

By: Senator(s) Michel

To: Finance

COMMITTEE SUBSTITUTE
FOR
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 IN HINDS COUNTY
5 SUBMITTED BY THE BOARD OF DIRECTORS OF THE MISSISSIPPI CHILDREN'S
6 MUSEUM TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND
7 APPROVED AS AN APPROPRIATE LOCATION BY THE DEPARTMENT OF FINANCE
8 AND ADMINISTRATION, AND TO AUTHORIZE THE USE OF THE PROCEEDS FROM
9 THE ISSUANCE OF CERTAIN STATE GENERAL OBLIGATION BONDS IN THE
10 CONSTRUCTION, FURNISHING AND EQUIPPING OF THE MUSEUM AT SUCH
11 LOCATION; AND FOR RELATED PURPOSES.

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

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

15 39-23-3. The Mississippi Children's Museum may be located:

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

21 (b) In such structure and at such location as shall be
22 submitted by the Board of Directors of the Mississippi Children's
23 Museum, a Mississippi nonprofit corporation, to and approved as an
24 appropriate structure and location by the Department of Finance
25 and Administration, after the repair, renovation, furnishing and
26 equipping of such facility by the Department of Finance and
27 Administration as provided in Sections 16 through 33 of Chapter
28 535, Laws of 1997, as amended; or

29 (c) In the building, formerly known as the Mississippi
30 Museum of Natural Science, on land located adjacent to the State

31 Fairgrounds in the City of Jackson, County of Hinds, Mississippi,
32 described more specifically as follows:

33 Starting at the point of intersection of the
34 North line of Pearl Street and the West line of
35 Jefferson Street, run Northerly along the West
36 line of Jefferson Street a distance of 240 feet
37 to the point of beginning, an iron pin.
38 Continue Northerly along the West line of
39 Jefferson Street for a distance of 257.9 feet to
40 an iron pin; turn left through an angle of 89 degrees -
41 57 minutes - 14 seconds and run Westerly for a
42 distance of 278.9 feet to an iron pin on the east
43 right-of-way line of the G.M. & O. Railroad; turn
44 left through an angle of 79 degrees - 29 minutes -
45 30 seconds and run Southerly along the East right-of-way
46 of the G.M. & O. Railroad (Said line being a curve
47 to the left with a radius of 2814.93 feet, chord
48 definition) for a distance of 260.4 feet to an iron
49 pipe; turn left through an angle of 95 degrees - 12
50 minutes - 26 seconds and run Easterly and parallel
51 with the North line of this tract for a distance of
52 314.7 feet to the point of beginning.

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

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

58 (e) At any location in Hinds County as shall be
59 submitted by the Board of Directors of the Mississippi Children's
60 Museum, a Mississippi nonprofit corporation, to the Department of
61 Finance and Administration and approved as an appropriate location
62 by the Department of Finance and Administration.

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

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

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

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

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

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

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

96 the support and improvement of a children's museum in Mississippi.
97 The benefit to Mississippi from the operation of such lease shall
98 be considered as sufficient consideration. The lease shall be
99 executed for a nominal fee and it shall be presumed that such
100 lease shall not amount to a donation of state property.

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

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

125 (4) If the facility at a location selected as provided in
126 Section 39-23-3(e) is constructed, furnished and equipped as
127 provided for in Sections 39-23-1 through 39-23-7 and Sections 20
128 through 33 of Chapter 535, Laws of 1997, as amended, the

129 Department of Finance and Administration shall lease the facility
130 for a period not exceeding twenty (20) years to a nonprofit
131 corporation whose primary purpose for incorporation is the support
132 and improvement of a children's museum in Mississippi. The
133 benefit to Mississippi from the operation of such lease shall be
134 considered a sufficient consideration. The lease shall be
135 executed for a nominal fee and it shall be presumed that such
136 lease shall not amount to a donation of state property.

137 **SECTION 4.** Section 20, Chapter 535, Laws of 1997, as amended
138 by Section 137, Chapter 589, Laws of 1999, as amended by Section
139 64, Chapter 600, Laws of 2001, is amended as follows:

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

162 required pursuant to this subsection may be provided in the form
163 of cash or in-kind contributions or any combination of cash or
164 in-kind contributions. In-kind contributions shall include, but
165 not be limited to, the value of exhibits that are contributed to
166 the children's museum authorized under Sections 16 through 33 of
167 this act.

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

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