

By: Representatives Dedeaux, Compretta,  
Upshaw

To: Ways and Means

HOUSE BILL NO. 1783

1 AN ACT TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS  
2 OF THE STATE OF MISSISSIPPI FOR THE PURPOSE OF PROVIDING FUNDS FOR  
3 CONSTRUCTION COSTS FOR EXPANDING AND IMPROVING THE HANCOCK COUNTY  
4 MULTIPURPOSE ARENA LOCATED IN KILN, MISSISSIPPI; AND FOR RELATED  
5 PURPOSES.

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

7 **SECTION 1.** As used in this act, the following words shall  
8 have the meanings ascribed herein unless the context clearly  
9 requires otherwise:

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

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

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

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

27 (b) Monies deposited into the fund shall be disbursed,  
28 in the discretion of the Department of Finance and Administration,

29 to pay the following construction costs for expanding and  
 30 improving the Hancock County Multipurpose Arena located in Kiln,  
 31 Mississippi:

32	(i) Four (4) fifty-stall barns	
33	(150' X 70').....	\$ 756,000.00
34	(ii) One (1) four-stall barn	
35	(1,000 square feet).....	\$ 18,000.00
36	(iii) Paved road (8,715 square	
37	yards).....	\$ 69,720.00
38	(iv) Parking lot (48,388 square	
39	yards).....	\$ 290,028.00
40	(v) Gravel trailer parking	
41	(36,025 square yards).....	\$ 72,050.00
42	(vi) Roll-up door and cover.....	\$ 50,000.00
43	(vii) Civic center/storm shelter	
44	(10,000 square feet).....	\$1,000,000.00
45	(viii) Comfort station 40 X 40	
46	(1,600 square feet).....	\$ 104,000.00
47	(ix) Dump station.....	\$ 15,000.00
48	(x) Seventy-two (72) gravel RV	
49	sites.....	\$ 108,000.00
50	(xi) Sprinkler system.....	\$ 20,000.00
51	(xii) Handicap accessible.....	\$ 15,000.00
52	(xiii) One (1) stall barn and	
53	prefabricated stalls.....	<u>\$ 145,697.00</u>
54	<b>GRAND TOTAL.....</b>	<b>\$2,663,495.00</b>

55 (2) Amounts deposited into the Hancock County Multipurpose  
 56 Arena Improvement Fund shall be disbursed to pay the costs of the  
 57 projects described in subsection (1) of this section. Promptly  
 58 after the commission has certified, by resolution duly adopted,  
 59 that the projects described in subsection (1) shall have been  
 60 completed, abandoned, or cannot be completed in a timely fashion,  
 61 any amounts remaining in such special fund shall be applied to pay

62 debt service on the bonds issued under this act, in accordance  
63 with the proceedings authorizing the issuance of such bonds and as  
64 directed by the commission.

65 (3) As a condition for expenditure of any of the monies  
66 authorized for the projects described in subsection (2) of this  
67 section, the Board of Supervisors of Hancock County must agree to  
68 match with county funds ten percent (10%) of the costs of all  
69 projects undertaken or to provide in-kind services, equipment,  
70 materials or supplies needed for the projects valued at ten  
71 percent (10%) of the costs of the projects. The Department of  
72 Finance and Administration is expressly authorized and empowered  
73 to receive and expend any local or other source funds in  
74 connection with the expenditure of funds provided for in this  
75 section, including gifts, grants or donations from private  
76 sources. The expenditure of monies deposited into the special  
77 fund shall be under the direction of the Department of Finance and  
78 Administration, and such funds shall be paid by the State  
79 Treasurer upon warrants issued by such department, which warrants  
80 shall be issued upon requisitions signed by the Executive Director  
81 of the Department of Finance and Administration, or his designee.

