

By: Representative Robinson (84th)

To: Public Property

HOUSE BILL NO. 579

1 AN ACT TO PROVIDE THAT THE LEGISLATURE SHALL EXERCISE
2 EXCLUSIVE MANAGEMENT AND CONTROL OVER THE NEW STATE CAPITOL AND
3 ITS GROUNDS; TO PROVIDE THAT THE LEGISLATURE SHALL HAVE
4 JURISDICTION TO ENFORCE THE STATE LAWS IN THE CAPITOL AND ON ITS
5 GROUNDS; TO AUTHORIZE THE LEGISLATURE TO ENTER INTO CONTRACTS FOR
6 MAINTENANCE, SECURITY AND OTHER SERVICES NECESSARY FOR THE CARE OF
7 THE NEW STATE CAPITOL AND ITS GROUNDS; TO AMEND SECTION 29-5-9,
8 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE LEGISLATURE TO EMPLOY
9 AN ELEVATOR OPERATOR FOR THE CAPITOL; TO AMEND SECTION 29-5-12,
10 MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE TO PROVIDE
11 FOR THE CARE AND LANDSCAPING OF THE CAPITOL GROUNDS; TO AMEND
12 SECTIONS 29-5-61 THROUGH 29-5-71, MISSISSIPPI CODE OF 1972, TO
13 PROVIDE THAT THE LEGISLATURE SHALL BE RESPONSIBLE FOR THE
14 SUPERVISION OF PARKING ON THE CAPITOL GROUNDS; TO AMEND SECTIONS
15 5-1-83, 29-5-2, 29-5-57, 29-5-59, 29-5-77 THROUGH 29-5-91, 29-5-95
16 AND 31-11-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY THEREFOR;
17 AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** (1) The Legislature shall exercise exclusive
20 management and control over the New State Capitol and its
21 appurtenant grounds. Acting through the House Management
22 Committee and the Senate Rules Committee, the Legislature shall
23 provide for the general supervision and care of the New State
24 Capitol and its grounds. A majority vote of the members of the
25 House Management Committee and a majority vote of the members of
26 the Senate Rules Committee shall be required on all managerial
27 decisions that affect the facilities or joint operations of the
28 New State Capitol and its grounds.

29 (2) The Legislature shall be responsible for the assignment
30 of office space in the New State Capitol, which action shall be by
31 duly passed resolution of the combined Senate Rules Committee and
32 the House Management Committee, meeting as a joint committee, and
33 approved by the Lieutenant Governor and Speaker of the House of
34 Representatives. A majority vote of the members of the Senate

35 Rules Committee and a majority vote of the members of the House
36 Management Committee shall be required on all actions taken,
37 resolutions or reports adopted, and all other matters considered
38 by the full combined committee on occasions when the Senate Rules
39 Committee and the House Management Committee shall meet as a full
40 combined committee.

41 (3) The Legislature shall have jurisdiction relative to the
42 enforcement of all laws of the State of Mississippi in the New
43 State Capitol and on its appurtenant grounds. Through persons
44 appointed by the House Management Committee and Senate Rules
45 Committee acting jointly, or through the Department of Public
46 Safety at the request of the Speaker of the House of
47 Representatives or the Lieutenant Governor, arrests may be made
48 for any violation of any law of the State of Mississippi in the
49 New State Capitol or on its grounds. The Legislature may provide
50 for the enforcement of Sections 29-5-59 through 29-5-65, 29-5-69
51 through 29-5-75 and 29-5-81 through 29-5-95.

52 When, in the opinion of the Speaker of the House of
53 Representatives or the Lieutenant Governor, it is readily apparent
54 that an emergency exists where the persons appointed by the
55 Legislature are unable to control a situation or to enforce the
56 laws, the Speaker of the House of Representatives or the
57 Lieutenant Governor may call upon the Department of Public Safety,
58 which shall have the power to arrest and detain persons for
59 violations of state laws occurring in the New State Capitol or on
60 its grounds.

61 (4) The Legislature may enter into contracts for building
62 maintenance, cleaning, security, printing of parking insignia,
63 posting of traffic signs and for such other services necessary in
64 the general supervision and care of the New State Capitol and its
65 grounds.

