

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.