon.

603 **SECTION 18.** All bonds issued under the provisions of
604 Sections 1 through 22 of this act shall be legal investments for
605 trustees and other fiduciaries, and for savings banks, trust
606 companies and insurance companies organized under the laws of the
607 State of Mississippi, and such bonds shall be legal securities
608 which may be deposited with and shall be received by all public
609 officers and bodies of this state and all municipalities and
610 political subdivisions for the purpose of securing the deposit of
611 public funds.

612 **SECTION 19.** Bonds issued under the provisions of Sections 1
613 through 22 of this act and income therefrom shall be exempt from
614 all taxation in the State of Mississippi.

615 **SECTION 20.** The proceeds of the bonds issued under Sections
616 1 through 22 of this act shall be used solely for the purposes
617 herein provided, including the costs incident to the issuance and
618 sale of such bonds.

619 **SECTION 21.** The State Treasurer is authorized, without
620 further process of law, to certify to the Department of Finance
621 and Administration the necessity for warrants, and the Department



622 of Finance and Administration is authorized and directed to issue
623 such warrants, in such amounts as may be necessary to pay when due
624 the principal of, premium, if any, and interest on, or the
625 accreted value of, all bonds issued under Sections 1 through 22 of
626 this act; and the State Treasurer shall forward the necessary
627 amount to the designated place or places of payment of such bonds
628 in ample time to discharge such bonds, or the interest thereon, on
629 the due dates thereof.

630 **SECTION 22.** Sections 1 through 22 of this act shall be
631 deemed to be full and complete authority for the exercise of the
632 powers herein granted, but Sections 1 through 22 of this act shall
633 not be deemed to repeal or to be in derogation of any existing law
634 of this state.

635 **SECTION 23.** This act shall take effect and be in force from
636 and after its passage.

