

By: Representative Watson

To: Ways and Means

HOUSE BILL NO. 1634

1 AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION
 2 BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR
 3 INSTITUTIONS OF HIGHER LEARNING, STATE AGENCIES AND COMMUNITY AND
 4 JUNIOR COLLEGES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL
 5 OBLIGATION BONDS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE
 6 SOUTHERN ARTS AND ENTERTAINMENT CENTER; TO AUTHORIZE THE ISSUANCE
 7 OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR CAPITAL
 8 IMPROVEMENTS AT AN ECONOMIC DEVELOPMENT AND TOURISM DESTINATION
 9 FACILITY IN HANCOCK COUNTY, MISSISSIPPI, THAT FEATURES A SPACE,
 10 SCIENCE AND EDUCATION CENTER; TO REQUIRE THE COMMITMENT OF A
 11 CERTAIN AMOUNT OF PRIVATE, LOCAL OR FEDERAL FUNDS FOR SUCH PROJECT
 12 AS A CONDITION PRECEDENT TO THE ISSUANCE OF SUCH BONDS; TO AMEND
 13 SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO REVISE THE
 14 DEFINITION OF THE TERM "PROJECT" UNDER THE MISSISSIPPI MAJOR
 15 ECONOMIC IMPACT ACT; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE
 16 OF 1972, TO AUTHORIZE THE ISSUANCE OF BONDS FOR CERTAIN PROJECTS
 17 UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTIONS
 18 3 THROUGH 18, CHAPTER 541, LAWS OF 2001, AS LAST AMENDED BY
 19 CHAPTER 1, LAWS OF 2004 THIRD EXTRAORDINARY SESSION, TO INCREASE
 20 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED
 21 FOR THE PURPOSE OF PROVIDING FUNDS FOR THE BUILDING FUND FOR THE
 22 ARTS; TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, IN
 23 CONFORMITY THERETO; TO AMEND SECTIONS 210 THROUGH 226, CHAPTER 1,
 24 LAWS OF 2004 THIRD EXTRAORDINARY SESSION, AS AMENDED BY CHAPTER
 25 458, LAWS OF 2005, TO INCREASE THE AMOUNT OF GENERAL OBLIGATION
 26 BONDS AUTHORIZED TO BE ISSUED FOR THE MISSISSIPPI MUSEUM OF ART
 27 FUND; TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE
 28 STATE OF MISSISSIPPI FOR THE PURPOSE OF PROVIDING FUNDS FOR THE
 29 REPAIR, RENOVATION, FURNISHING AND EQUIPPING OF A BUILDING AND
 30 FACILITIES FOR A NEW STATE RECORDS CENTER AT THE OLD FARMERS'
 31 MARKET LOCATION IN JACKSON, MISSISSIPPI, AND EXPENSES RELATED TO
 32 MOVING RECORDS TO THE NEW CENTER; AND FOR RELATED PURPOSES.

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

34 **SECTION 1.** (1) As used in this section, the following words
 35 shall have the meanings ascribed herein unless the context clearly
 36 requires otherwise:

37 (a) "Accreted value" of any bond means, as of any date
 38 of computation, an amount equal to the sum of (i) the stated
 39 initial value of such bond, plus (ii) the interest accrued thereon
 40 from the issue date to the date of computation at the rate,
 41 compounded semiannually, that is necessary to produce the

42 approximate yield to maturity shown for bonds of the same
43 maturity.

44 (b) "State" means the State of Mississippi.

45 (c) "Commission" means the State Bond Commission.

46 (2) (a) (i) A special fund, to be designated as the "2006
47 Institutions of Higher Learning and State Agencies Capital
48 Improvements Fund," is created within the State Treasury. The
49 fund shall be maintained by the State Treasurer as a separate and
50 special fund, separate and apart from the General Fund of the
51 state. Unexpended amounts remaining in the fund at the end of a
52 fiscal year shall not lapse into the State General Fund, and any
53 interest earned or investment earnings on amounts in the fund
54 shall be deposited into such fund.