66 **SECTION 2.** Section 29-5-2, Mississippi Code of 1972, is
67 amended as follows:

68 29-5-2. The duties of the Department of Finance and
69 Administration shall be as follows:

70 (a) (i) To exercise general supervision and care over
71 and keep in good condition the following state property located in
72 the City of Jackson: * * * the Woolfolk State Office Building, the
73 Carroll Gartin Justice Building, the Walter Sillers Office
74 Building, the War Veterans' Memorial Building, the Charlotte
75 Capers Building, the William F. Winter Archives and History
76 Building, the Ike Sanford Veterans Affairs Building, the Old State
77 Capitol Building, the Governor's Mansion, the Heber Ladner
78 Building, the Burroughs Building, the Robert E. Lee Office
79 Building, the Robert E. Lee Parking Garage, the Manship House
80 Restoration and Visitor Center, the State Records Center, the
81 Robert G. Clark, Jr., Building, and all other properties acquired
82 in the same transaction at the time of the purchase of the Robert
83 E. Lee Hotel property from the First Federal Savings and Loan
84 Association of Jackson, Mississippi, which properties are more
85 particularly described in a warranty deed heretofore executed and
86 delivered on April 22, 1969, and filed for record in the office of
87 the Chancery Clerk of the First Judicial District of Hinds County,
88 Mississippi, located in Jackson, Mississippi, on April 25, 1969,
89 at 9:00 a.m., and recorded in Deed Book No. 1822, page 136 et
90 seq., and the Central High Building and 101 Capitol Centre.

91 (ii) To exercise general supervision and care over
92 and keep in good condition the Dr. Eldon Langston Bolton Building
93 located in Biloxi, Mississippi.

94 (iii) To exercise general supervision and care
95 over and keep in good condition the State Service Center, located
96 at the intersection of State Highway 49 and John Merl Tatum
97 Industrial Drive in Hattiesburg, Mississippi.

98 (b) To assign suitable office space for the various
99 state departments, officers and employees who are provided with an

100 office in any of the buildings under the jurisdiction or control
101 of the Department of Finance and Administration. * * *

102 (c) To approve or disapprove with the concurrence of
103 the Public Procurement Review Board, any lease or rental
104 agreements by any state agency or department, including any state
105 agency financed entirely by federal and special funds, for space
106 outside the buildings under the jurisdiction of the Department of
107 Finance and Administration. In no event shall any employee,
108 officer, department, federally funded agency or bureau of the
109 state be authorized to enter a lease or rental agreement without
110 prior approval of the Department of Finance and Administration and
111 the Public Procurement Review Board.

112 The Department of Finance and Administration is authorized to
113 use architects, engineers, building inspectors and other personnel
114 for the purpose of making inspections as may be deemed necessary
115 in carrying out its duties and maintaining the facilities.

116 (d) To acquire by lease, lease-purchase agreement, or
117 otherwise, as provided in Section 27-104-107, and to assign
118 through the Office of General Services, by lease or sublease
119 agreement from the office, and with the concurrence of the Public
120 Procurement Review Board, to any state agency or department,
121 including any state agency financed entirely by federal and
122 special funds, appropriate office space in the buildings acquired.

123 **SECTION 3.** Section 29-5-9, Mississippi Code of 1972, is
124 amended as follows:

125 29-5-9. * * *

126 * * * The Senate Rules Committee and the House Management
127 Committee (or any successors having responsibility for the hiring
128 of legislative employees), acting jointly, may employ and
129 compensate a receptionist and an elevator operator for the New
130 State Capitol * * * and any assistants deemed necessary for such
131 receptionist. Compensation for the elevator operator and for the

132 receptionist and any assistants shall be paid out of funds
133 appropriated for joint legislative operations.

134 The receptionist shall operate an information desk, furnish
135 information to visitors; maintain a registration book for
136 visitors; distribute literature furnished by state agencies,
137 historical societies, pilgrimage clubs, private individuals or
138 organizations engaged in the manufacturing of products from
139 Mississippi resources; and conduct tours of the building. All
140 agencies of the State of Mississippi and others having literature
141 for distribution shall supply the New State Capitol * * *
142 receptionist with copies of such literature for distribution.

