

By: Senator(s) Michel

To: Finance

SENATE BILL NO. 2642

1 AN ACT TO AMEND SECTIONS 39-23-3, 39-23-5 AND 39-23-7,
 2 MISSISSIPPI CODE OF 1972, AND SECTION 20, CHAPTER 535, LAWS OF
 3 1997, AS AMENDED, TO AUTHORIZE THE CONSTRUCTION, FURNISHING AND
 4 EQUIPPING OF A CHILDREN'S MUSEUM AT A LOCATION SUBMITTED BY THE
 5 BOARD OF DIRECTORS OF THE MISSISSIPPI CHILDREN'S MUSEUM TO THE
 6 DEPARTMENT OF FINANCE AND ADMINISTRATION AND APPROVED BY THE
 7 DEPARTMENT OF FINANCE AND ADMINISTRATION, AND TO AUTHORIZE THE USE
 8 OF THE PROCEEDS FROM THE ISSUANCE OF CERTAIN STATE GENERAL
 9 OBLIGATION BONDS IN THE CONSTRUCTION, FURNISHING AND EQUIPPING OF
 10 THE MUSEUM AT SUCH LOCATION; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 39-23-3, Mississippi Code of 1972, is
 13 amended as follows:

14 39-23-3. The Mississippi Children's Museum may be located:

15 (a) At the old National Guard Armory located on the
 16 Mississippi State Fairgrounds in Jackson, Mississippi, after the
 17 repair, renovation, furnishing and equipping of such facility by
 18 the Department of Finance and Administration as provided for in
 19 Sections 16 through 33 of Chapter 535, Laws of 1997, as amended;

20 (b) In such structure and at such location as shall be
 21 submitted by the Board of Directors of the Mississippi Children's
 22 Museum, a Mississippi nonprofit corporation, to and approved as an
 23 appropriate structure and location by the Department of Finance
 24 and Administration, after the repair, renovation, furnishing and
 25 equipping of such facility by the Department of Finance and
 26 Administration as provided in Sections 16 through 33 of Chapter
 27 535, Laws of 1997, as amended; or

28 (c) In the building, formerly known as the Mississippi
 29 Museum of Natural Science, on land located adjacent to the State
 30 Fairgrounds in the City of Jackson, County of Hinds, Mississippi,
 31 described more specifically as follows:

32 Starting at the point of intersection of the
33 North line of Pearl Street and the West line of
34 Jefferson Street, run Northerly along the West
35 line of Jefferson Street a distance of 240 feet
36 to the point of beginning, an iron pin.
37 Continue Northerly along the West line of
38 Jefferson Street for a distance of 257.9 feet to
39 an iron pin; turn left through an angle of 89 degrees -
40 57 minutes - 14 seconds and run Westerly for a
41 distance of 278.9 feet to an iron pin on the east
42 right-of-way line of the G.M. & O. Railroad; turn
43 left through an angle of 79 degrees - 29 minutes -
44 30 seconds and run Southerly along the East right-of-way
45 of the G.M. & O. Railroad (Said line being a curve
46 to the left with a radius of 2814.93 feet, chord
47 definition) for a distance of 260.4 feet to an iron
48 pipe; turn left through an angle of 95 degrees - 12
49 minutes - 26 seconds and run Easterly and parallel
50 with the North line of this tract for a distance of
51 314.7 feet to the point of beginning.

52 (d) On certain real property owned by the State of
53 Mississippi and held by the Mississippi Department of Agriculture
54 and Commerce, more particularly described as follows:

55 39 acres lying in the northeast corner of the
56 intersection of Mississippi 25 and Interstate 55.

57 (e) At such location as shall be submitted by the Board
58 of Directors of the Mississippi Children's Museum, a Mississippi
59 nonprofit corporation, to the Department of Finance and
60 Administration and approved by the Department of Finance and
61 Administration.

62 **SECTION 2.** Section 39-23-5, Mississippi Code of 1972, is
63 amended as follows:

64 39-23-5. (1) The Department of Finance and Administration
65 shall proceed with the repair, renovation, furnishing and
66 equipping of the old National Guard Armory on the Mississippi
67 State Fairgrounds, or another structure if approved by the
68 Department of Finance and Administration as provided in Section 17
69 of Chapter 589, Laws of 1999, for its use as a children's museum
70 as soon as practicable.

71 (2) The Department of Finance and Administration shall
72 proceed with the repair, renovation, furnishing and equipping of
73 the facility at the location described in Section 39-23-3(c) as
74 soon as practicable.

75 (3) The Department of Finance and Administration shall
76 proceed with the construction, furnishing and equipping of a
77 facility at the location described in Section 39-23-3(d), if the
78 location at such site is approved by the Board of Directors of the
79 Mississippi Children's Museum and the Department of Finance and
80 Administration, as soon as practicable.

81 (4) The Department of Finance and Administration shall
82 proceed with the construction, furnishing and equipping of a
83 facility at a location selected as provided in Section 39-23-3(e),
84 if the location is approved by the Board of Directors of the
85 Mississippi Children's Museum and the Department of Finance and
86 Administration, as soon as practicable.

