

Senate Amendments to House Bill No. 1442

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

1 **AMEND** by inserting the following after line 10 and
2 renumbering subsequent section(s) accordingly:

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

5 39-23-3. The Mississippi Children's Museum may be located:

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

11 (b) In such structure and at such location as shall be
12 submitted by the Board of Directors of the Mississippi Children's
13 Museum, a Mississippi nonprofit corporation, to and approved as an
14 appropriate structure and location by the Department of Finance
15 and Administration, after the repair, renovation, furnishing and
16 equipping of such facility by the Department of Finance and
17 Administration as provided in Sections 16 through 33 of Chapter
18 535, Laws of 1997, as amended; or

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

23 Starting at the point of intersection of the
24 North line of Pearl Street and the West line of
25 Jefferson Street, run Northerly along the West
26 line of Jefferson Street a distance of 240 feet
27 to the point of beginning, an iron pin.

28 Continue Northerly along the West line of
29 Jefferson Street for a distance of 257.9 feet to

30 an iron pin; turn left through an angle of 89 degrees -
31 57 minutes - 14 seconds and run Westerly for a
32 distance of 278.9 feet to an iron pin on the east
33 right-of-way line of the G.M. & O. Railroad; turn
34 left through an angle of 79 degrees - 29 minutes -
35 30 seconds and run Southerly along the East right-of-way
36 of the G.M. & O. Railroad (Said line being a curve
37 to the left with a radius of 2814.93 feet, chord
38 definition) for a distance of 260.4 feet to an iron
39 pipe; turn left through an angle of 95 degrees - 12
40 minutes - 26 seconds and run Easterly and parallel
41 with the North line of this tract for a distance of
42 314.7 feet to the point of beginning.

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

46 39 acres lying in the northeast corner of the
47 intersection of Mississippi 25 and Interstate 55.

48 (e) At any location in Hinds County as shall be
49 submitted by the Board of Directors of the Mississippi Children's
50 Museum, a Mississippi nonprofit corporation, to the Department of
51 Finance and Administration and approved as an appropriate location
52 by the Department of Finance and Administration.

53 **SECTION *.** Section 39-23-5, Mississippi Code of 1972, is
54 amended as follows:

55 39-23-5. (1) The Department of Finance and Administration
56 shall proceed with the repair, renovation, furnishing and
57 equipping of the old National Guard Armory on the Mississippi
58 State Fairgrounds, or another structure if approved by the
59 Department of Finance and Administration as provided in Section 17
60 of Chapter 589, Laws of 1999, for its use as a children's museum
61 as soon as practicable.

62 (2) The Department of Finance and Administration shall
63 proceed with the repair, renovation, furnishing and equipping of

64 the facility at the location described in Section 39-23-3(c) as
65 soon as practicable.

66 (3) The Department of Finance and Administration shall
67 proceed with the construction, furnishing and equipping of a
68 facility at the location described in Section 39-23-3(d), if the
69 location at such site is approved by the Board of Directors of the
70 Mississippi Children's Museum and the Department of Finance and
71 Administration, as soon as practicable.

72 (4) The Department of Finance and Administration shall
73 proceed with the construction, furnishing and equipping of a
74 facility at a location selected as provided in Section 39-23-3(e),
75 if the location is approved by the Board of Directors of the
76 Mississippi Children's Museum and the Department of Finance and
77 Administration, as soon as practicable.

78 **SECTION *.** Section 39-23-7, Mississippi Code of 1972, is
79 amended as follows:

80 39-23-7. (1) If the old National Guard Armory is repaired,
81 renovated, furnished and equipped as provided for in Sections
82 39-23-1 through 39-23-7 and Sections 20 through 33 of Chapter 535,
83 Laws of 1997, as amended, the Mississippi Fair Commission shall
84 lease the facility for a period not exceeding twenty (20) years to
85 a nonprofit corporation whose primary purpose for incorporation is
86 the support and improvement of a children's museum in Mississippi.
87 The benefit to Mississippi from the operation of such lease shall
88 be considered as sufficient consideration. The lease shall be
89 executed for a nominal fee and it shall be presumed that such
90 lease shall not amount to a donation of state property.