143 **SECTION 4.** Section 29-5-12, Mississippi Code of 1972, is
144 amended as follows:

145 29-5-12. The Legislature shall provide for reasonable
146 landscaping and care, including the maintenance of a water
147 sprinkling system, for the New State Capitol grounds.

148 **SECTION 5.** Section 29-5-57, Mississippi Code of 1972, is
149 amended as follows:

150 29-5-57. It shall be the duty of the Department of Finance
151 and Administration to supervise and regulate the parking of motor
152 vehicles at the facilities named in Section 29-5-2 except for the
153 New State Capitol, the State Board of Health Building and the
154 Governor's Mansion. The department shall make all necessary
155 regulations to ensure that parking space shall be available for
156 state officers and employees whose official duties require their
157 presence at such facilities and for business visitors, authorized
158 members of the press, tourists and other visitors who are in need
159 of parking space at any such building * * *.

160 **SECTION 6.** Section 29-5-59, Mississippi Code of 1972, is
161 amended as follows:

162 29-5-59. Except as otherwise provided in Section 29-5-61,
163 all parking * * * spaces adjacent to the south side of the New
164 State Capitol * * * between the east side of the south entrance to

165 the first floor and the east walkway, or President Street
166 entrance, shall be reserved for use of the Governor. In addition,
167 a parking space adjacent to the south side of the New State
168 Capitol, east of the south entrance to the first floor and in the
169 southernmost corner of that space under the portico, shall be
170 reserved for the Governor.

171 **SECTION 7.** Section 29-5-61, Mississippi Code of 1972, is
172 amended as follows:

173 29-5-61. The Legislature, acting through the combined Senate
174 Rules Committee and the House Management Committee meeting as a
175 joint committee, shall provide for the supervision and regulation
176 of the parking of motor vehicles on the grounds of the New State
177 Capitol. The Legislature may designate a number it deems
178 appropriate of parking spaces adjacent to the north side of the
179 New State Capitol * * * for the use of tourists, visitors and
180 those having temporary business to transact in the New State
181 Capitol. All parking spaces adjacent to the north side of the New
182 State Capitol * * * shall be and are * * * reserved for use by the
183 Lieutenant Governor, the Speaker of the House of Representatives,
184 the President Pro Tempore of the Senate, officers of the Senate
185 and House of Representatives, and visitors, tourists and those
186 persons having temporary business to transact in the New State
187 Capitol * * *. In addition, a parking space adjacent to the south
188 side of the New State Capitol, east of the south entrance to the
189 first floor and in the northernmost corner of that space under the
190 portico, shall be reserved for use of the Lieutenant Governor; and
191 a parking space adjacent to the south side of the New State
192 Capitol, west of the south entrance to the first floor and in the
193 southernmost corner of that space under the portico, shall be
194 reserved for the Speaker of the House of Representatives.

195 The * * * parking spaces reserved for the named officials shall be
196 plainly marked with suitable signs or markers, designating which
197 space is reserved for such individual or officer. The spaces

198 reserved for use in parking for visitors, tourists and those
199 having temporary business to transact in said New State
200 Capitol * * * shall be plainly marked with suitable signs or
201 markers showing that they are reserved for visitors and with the
202 notation thereon "two-hour limit." The Legislature shall provide
203 suitable signs and markers to indicate those parking spaces which
204 shall be available for the convenience of tourists, visitors, and
205 those having temporary business to transact in the New State
206 Capitol.

207 **SECTION 8.** Section 29-5-63, Mississippi Code of 1972, is
208 amended as follows:

209 29-5-63. All parking spaces on the north side of the New
210 State Capitol * * *, other than those adjacent to the north side
211 of said building, * * * shall be and are * * * reserved for use of
212 state officers, state employees and authorized members of the
213 press whose official duties require their presence in the New
214 State Capitol * * *.

215 Parking spaces not otherwise specifically designated may be
216 made available to other state officers and employees not domiciled
217 in the New State Capitol * * *, in the discretion of the
218 Legislature, acting through the combined Senate Rules Committee
219 and the House Management Committee meeting as a joint committee,
220 and under such regulations as may be prescribed therefor.