55 (ii) Monies deposited into the fund shall be
56 disbursed, in the discretion of the Department of Finance and
57 Administration, with the approval of the Board of Trustees of
58 State Institutions of Higher Learning on those projects related to
59 the universities under its management and control to pay the costs
60 of capital improvements, renovation and/or repair of existing
61 facilities, furnishings and/or equipping facilities for public
62 facilities for agencies or their successors as hereinafter
63 described:

64	NAME	PROJECT	AMOUNT
65			ALLOCATED
66	INSTITUTIONS OF HIGHER LEARNING.....		\$101,580,000.00
67	Alcorn State University.....		\$ 6,500,000.00
68	Construction, furnishing		
69	and equipping of a transitional		
70	dormitory.....	\$ 6,500,000.00	
71	Delta State University.....		\$ 8,230,000.00
72	Repair and renovation of campus		
73	buildings and facilities, repair,		
74	renovation, replacement and		

75 improvement of campus
 76 infrastructure, mechanical
 77 upgrades and purchase of
 78 furniture and equipment \$ 7,830,000.00
 79 Commercial Aviation
 80 FMS/Glass Cockpit Systems Trainer
 81 Precision Flight Controls
 82 Advanced Aircraft Training
 83 Device.....\$ 400,000.00
 84 Jackson State University..... \$ 10,000,000.00
 85 Repair, renovation and/or
 86 replacement of the
 87 Charles F. Moore Building,
 88 repair and renovation of campus
 89 buildings and facilities, repair,
 90 renovation, replacement and
 91 improvement of campus infrastructure
 92 and mechanical upgrades,
 93 continuation of an ongoing
 94 program for repair and renovation
 95 of campus buildings and
 96 facilities necessary for
 97 compliance with the Americans
 98 with Disabilities Act..... \$10,000,000.00
 99 Mississippi University for Women..... \$ 5,500,000.00
 100 Repair and renovation of campus
 101 buildings and facilities, repair,
 102 renovation, replacement and
 103 improvement of campus
 104 infrastructure, mechanical
 105 upgrades and purchase of
 106 furniture and equipment \$ 5,500,000.00
 107 Mississippi State University..... \$ 16,500,000.00

108 Phase II of repair, renovation,
 109 furnishing, equipping and redesign
 110 of building exterior for
 111 Harned Hall.....\$ 7,500,000.00
 112 Repair and renovation of campus
 113 buildings and facilities, repair,
 114 renovation, replacement and
 115 improvement of campus
 116 infrastructure, mechanical
 117 upgrades and purchase of
 118 furniture and equipment \$ 9,000,000.00
 119 Mississippi State University/Division of Agriculture,
 120 Forestry and Veterinary Medicine..... \$ 7,500,000.00
 121 Matching funds for repair
 122 and renovation of
 123 Lloyd Ricks Building.....\$ 7,500,000.00
 124 Mississippi Valley State University..... \$ 7,200,000.00
 125 Furnishing and equipping of
 126 the Business School.....\$ 2,000,000.00
 127 Repair and renovation of
 128 campus library.....\$ 5,200,000.00
 129 University of Mississippi..... \$ 13,650,000.00
 130 Repair and renovation of Peabody
 131 Hall and the Applied Sciences
 132 Building, repair and renovation
 133 of campus buildings and facilities,
 134 repair, renovation, replacement
 135 and improvement of campus
 136 infrastructure, mechanical
 137 upgrades and purchase of
 138 furniture and equipment.....\$13,000,000.00
 139 Preplanning design for
 140 construction of a new Law

141 School Building.....\$ 650,000.00
 142 University Medical Center..... \$ 4,000,000.00
 143 Repair and renovation
 144 of campus buildings and facilities,
 145 repair, renovation, replacement
 146 and improvement of campus
 147 infrastructure, mechanical
 148 upgrades and purchase of
 149 furniture and equipment.....\$ 4,000,000.00
 150 University of Southern Mississippi..... \$ 14,500,000.00
 151 Repair and renovation
 152 of campus buildings and facilities,
 153 repair, renovation, replacement
 154 and improvement of campus
 155 infrastructure, mechanical
 156 upgrades and purchase of
 157 furniture and equipment.....\$14,500,000.00
 158 University of Southern Mississippi/
 159 Gulf Park Campus and Gulf Coast
 160 Research Laboratory.....\$ 2,000,000.00
 161 Construction and reconstruction
 162 of campus buildings and facilities,
 163 repair and renovation of campus
 164 buildings and facilities,
 165 repair, renovation, replacement
 166 and improvement of campus
 167 infrastructure, mechanical
 168 upgrades and purchase of
 169 furniture and equipment.....\$ 2,000,000.00
 170 University of Southern Mississippi/
 171 Stennis Space Center..... \$ 2,000,000.00
 172 Construction, furnishing and
 173 equipping of an oceanographic

