

By: Representative Norquist

To: Universities and
Colleges; Public Property

HOUSE BILL NO. 1199
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE
2 INSTITUTIONS OF HIGHER LEARNING TO SELL AND CONVEY CERTAIN
3 STATE-OWNED REAL PROPERTY LOCATED IN BOLIVAR COUNTY, MISSISSIPPI;
4 TO REQUIRE TWO APPRAISALS OF THE REAL ESTATE BEFORE IT IS
5 PURCHASED; TO AMEND SECTION 55-23-5, MISSISSIPPI CODE OF 1972, TO
6 EXPAND THE MEMBERSHIP OF THE MISSISSIPPI VETERANS MEMORIAL STADIUM
7 COMMISSION; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) The Board of Trustees of State Institutions
10 of Higher Learning, upon meeting the requirements of Section
11 29-1-1, Mississippi Code of 1972, may sell and convey any or all
12 of the parcel of land described in this act under the authority
13 and operation of Delta State University. The land being described
14 as follows:

15 Lot Four, Block Eighteen of College Heights Addition to
16 the City of Cleveland, according to a map or plat of
17 said Addition on file in the office of the Clerk of the
18 Chancery Court of Bolivar County in Cleveland,
19 Mississippi, together with all improvements thereon and
20 all easements and appurtenances pertaining thereto.

21 (2) The consideration for the above described property shall
22 not be less than the average of the fair market price for the
23 tract as determined by two (2) Mississippi certified general
24 appraisers.

25 **SECTION 2.** The proceeds from the sale and conveyance of the
26 real property described in Section 1 of this act shall be
27 deposited into a special fund at Delta State University and all
28 mineral rights shall be retained by the State of Mississippi.

29 SECTION 3. Section 55-23-5, Mississippi Code of 1972, is
30 amended as follows:

31 55-23-5. There is hereby created a commission to be known as
32 "The Mississippi Veterans Memorial Stadium Commission,"
33 hereinafter sometimes referred to as the commission, which shall
34 consist of six (6) members as follows:

35 (a) One (1) member shall be appointed by the Mayor of
36 the City of Jackson, Mississippi;

37 (b) One (1) member shall be selected by the Board of
38 Trustees of State Institutions of Higher Learning from among the
39 membership of the board or shall be some other person designated
40 by the board; * * *

41 (c) Two (2) members shall be appointed by the Governor
42 from the state at large outside of Hinds County, Mississippi, and
43 one (1) member shall be appointed by the Governor from Hinds
44 County, Mississippi. The appointee from Hinds County may be
45 selected from a list of three (3) persons submitted by the Hinds
46 County Board of Supervisors to the Governor;

47 (d) One (1) member shall be the President of Jackson
48 State University, or his designee.

49 Terms of members shall begin on May 1, 1987, as follows: Of
50 the members appointed by the Governor, one (1) shall serve for a
51 term of one (1) year, one (1) for a term of two (2) years and one
52 (1) for a term of three (3) years; the member appointed by the
53 Mayor of the City of Jackson shall serve for a term of four (4)
54 years; and the member representing the Board of Trustees of State
55 Institutions of Higher Learning shall serve for a term of five (5)
56 years. Upon the expiration of the foregoing terms, members shall
57 serve for terms of five (5) years each. The appointing authority
58 shall fill any vacancy in the above terms by appointment of a
59 member for the unexpired term. Members shall be eligible for
60 reappointment. An appointed member serving on the commission on
61 April 30, 1987, shall be eligible for appointment to the

62 commission for a term beginning May 1, 1987, of either one (1),
63 two (2), three (3), four (4) or five (5) years, if such member is
64 otherwise qualified. One (1) member of the commission appointed
65 by the Governor shall be a person knowledgeable in marketing with
66 at least three (3) years actual experience therein and one (1)
67 member appointed by the Governor shall be a person of recognized
68 ability in a trade or business with at least five (5) years actual
69 experience therein. From and after May 1, 1987, the name of the
70 commission shall be the "Mississippi Veterans Memorial Stadium
71 Commission" and any references in Sections 55-23-3 through
72 55-23-11 to the Mississippi Memorial Stadium Commission or
73 commission shall mean the Mississippi Veterans Memorial Stadium
74 Commission unless the context clearly indicates a different
75 meaning. From and after May 1, 1987, the stadium shall be known
76 as the "Mississippi Veterans Memorial Stadium." The commission is
77 authorized to accept donations of money, property or services from
78 any public or private source to accomplish any physical
79 replacement or alterations of stadium property necessary to
80 accomplish the renaming of the stadium.

81 The members of the commission shall serve without
82 compensation except that members shall be paid their actual and
83 necessary expenses in connection with the performance of their
84 duties as members of the commission, including mileage, as
85 authorized in Section 25-3-41, Mississippi Code of 1972, plus a
86 per diem as is authorized by Section 25-3-69, Mississippi Code of
87 1972, while engaged in the performance of their duties. The
88 expenses, mileage and per diem allowance shall be paid out of the
89 Mississippi Veterans Memorial Stadium Fund.

90 The commission shall elect from its membership a chairman who
91 shall preside over meetings and a vice chairman who shall preside
92 in the absence of the chairman. Three (3) members of the
93 commission shall constitute a quorum for the transaction of any
94 and all business of the commission.

95 The powers of the commission shall be exercised by a majority
96 of the members thereof, but it may delegate to one or more of its
97 members, or to its agents and employees, such powers and duties as
98 it may deem proper, and may adopt rules and regulations for the
99 conduct of its business and affairs. The commission shall
100 contract with a certified public accounting firm to conduct audits
101 of concession and novelty sales by vendors at the stadium. The
102 commission shall, as far as is practicable, provide that the cost
103 of such audits shall be paid by the vendor of such concessions or
104 novelties, or both.

105 The commission shall appoint a director who shall have at
106 least a bachelor's degree from an accredited university or
107 college. The director shall have the responsibility for insuring
108 the marketing of tickets to events conducted in the stadium, in
109 addition to such other duties as the commission may designate.
110 Before entering upon the duties of his office, the director shall
111 give bond to the State of Mississippi in the sum of Fifty Thousand
112 Dollars (\$50,000.00), and said bond shall be conditioned upon the
113 faithful discharge and performance of his official duty. The
114 principal and surety on said bond shall be liable thereunder to
115 the state for double the amount of value of any money or property
116 which the state may lose, if any, by reason of any wrongful or
117 criminal act of said director. Said bond, when approved by the
118 commission, shall be filed with the Secretary of State, and the
119 premium thereon shall be paid from the Mississippi Veterans
120 Memorial Stadium Fund.

121 **SECTION 4.** This act shall take effect and be in force from
122 and after its passage.