221 **SECTION 9.** Section 29-5-65, Mississippi Code of 1972, is
222 amended as follows:

223 29-5-65. * * * The Legislature, acting through the combined
224 Senate Rules Committee and the House Management Committee meeting
225 as a joint committee, shall designate and reserve sufficient
226 parking spaces around the New State Capitol * * * to accommodate
227 the members of the Legislature. The spaces * * * shall be
228 identified and marked with the name of each member of the
229 Legislature, and that space * * * shall be reserved for the
230 exclusive use of that legislator. The Legislature shall reserve

231 and allocate, among those spaces, an individual parking space for
232 use of any member of the Legislature who is physically
233 handicapped, so as to make his or her entrance to and exit from
234 the New State Capitol * * * as convenient as is reasonably
235 possible.

236 **SECTION 10.** Section 29-5-67, Mississippi Code of 1972, is
237 amended as follows:

238 29-5-67. (1) The Department of Finance and Administration
239 is directed to have prepared or to secure suitable insignia for
240 placing on automobiles so as to properly designate the automobiles
241 as belonging to or used by state officers and employees and
242 denoting in which building the officer or employee is
243 located * * * or such other identification as will aid in the
244 enforcement of Sections 29-5-57 through * * * 29-5-77. Such
245 insignia or other identification shall be issued once each year to
246 all state officers or state employees entitled thereto.

247 (2) * * * The * * * Legislature, acting through the combined
248 Senate Rules Committee and the House Management Committee meeting
249 as a joint committee, shall furnish its membership and staff with
250 distinctive insignia of appropriate design for their personal
251 automobiles, the expense to be paid out of the contingent fund of
252 each house.

253 **SECTION 11.** Section 29-5-69, Mississippi Code of 1972, is
254 amended as follows:

255 29-5-69. * * * All parking spaces adjacent to the New State
256 Capitol grounds on the west side of President Street, the south
257 side of High Street, the north side of Mississippi Street, and the
258 east side of West Street, shall be reserved for the use of
259 legislative employees. The Legislature, acting through the
260 combined Senate Rules Committee and the House Management Committee
261 meeting as a joint committee, shall place signs to that effect on
262 the described streets * * *.

263 All legislative employees * * * shall be provided with
264 distinctive stickers by the Legislature which shall be placed in a
265 prominent place on the rear of the automobile owned and regularly
266 used by that employee.

267 Any person without a sticker on his automobile who parks in
268 any space reserved in the first paragraph of this section shall be
269 guilty of a misdemeanor and * * * upon conviction, shall be fined
270 not to exceed Twenty-five Dollars (\$25.00).

271 Any person who is not a legislative employee and who has on
272 his automobile a Capitol parking sticker or any legislative
273 employee who gives his parking sticker to another person to use on
274 such person's car, shall be guilty of a misdemeanor and * * * upon
275 conviction, shall be fined One Hundred Dollars (\$100.00).

276 The security officers employed by the Legislature shall have
277 the authority and are directed to enforce the provisions of this
278 section.

279 **SECTION 12.** Section 29-5-71, Mississippi Code of 1972, is
280 amended as follows:

281 29-5-71. (1) The Department of Finance and Administration
282 is * * * directed to erect suitable signs or markers to indicate
283 the parking spaces reserved, in conformity with Sections 29-5-57,
284 through 29-5-67(1), 29-5-75 and 29-5-77.

285 (2) The Legislature, acting through the combined Senate
286 Rules Committee and the House Management Committee meeting as a
287 joint committee, shall provide for the erection of suitable signs
288 or markers to indicate the parking spaces reserved on the grounds
289 of the New State Capitol.

290 (3) The * * * Department of Transportation is * * * directed
291 to cooperate with the Department of Finance and Administration and
292 the Legislature in the painting or marking of * * * parking spaces
293 as * * * prescribed by the Department of Finance and
294 Administration and the Legislature.

295 **SECTION 13.** Section 29-5-77, Mississippi Code of 1972, is
296 amended as follows:

297 29-5-77. The Department of Finance and Administration shall
298 have jurisdiction relative to the enforcement of all laws of the
299 State of Mississippi on the properties set forth in Section
300 29-5-2, the Court of Appeals Building, the Mississippi Department
301 of Transportation Building and the Public Employees' Retirement
302 System Building. The Department of Finance and
303 Administration * * *, through any person or persons appointed by
304 such department * * *, or through the Department of Public Safety
305 when requested by the Department of Finance and Administration,
306 shall make arrests for any violation of any law of the State of
307 Mississippi on those grounds of or within those properties. The
308 Department of Finance and Administration shall enforce the
309 provisions of Sections 29-5-57 through 29-5-67, 29-5-71 through
310 29-5-77, and 29-5-81 through 29-5-95, and prescribe such rules and
311 regulations as are necessary therefor.