82 **SECTION 3.** (1) The commission, at one time, or from time to  
83 time, may declare by resolution the necessity for issuance of  
84 general obligation bonds of the State of Mississippi to provide  
85 funds for all costs incurred or to be incurred for the purposes  
86 described in Section 2 of this act. Upon the adoption of a  
87 resolution by the Department of Finance and Administration,  
88 declaring the necessity for the issuance of any part or all of the  
89 general obligation bonds authorized by this section, the  
90 Department of Finance and Administration shall deliver a certified  
91 copy of its resolution or resolutions to the commission. Upon  
92 receipt of such resolution, the commission, in its discretion, may  
93 act as the issuing agent, prescribe the form of the bonds,  
94 advertise for and accept bids, issue and sell the bonds so

95 authorized to be sold and do any and all other things necessary  
96 and advisable in connection with the issuance and sale of such  
97 bonds. The total amount of bonds issued under this act shall not  
98 exceed Two Million Six Hundred Sixty-three Thousand Four Hundred  
99 Ninety-five Dollars (\$2,663,495.00).

100 (2) Any investment earnings on amounts deposited into the  
101 special fund created in Section 2 of this act shall be used to pay  
102 debt service on bonds issued under this act, in accordance with  
103 the proceedings authorizing issuance of such bonds.

104 **SECTION 4.** The principal of and interest on the bonds  
105 authorized under this act shall be payable in the manner provided  
106 in this section. Such bonds shall bear such date or dates, be in  
107 such denomination or denominations, bear interest at such rate or  
108 rates (not to exceed the limits set forth in Section 75-17-101,  
109 Mississippi Code of 1972), be payable at such place or places  
110 within or without the State of Mississippi, shall mature  
111 absolutely at such time or times not to exceed twenty-five (25)  
112 years from date of issue, be redeemable before maturity at such  
113 time or times and upon such terms, with or without premium, shall  
114 bear such registration privileges, and shall be substantially in  
115 such form, all as shall be determined by resolution of the  
116 commission.

117 **SECTION 5.** The bonds authorized by this act shall be signed  
118 by the chairman of the commission, or by his facsimile signature,  
119 and the official seal of the commission shall be affixed thereto,  
120 attested by the secretary of the commission. The interest  
121 coupons, if any, to be attached to such bonds may be executed by  
122 the facsimile signatures of such officers. Whenever any such  
123 bonds shall have been signed by the officials designated to sign  
124 the bonds who were in office at the time of such signing but who  
125 may have ceased to be such officers before the sale and delivery  
126 of such bonds, or who may not have been in office on the date such  
127 bonds may bear, the signatures of such officers upon such bonds

128 and coupons shall nevertheless be valid and sufficient for all  
129 purposes and have the same effect as if the person so officially  
130 signing such bonds had remained in office until their delivery to  
131 the purchaser, or had been in office on the date such bonds may  
132 bear. However, notwithstanding anything herein to the contrary,  
133 such bonds may be issued as provided in the Registered Bond Act of  
134 the State of Mississippi.

135       **SECTION 6.** All bonds and interest coupons issued under the  
136 provisions of this act have all the qualities and incidents of  
137 negotiable instruments under the provisions of the Uniform  
138 Commercial Code, and in exercising the powers granted by this act,  
139 the commission shall not be required to and need not comply with  
140 the provisions of the Uniform Commercial Code.

141       **SECTION 7.** The commission shall act as the issuing agent for  
142 the bonds authorized under this act, prescribe the form of the  
143 bonds, advertise for and accept bids, issue and sell the bonds so  
144 authorized to be sold, pay all fees and costs incurred in such  
145 issuance and sale, and do any and all other things necessary and  
146 advisable in connection with the issuance and sale of such bonds.  
147 The commission is authorized and empowered to pay the costs that  
148 are incident to the sale, issuance and delivery of the bonds  
149 authorized under this act from the proceeds derived from the sale  
150 of such bonds. The commission shall sell such bonds on sealed  
151 bids at public sale, and for such price as it may determine to be  
152 for the best interest of the State of Mississippi, but no such  
153 sale shall be made at a price less than par plus accrued interest  
154 to the date of delivery of the bonds to the purchaser. All  
155 interest accruing on such bonds so issued shall be payable  
156 semiannually or annually; however, the first interest payment may  
157 be for any period of not more than one (1) year.

158       Notice of the sale of any such bonds shall be published at  
159 least one time, not less than ten (10) days before the date of  
160 sale, and shall be so published in one or more newspapers

161 published or having a general circulation in the City of Jackson,  
162 Mississippi, and in one or more other newspapers or financial  
163 journals with a national circulation, to be selected by the  
164 commission.