91 (2) If the facility at the location described in Section
92 39-23-3(c) is repaired, renovated, furnished and equipped as
93 provided for in Sections 39-23-1 through 39-23-7 and Sections 20
94 through 33 of Chapter 535, Laws of 1997, as amended, the
95 Department of Finance and Administration shall lease the facility
96 for a period not exceeding twenty (20) years to a nonprofit
97 corporation whose primary purpose for incorporation is the support
98 and improvement of a children's museum in Mississippi. The

99 benefit to Mississippi from the operation of such lease shall be
100 considered as sufficient consideration. The lease shall be
101 executed for a nominal fee and it shall be presumed that such
102 lease shall not amount to a donation of state property.

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

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

127 **SECTION *.** Section 20, Chapter 535, Laws of 1997, as amended
128 by Section 137, Chapter 589, Laws of 1999, as amended by Section
129 64, Chapter 600, Laws of 2001, is amended as follows:

130 Section 20. (1) Upon the receipt of matching funds or
131 verification that the matching funds described in this subsection
132 are forthcoming, the Department of Finance and Administration, at
133 one time, or from time to time, may declare by resolution the

134 necessity for issuance of general obligation bonds of the State of
135 Mississippi in an amount not to exceed Two Million Dollars
136 (\$2,000,000.00) to provide funds for the: (a) repair, renovation,
137 remodeling, equipping, furnishing, adding to or improving the old
138 National Guard Armory on the State Fairgrounds in Jackson,
139 Mississippi, or another structure if approved by the Department of
140 Finance and Administration as provided in Section 17 of this act,
141 for use as a children's museum as authorized under Sections 16
142 through 33 of this act; (b) repair, renovation, furnishing and
143 equipping of the facility at the location described in Section
144 39-23-3(c); * * * (c) construction, furnishing and equipping of a
145 facility at the location described in Section 39-23-3(d); or (d)
146 construction, furnishing and equipping of a facility at a location
147 selected as provided in Section 39-23-3(e). The issuance of the
148 bonds described in this subsection and the allocation of such
149 funds are conditioned upon the private sector or local or federal
150 government providing Two Million Dollars (\$2,000,000.00) to match
151 the funds provided under this section. The matching funds
152 required pursuant to this subsection may be provided in the form
153 of cash or in-kind contributions or any combination of cash or
154 in-kind contributions. In-kind contributions shall include, but
155 not be limited to, the value of exhibits that are contributed to
156 the children's museum authorized under Sections 16 through 33 of
157 this act.

158 (2) Upon the adoption of a resolution by the Department of
159 Finance and Administration, declaring the necessity for the
160 issuance of any part or all of the general obligation bonds
161 authorized by this section, the department shall deliver a
162 certified copy of its resolution or resolutions to the State Bond
163 Commission. Upon receipt of such resolution, the State Bond
164 Commission, in its discretion, may act as the issuing agent,
165 prescribe the form of the bonds, advertise for and accept bids,
166 issue and sell the bonds so authorized to be sold, and do any and
167 all other things necessary and advisable in connection with the
168 issuance and sale of such bonds. The amount of bonds issued under

169 Sections 16 through 33 of this act shall not exceed Two Million
170 Dollars (\$2,000,000.00).

171 **FURTHER, AMEND line 4 of the title by inserting the following**
172 **after the semicolon:**

173 TO AMEND SECTIONS 39-23-3, 39-23-5 AND 39-23-7, MISSISSIPPI CODE
174 OF 1972, AND SECTION 20, CHAPTER 535, LAWS OF 1997, AS AMENDED, TO
175 AUTHORIZE THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A
176 CHILDREN'S MUSEUM AT A LOCATION IN HINDS COUNTY SUBMITTED BY THE
177 BOARD OF DIRECTORS OF THE MISSISSIPPI CHILDREN'S MUSEUM TO THE
178 DEPARTMENT OF FINANCE AND ADMINISTRATION AND APPROVED AS AN
179 APPROPRIATE LOCATION BY THE DEPARTMENT OF FINANCE AND
180 ADMINISTRATION, AND TO AUTHORIZE THE USE OF THE PROCEEDS FROM THE
181 ISSUANCE OF CERTAIN STATE GENERAL OBLIGATION BONDS IN THE
182 CONSTRUCTION, FURNISHING AND EQUIPPING OF THE MUSEUM AT SUCH
183 LOCATION;

SS26\HB1442A.J

John O. Gilbert
Secretary of the Senate