312 When in the opinion of the Governor or, in his absence, the
313 Lieutenant Governor, it is readily apparent that an emergency
314 exists that the persons appointed by the Department of Finance and
315 Administration are unable to control in the accomplishment of the
316 provisions of Sections 29-5-57 through 29-5-67, 29-5-71 through
317 29-5-77, and 29-5-81 through 29-5-95 in regard to law enforcement,
318 then the Governor, or in his absence, the Lieutenant Governor, may
319 call upon the Department of Public Safety, members of which shall
320 have power to arrest and detain any persons violating the
321 provisions of those sections of law, until the person can be
322 brought before the proper authorities for trial.

323 **SECTION 14.** Section 29-5-79, Mississippi Code of 1972, is
324 amended as follows:

325 29-5-79. * * * The Speaker of the House of Representatives
326 and the Lieutenant Governor may make such regulations as they may
327 deem necessary for preserving the peace and securing the New State

328 Capitol from defacement, and for the protection of the property
329 therein. The Lieutenant Governor or the Speaker of the House of
330 Representatives may request the assistance of the * * * Department
331 of Public Safety in order to preserve the peace at the New State
332 Capitol and secure the New State Capitol from defacement, and for
333 the protection of the property therein.

334 * * *

335 **SECTION 15.** Section 29-5-81, Mississippi Code of 1972, is
336 amended as follows:

337 29-5-81. (1) Grounds of public buildings over which the
338 Department of Finance and Administration has jurisdiction shall
339 comprise the following:

340 (a) In the City of Jackson, Mississippi:

341 * * *

342 Governor's Mansion: Bounded on the north by Amite Street, on
343 the west by North West Street, on the south by Capitol Street and
344 on the east by North Congress Street;

345 Woolfolk State Office Building: Bounded on the north by High
346 Street, on the west by Lamar Street, on the south by Hamilton
347 Street and on the east by North West Street;

348 Old State Capitol and War Veterans' Memorial Building
349 Complex: Bounded on the north by Amite Street, on the west by
350 North State Street and South State Street, on the south by Pearl
351 Street and on the east by property of the Gulf, Mobile and Ohio
352 Railroad Company;

353 Carroll Gartin Justice Building and Walter Sillers Office
354 Building Complex: Bounded on the north by George Street, on the
355 west by North West Street, on the south by High Street and on the
356 east by North President Street;

357 Heber Ladner Building: Bounded on the north by Mississippi
358 Street, on the west by North Congress Street, on the south by the
359 property of Galloway Methodist Church used as a parking lot and on

360 the east by the property on which the Mississippi Farm Bureau
361 Federation Building stands;

362 State Board of Health Building: Bounded on the north by
363 Stadium Drive, on the west by the property of Mississippi Hospital
364 and Medical Service, on the southwest by property on which is
365 located a Standard Oil service station, on the southeast by
366 property leased by the Mississippi Federation of Women's Clubs and
367 on the east by North State Street;

368 Robert E. Lee Building and other properties acquired in the
369 same transaction: Particularly described in warranty deed
370 executed and delivered on April 22, 1969, and filed for record in
371 the Office of the Chancery Clerk of the First Judicial District of
372 Hinds County, Mississippi, located in Jackson, Mississippi, on
373 April 25, 1969, at 9:00 a.m., and recorded in Deed Book No. 1822,
374 page 136 et seq.;

375 Charlotte Capers Building: Bounded on the north by the Old
376 Capitol Building, on the west by South State Street, on the south
377 by Pearl Street, and on the east by the Illinois Central Railroad
378 tracks;

379 William F. Winter Archives and History Building: Bounded on
380 the north by Mississippi Street, on the west by North Street, on
381 the south by Amite Street, and on the east by Jefferson Street.