165 The commission, when issuing any bonds under the authority of  
166 this act, may provide that bonds, at the option of the State of  
167 Mississippi, may be called in for payment and redemption at the  
168 call price named therein and accrued interest on such date or  
169 dates named therein.

170 **SECTION 8.** The bonds issued under the provisions of this act  
171 are general obligations of the State of Mississippi, and for the  
172 payment thereof the full faith and credit of the State of  
173 Mississippi is irrevocably pledged. If the funds appropriated by  
174 the Legislature are insufficient to pay the principal of and the  
175 interest on such bonds as they become due, then the deficiency  
176 shall be paid by the State Treasurer from any funds in the State  
177 Treasury not otherwise appropriated. All such bonds shall contain  
178 recitals on their faces substantially covering the provisions of  
179 this section.

180 **SECTION 9.** Upon the issuance and sale of bonds under the  
181 provisions of this act, the commission shall transfer the proceeds  
182 of any such sale or sales to the special fund created in Section 2  
183 of this act. The proceeds of such bonds shall be disbursed solely  
184 upon the order of the Department of Finance and Administration  
185 under such restrictions, if any, as may be contained in the  
186 resolution providing for the issuance of the bonds.

187 **SECTION 10.** The bonds authorized under this act may be  
188 issued without any other proceedings or the happening of any other  
189 conditions or things other than those proceedings, conditions and  
190 things which are specified or required by this act. Any  
191 resolution providing for the issuance of bonds under the  
192 provisions of this act shall become effective immediately upon its  
193 adoption by the commission, and any such resolution may be adopted

194 at any regular or special meeting of the commission by a majority  
195 of its members.

196         **SECTION 11.** The bonds authorized under the authority of this  
197 act may be validated in the Chancery Court of the First Judicial  
198 District of Hinds County, Mississippi, in the manner and with the  
199 force and effect provided by Chapter 13, Title 31, Mississippi  
200 Code of 1972, for the validation of county, municipal, school  
201 district and other bonds. The notice to taxpayers required by  
202 such statutes shall be published in a newspaper published or  
203 having a general circulation in the City of Jackson, Mississippi.

204         **SECTION 12.** Any holder of bonds issued under the provisions  
205 of this act or of any of the interest coupons pertaining thereto  
206 may, either at law or in equity, by suit, action, mandamus or  
207 other proceeding, protect and enforce any and all rights granted  
208 under this act, or under such resolution, and may enforce and  
209 compel performance of all duties required by this act to be  
210 performed, in order to provide for the payment of bonds and  
211 interest thereon.

212         **SECTION 13.** All bonds issued under the provisions of this  
213 act shall be legal investments for trustees and other fiduciaries,  
214 and for savings banks, trust companies and insurance companies  
215 organized under the laws of the State of Mississippi, and such  
216 bonds shall be legal securities which may be deposited with and  
217 shall be received by all public officers and bodies of this state  
218 and all municipalities and political subdivisions for the purpose  
219 of securing the deposit of public funds.

220         **SECTION 14.** Bonds issued under the provisions of this act  
221 and income therefrom shall be exempt from all taxation in the  
222 State of Mississippi.

223         **SECTION 15.** The proceeds of the bonds issued under this act  
224 shall be used solely for the purposes herein provided, including  
225 the costs incident to the issuance and sale of such bonds.

226           **SECTION 16.** The State Treasurer is authorized, without  
227 further process of law, to certify to the Department of Finance  
228 and Administration the necessity for warrants, and the Department  
229 of Finance and Administration is authorized and directed to issue  
230 such warrants, in such amounts as may be necessary to pay when due  
231 the principal of, premium, if any, and interest on, or the  
232 accreted value of, all bonds issued under this act; and the State  
233 Treasurer shall forward the necessary amount to the designated  
234 place or places of payment of such bonds in ample time to  
235 discharge such bonds, or the interest thereon, on the due dates  
236 thereof.

237           **SECTION 17.** This act shall be deemed to be full and complete  
238 authority for the exercise of the powers herein granted, but this  
239 act shall not be deemed to repeal or to be in derogation of any  
240 existing law of this state.

241           **SECTION 18.** This act shall take effect and be in force from  
242 and after its passage.