87 **SECTION 3.** Section 39-23-7, Mississippi Code of 1972, is
88 amended as follows:

89 39-23-7. (1) If the old National Guard Armory is repaired,
90 renovated, furnished and equipped as provided for in Sections
91 39-23-1 through 39-23-7 and Sections 20 through 33 of Chapter 535,
92 Laws of 1997, as amended, the Mississippi Fair Commission shall
93 lease the facility for a period not exceeding twenty (20) years to
94 a nonprofit corporation whose primary purpose for incorporation is
95 the support and improvement of a children's museum in Mississippi.
96 The benefit to Mississippi from the operation of such lease shall

97 be considered as sufficient consideration. The lease shall be
98 executed for a nominal fee and it shall be presumed that such
99 lease shall not amount to a donation of state property.

100 (2) If the facility at the location described in Section
101 39-23-3(c) is repaired, renovated, furnished and equipped as
102 provided for in Sections 39-23-1 through 39-23-7 and Sections 20
103 through 33 of Chapter 535, Laws of 1997, as amended, the
104 Department of Finance and Administration shall lease the facility
105 for a period not exceeding twenty (20) years to a nonprofit
106 corporation whose primary purpose for incorporation is the support
107 and improvement of a children's museum in Mississippi. The
108 benefit to Mississippi from the operation of such lease shall be
109 considered as sufficient consideration. The lease shall be
110 executed for a nominal fee and it shall be presumed that such
111 lease shall not amount to a donation of state property.

112 (3) If the facility at the location described in Section
113 39-23-3(d) is constructed, furnished and equipped as provided for
114 in Sections 39-23-1 through 39-23-7 and Sections 20 through 33 of
115 Chapter 535, Laws of 1997, as amended, the Department of Finance
116 and Administration shall lease the facility for a period not
117 exceeding twenty (20) years to a nonprofit corporation whose
118 primary purpose for incorporation is the support and improvement
119 of a children's museum in Mississippi. The benefit to Mississippi
120 from the operation of such lease shall be considered a sufficient
121 consideration. The lease shall be executed for a nominal fee and
122 it shall be presumed that such lease shall not amount to a
123 donation of state property.

124 (4) If the facility at a location selected as provided in
125 Section 39-23-3(e) is constructed, furnished and equipped as
126 provided for in Sections 39-23-1 through 39-23-7 and Sections 20
127 through 33 of Chapter 535, Laws of 1997, as amended, the
128 Department of Finance and Administration shall lease the facility
129 for a period not exceeding twenty (20) years to a nonprofit

130 corporation whose primary purpose for incorporation is the support
131 and improvement of a children's museum in Mississippi. The
132 benefit to Mississippi from the operation of such lease shall be
133 considered a sufficient consideration. The lease shall be
134 executed for a nominal fee and it shall be presumed that such
135 lease shall not amount to a donation of state property.

136 **SECTION 4.** Section 20, Chapter 535, Laws of 1997, as amended
137 by Section 137, Chapter 589, Laws of 1999, as amended by Section
138 64, Chapter 600, Laws of 2001, is amended as follows:

139 Section 20. (1) Upon the receipt of matching funds or
140 verification that the matching funds described in this subsection
141 are forthcoming, the Department of Finance and Administration, at
142 one time, or from time to time, may declare by resolution the
143 necessity for issuance of general obligation bonds of the State of
144 Mississippi in an amount not to exceed Two Million Dollars
145 (\$2,000,000.00) to provide funds for the: (a) repair, renovation,
146 remodeling, equipping, furnishing, adding to or improving the old
147 National Guard Armory on the State Fairgrounds in Jackson,
148 Mississippi, or another structure if approved by the Department of
149 Finance and Administration as provided in Section 17 of this act,
150 for use as a children's museum as authorized under Sections 16
151 through 33 of this act; (b) repair, renovation, furnishing and
152 equipping of the facility at the location described in Section
153 39-23-3(c); * * * (c) construction, furnishing and equipping of a
154 facility at the location described in Section 39-23-3(d); or (d)
155 construction, furnishing and equipping of a facility at a location
156 selected as provided in Section 39-23-3(e). The issuance of the
157 bonds described in this subsection and the allocation of such
158 funds are conditioned upon the private sector or local or federal
159 government providing Two Million Dollars (\$2,000,000.00) to match
160 the funds provided under this section. The matching funds
161 required pursuant to this subsection may be provided in the form
162 of cash or in-kind contributions or any combination of cash or

163 in-kind contributions. In-kind contributions shall include, but
164 not be limited to, the value of exhibits that are contributed to
165 the children's museum authorized under Sections 16 through 33 of
166 this act.

167 (2) Upon the adoption of a resolution by the Department of
168 Finance and Administration, declaring the necessity for the
169 issuance of any part or all of the general obligation bonds
170 authorized by this section, the department shall deliver a
171 certified copy of its resolution or resolutions to the State Bond
172 Commission. Upon receipt of such resolution, the State Bond
173 Commission, in its discretion, may act as the issuing agent,
174 prescribe the form of the bonds, advertise for and accept bids,
175 issue and sell the bonds so authorized to be sold, and do any and
176 all other things necessary and advisable in connection with the
177 issuance and sale of such bonds. The amount of bonds issued under
178 Sections 16 through 33 of this act shall not exceed Two Million
179 Dollars (\$2,000,000.00).

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