382 Mayfair Building: Bounded on the north by George Street, on
383 the west by Northwest Street, on the south by Walter Sillers
384 Office Building complex, and on the east by North President
385 Street;

386 Court of Appeals Building: Bounded on the west by North
387 State Street, on the north by George Street, on the east by North
388 Street, and on the south by the building designated as 654 North
389 State Street, including the parking area east of and adjacent to
390 the 654 North State Street Building;

391 Central High Building;

392 101 Capitol Centre: Located at 101 West Capitol Street,
393 Jackson, Mississippi;

394 Robert G. Clark, Jr., Building: Located at 301 North Lamar
395 Street, Jackson, Mississippi.

396 (b) The Dr. Eldon Langston Bolton Building: Located in
397 the City of Biloxi, Mississippi.

398 (c) The State Service Center: Located at the
399 intersection of U.S. Highway 49 and John Merl Tatum Industrial
400 Drive in the City of Hattiesburg, Mississippi.

401 (2) The Legislature shall have jurisdiction over the New
402 State Capitol, which is bounded on the north by High Street, on
403 the west by North West Street, on the south by Mississippi Street,
404 and on the east by North President Street.

405 **SECTION 16.** Section 29-5-83, Mississippi Code of 1972, is
406 amended as follows:

407 29-5-83. Public travel in and occupancy of the grounds * * *
408 described in Section 29-5-81 shall be restricted to the roads,
409 walks and places prepared for that purpose by paving or otherwise.
410 It is forbidden to occupy the roads, walks or places in such
411 grounds in such manner as to obstruct or hinder their proper use.

412 **SECTION 17.** Section 29-5-85, Mississippi Code of 1972, is
413 amended as follows:

414 29-5-85. It is forbidden to offer or expose any article for
415 sale in or on the grounds described in Section 29-5-81, except as
416 may be permitted by the Department of Finance and Administration
417 or the Legislature, as the case may be; to display any sign,
418 placard, or other form of advertisement therein; or to solicit
419 fares, alms, subscriptions, or contributions therein.

420 **SECTION 18.** Section 29-5-87, Mississippi Code of 1972, is
421 amended as follows:

422 29-5-87. It is forbidden to step or climb upon, remove, or
423 in any way injure any statue, seat, wall, fountain, or other

424 erection or architectural feature, or any tree, shrub, plant, or
425 turf in or on the grounds described in Section 29-5-81.

426 **SECTION 19.** Section 29-5-89, Mississippi Code of 1972, is
427 amended as follows:

428 29-5-89. It is forbidden to discharge any firearm, firework
429 or explosive, set fire to any combustible, make any harangue or
430 oration, or utter loud, threatening or abusive language in or on
431 the grounds described in Section 29-5-81.

432 **SECTION 20.** Section 29-5-91, Mississippi Code of 1972, is
433 amended as follows:

434 29-5-91. It is forbidden to parade, stand, or move in
435 processions or assemblages in or on the grounds described in
436 Section 29-5-81, or to display therein any flag, banner, or device
437 designed or adapted to bring into public notice any party,
438 organization, or movement, except as * * * provided in Section
439 29-5-95.

440 **SECTION 21.** Section 29-5-95, Mississippi Code of 1972, is
441 amended as follows:

442 29-5-95. On certain occasions of state interest, the
443 Legislature may suspend so much of the prohibitions contained in
444 Sections 29-5-83 through 29-5-91 as would prevent the use of the
445 roads and walks of the Capitol grounds by processions or
446 assemblages, and the use upon them of suitable decorations, music,
447 addresses or ceremonies, provided that responsible officers shall
448 have been appointed and arrangements determined which are
449 adequate * * * for the maintenance of suitable order and decorum
450 in the proceedings, and for guarding the properties and grounds
451 from injury.

452 **SECTION 22.** Section 5-1-83, Mississippi Code of 1972, is
453 amended as follows:

454 5-1-83. The Legislature may make such alterations and
455 provide such furnishings for the post office room as in its

456 judgment may seem proper, to fit it for the convenience and
457 necessary requirements of Sections 5-1-79 and 5-1-81.

