

By: Representatives Bounds, Nicholson,
Malone

To: Local and Private
Legislation

HOUSE BILL NO. 1840

1 AN ACT TO AUTHORIZE THE CITY OF PHILADELPHIA TO CREATE THE
2 PHILADELPHIA-NESHOBA COUNTY MUSEUM COUNCIL; TO PROVIDE THE
3 COMPOSITION AND POWERS OF THE COUNCIL; TO AUTHORIZE THE GOVERNING
4 AUTHORITIES OF THE CITY OF PHILADELPHIA AND NESHOBA COUNTY,
5 MISSISSIPPI, TO CONTRIBUTE \$25,000.00 EACH FOR THE PURPOSE OF
6 PROVIDING FUNDS FOR THE OPERATION AND MAINTENANCE OF A MUSEUM IN
7 THE CITY OF PHILADELPHIA AND NESHOBA COUNTY; AND FOR RELATED
8 PURPOSES.

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

10 SECTION 1. (1) There is hereby created the
11 Philadelphia-Neshoba County Museum Council, hereinafter referred
12 to as the "council." The council shall be composed of five (5)
13 members who shall be known as directors.

14 (2) The council shall be composed of the following members:

15 (a) Two (2) members appointed by the governing
16 authorities of the City of Philadelphia;

17 (b) Two (2) members appointed by the Board of
18 Supervisors of Neshoba County, Mississippi; and

19 (c) One (1) member appointed by the Mississippi Band of
20 Choctaw Indians.

21 (3) Each member of the council shall serve a five-year term
22 or until his successor is appointed and qualified. Vacancies on
23 the council shall be filled in the same manner as the original
24 appointment for the unexpired term.

25 (4) Any director may be disqualified and removed from office
26 for conviction of a felony or for failure to attend three (3)
27 consecutive meetings without just cause.

28 (5) Before entering on the duties of office, each director
29 shall enter into and give bond to be approved by the Secretary of
30 State in the sum of Ten Thousand Dollars (\$10,000.00), conditioned

31 on the satisfactory performance of his or her duties. This bond
32 premium shall be paid from the commission's funds, and the bond
33 shall be payable to the county for the benefit of the council.

34 (6) When the directors of the council shall have been
35 appointed and qualified, they shall meet in the City of
36 Philadelphia after giving not less than ten (10) days' notice of
37 the time and place of such meeting by registered mail, postage
38 prepaid, that is directed to each member of the council at his or
39 her regular address at the time of his or her qualification and
40 posting bond. Such notice shall be given by the Board of
41 Supervisors of Neshoba County, Mississippi. The notice of such
42 meeting may be waived if all directors sign a written waiver of
43 such notice. Any such waiver shall be attached to the minutes of
44 the meeting.

45 (7) The directors shall elect from among themselves a
46 chairman. The chairman of the council shall serve a term of not
47 more than one (1) year, with the first election to be held at the
48 first scheduled meeting after the directors are appointed, and
49 subsequent elections shall be held annually thereafter. The
50 person elected as chairman may serve consecutive terms. The
51 council shall elect from its membership a vice chairman, secretary
52 and treasurer. The offices of secretary and treasurer may be
53 combined, if the council so elects. The council may promulgate
54 and adopt bylaws governing its operations and procedures. Three
55 (3) directors shall constitute a quorum for the transaction of any
56 business of the council.

57 **SECTION 2.** The council shall be domiciled in the City of
58 Philadelphia, Mississippi, and shall have the following powers:

59 (a) To exercise authority over matters related to
60 establishing, promoting, developing and maintaining a museum
61 within the City of Philadelphia (city) and/or Neshoba County
62 (county);

63 (b) To acquire, either by purchase or donation, and/or
64 to own, lease, furnish, equip, staff and operate any and all
65 facilities and equipment necessary or useful in the promotion of
66 the museum within the city and the county;

67 (c) To receive and expend revenues from any source;

68 (d) To own, lease or contract for any equipment or
69 office space useful and necessary in the promotion of the museum;

70 (e) To sell, convey or otherwise dispose of all or any
71 part of its property and assets in accordance with the general
72 laws of the State of Mississippi providing for such disposal;

73 (f) To make all expenditures necessary to provide for
74 the operation and maintenance of the museum that conform to the
75 purchasing laws of the State of Mississippi; and

76 (g) To have and exercise all powers necessary or
77 convenient to effect any and all of the purposes for which the
78 council is organized.

79 **SECTION 3.** (1) For the purpose of providing funds for the
80 operation and maintenance of a museum in the City of Philadelphia
81 and Neshoba County, the governing authorities of the City of
82 Philadelphia, Mississippi, and Neshoba County, Mississippi, are
83 authorized, in their discretion, to contribute a sum not to exceed
84 Twenty-five Thousand Dollars (\$25,000.00) each for each fiscal
85 year for the operation and maintenance of the museum. The
86 contribution of the county and city, if any, shall be in equal
87 amounts each fiscal year.

88 (2) The contributions, if any, by the county and city shall
89 be made from the respective general fund revenues and no taxing
90 authority is granted.

91 **SECTION 4.** (1) The council shall adopt annually a budget of
92 receipts and expenditures. The first budget of receipts and
93 expenditures shall be prepared and adopted by the council within
94 thirty (30) days after the election of its first chairman and,
95 upon approval by the Mayor and Board of Aldermen of the City of

96 Philadelphia and the Board of Supervisors of Neshoba County,
97 Mississippi, for review, and upon approval by both governmental
98 entities, such budget shall constitute the budget of the council
99 for that fiscal year.

100 (2) The council may borrow money to pay its operating
101 obligations that cannot be paid at maturity out of current revenue
102 from the contributions authorized in this act, but the amount so
103 borrowed shall in no case exceed the estimated income of the
104 council as shown by the budget adopted before that time, and the
105 contributions of the council, as shown by the budget, shall be
106 dedicated and set aside to the payment of indebtedness.

107 (3) The books of the council shall be audited annually by an
108 independent certified public accountant who shall make a written
109 report of the audit to the council and shall submit a copy of such
110 report to the governing authorities of the City of Philadelphia,
111 Neshoba County, Mississippi, and the State Department of Audit.
112 Such audit shall be made and completed as soon as practicable
113 after the close of the fiscal year and copies of the report of the
114 audit shall be filed with the city, county and State Department of
115 Audit within fifteen (15) days after receipt by the council.

116 **SECTION 5.** This act shall take effect and be in force from
117 and after its passage.