458 **SECTION *.** Section 31-11-27, Mississippi Code of 1972, is
459 amended as follows:

460 31-11-27. (1) (a) The Department of Finance and
461 Administration shall conduct a detailed study of the building and
462 other capital needs at each state institution and at each junior
463 college immediately prior to September first in each year. This
464 study shall include, but shall not be limited to, the following
465 matters: (i) an inventory of every state building and other
466 capital facility which is the property of the State of
467 Mississippi; (ii) the location, date of construction or
468 acquisition, the purpose for which used, outstanding indebtedness
469 against such facility, if any, and cost of repairs for the
470 preceding fiscal year; (iii) an examination of the condition of
471 the building or other facility; (iv) an estimate of the cost of
472 repairs required to place the facility in good condition; (v) an
473 estimate of the cost of major renovations, if contemplated; and
474 (vi) a determination of the new building and other facility needs
475 of each institution with such needs classified under immediate or
476 long range requirements.

477 (b) All state agencies, departments and institutions
478 are hereby authorized and directed to cooperate with the
479 Department of Finance and Administration in carrying out the
480 provisions of this section.

481 (c) The Department of Finance and Administration shall
482 submit a detailed report to the Legislative Budget Office on or
483 before September first of each year. Such report shall be in such
484 detail and in such form as may be prescribed by the Legislative
485 Budget Office.

486 (d) The architect or building inspector of the
487 Department of Finance and Administration shall make a biennial
488 inspection of the * * * Old Capitol, Woolfolk State Office

489 Building, War Memorial Building, the Governor's Mansion, and all
490 other buildings under jurisdiction of the Department of Finance
491 and Administration for structural or other physical needs or
492 defects of such buildings, and he shall further inquire of the
493 department or its representatives regarding the condition of the
494 buildings. He shall make a written report of his finding to the
495 Department of Finance and Administration, Governor, Lieutenant
496 Governor and Speaker of the House of Representatives. The report
497 shall also make recommendations for repairs and list, by number,
498 the priority which should be given to making necessary repairs.

499 (2) (a) In addition to any report required in subsection
500 (1) of this section, the Department of Finance and Administration
501 shall prepare and submit an annual report to the Legislative
502 Budget Office, the House Public Buildings, Grounds and Lands
503 Committee and the Senate Public Property Committee describing the
504 proposed capital improvements projects for state agencies,
505 departments and institutions for the upcoming five-year period.
506 The Department of Finance and Administration shall not be required
507 to include in the report any project costing less than One Million
508 Dollars (\$1,000,000.00). The department shall submit the report
509 before September 1 of each year. The report shall include at
510 least the following information:

511 (i) A prioritized list of the projects proposed
512 for the five-year period, with each project ranked on the basis of
513 need;

514 (ii) A prioritized list of the projects proposed
515 for the next regular legislative session, with each project ranked
516 on the basis of need;

517 (iii) A prioritized list of the projects requested
518 by each state agency, department or institution;

519 (iv) A detailed explanation of criteria used by
520 the Department of Finance and Administration to rank projects for
521 purposes of any list it prepares under this paragraph (a);

522 (v) A detailed statement of justification for each
523 project;

524 (vi) The approximate cost for each project,
525 including, but not limited to, itemized estimates of costs for
526 preplanning, constructing, furnishing and equipping a project, and
527 costs for property acquisition;

528 (vii) The estimated beginning date and completion
529 date for each project;

530 (viii) Whether a project, as proposed, is a
531 complete project or a phase or part of a project;

532 (ix) How a project will affect the operating
533 budget of the applicable agency, department or institution for the
534 upcoming five-year period, regarding such items as additional
535 personnel requirements, utility costs, maintenance costs, security
536 costs, etc.;

537 (x) The proposed method of financing each project
538 and the effect such financing will have on the state budget,
539 including an estimate of any required debt service for the
540 project, and an estimate of any federal funds or other funds that
541 the agency, department or institution may have access to because
542 of the project; and

543 (xi) A list of the projects requested by each
544 agency, department or institution for the five-year period, with
545 each project ranked by the appropriate agency, department or
546 institution on the basis of need.

547 (b) To enable the Department of Finance and
548 Administration to prepare the report required in this subsection
549 (2), it may require all state agencies, departments and
550 institutions to file a capital improvements projects request with
551 such information and in such form and in such detail as the
552 department may deem necessary and advisable. Such request shall
553 be filed with the Department of Finance and Administration no
554 later than August 1 of each year.

555 **SECTION 24.** This act shall take effect and be in force from
556 and after July 1, 2005.