174 support facility.....\$ 2,000,000.00
 175 Paul B. Johnson Education and Research Center..... \$ 2,000,000.00
 176 Repair and renovation
 177 of campus buildings and facilities,
 178 repair, renovation, replacement
 179 and improvement of campus
 180 infrastructure, mechanical
 181 upgrades and purchase of
 182 furniture and equipment.....\$ 2,000,000.00
 183 Board of Trustees for State
 184 Institutions of Higher Learning..... \$ 2,000,000.00
 185 Space utilization study and
 186 facilities master plans.....\$ 2,000,000.00
 187 **STATE AGENCIES..... \$ 19,253,000.00**
 188 Department of Mental Health..... \$ 4,253,000.00
 189 Construction, furnishing
 190 and equipping of a new
 191 maintenance compound and
 192 related facilities at
 193 Mississippi State Hospital....\$ 2,300,000.00
 194 Renovation and repair of
 195 Boswell Regional Center.....\$ 1,953,000.00
 196 Mississippi Authority for Educational
 197 Television..... \$ 15,000,000.00
 198 Necessary upgrades to television
 199 and radio system.....\$ 15,000,000.00
 200 **TOTAL..... \$120,833,000.00**

201 (b) (i) Amounts deposited into such special fund shall
 202 be disbursed to pay the costs of projects described in paragraph
 203 (a) of this subsection. If any monies in such special fund are
 204 not used within four (4) years after the date the proceeds of the
 205 bonds authorized under this section are deposited into the special
 206 fund, then the agency or institution of higher learning for which

207 any unused monies are allocated under paragraph (a) of this
208 subsection shall provide an accounting of such unused monies to
209 the commission. Promptly after the commission has certified, by
210 resolution duly adopted, that the projects described in paragraph
211 (a) of this subsection shall have been completed, abandoned, or
212 cannot be completed in a timely fashion, any amounts remaining in
213 such special fund shall be applied to pay debt service on the
214 bonds issued under this section, in accordance with the
215 proceedings authorizing the issuance of such bonds and as directed
216 by the commission.

217 (ii) Monies in the special fund may be used to
218 reimburse reasonable actual and necessary costs incurred by the
219 Department of Finance and Administration, acting through the
220 Bureau of Building, Grounds and Real Property Management, in
221 administering or providing assistance directly related to a
222 project described in paragraph (a) of this subsection. An
223 accounting of actual costs incurred for which reimbursement is
224 sought shall be maintained for each project by the Department of
225 Finance and Administration, Bureau of Building, Grounds and Real
226 Property Management. Reimbursement of reasonable actual and
227 necessary costs for a project shall not exceed two percent (2%) of
228 the proceeds of bonds issued for such project. Monies authorized
229 for a particular project may not be used to reimburse
230 administrative costs for unrelated projects.

231 (c) The Department of Finance and Administration,
232 acting through the Bureau of Building, Grounds and Real Property
233 Management, is expressly authorized and empowered to receive and
234 expend any local or other source funds in connection with the
235 expenditure of funds provided for in this subsection. The
236 expenditure of monies deposited into the special fund shall be
237 under the direction of the Department of Finance and
238 Administration, and such funds shall be paid by the State
239 Treasurer upon warrants issued by such department, which warrants

240 shall be issued upon requisitions signed by the Executive Director
241 of the Department of Finance and Administration, or his designee.

242 (d) Any amounts allocated to an agency or institution
243 of higher learning that are in excess of that needed to complete
244 the projects at such agency or institution of higher learning that
245 are described in paragraph (a) of this subsection may be used for
246 general repairs and renovations at the agency or institution of
247 higher learning to which such amount is allocated.

248 (3) (a) The commission, at one time, or from time to time,
249 may declare by resolution the necessity for issuance of general
250 obligation bonds of the State of Mississippi to provide funds for
251 all costs incurred or to be incurred for the purposes described in
252 this section. Upon the adoption of a resolution by the Department
253 of Finance and Administration, declaring the necessity for the
254 issuance of any part or all of the general obligation bonds
255 authorized by this section, the Department of Finance and
256 Administration shall deliver a certified copy of its resolution or
257 resolutions to the commission. Upon receipt of such resolution,
258 the commission, in its discretion, may act as the issuing agent,
259 prescribe the form of the bonds, advertise for and accept bids,
260 issue and sell the bonds so authorized to be sold and do any and
261 all other things necessary and advisable in connection with the
262 issuance and sale of such bonds. The total amount of bonds issued
263 under this section shall not exceed One Hundred Twenty Million
264 Eight Hundred Thirty-three Thousand Dollars (\$120,833,000.00). No
265 bonds shall be issued under this section after July 1, 2010.

266 (b) Any investment earnings on amounts deposited into
267 the special fund created in subsection (2) of this section shall
268 be used to pay debt service on bonds issued under this section, in
269 accordance with the proceedings authorizing issuance of such
270 bonds.

271 (4) The principal of and interest on the bonds authorized
272 under this section shall be payable in the manner provided in this

273 subsection. Such bonds shall bear such date or dates, be in such
274 denomination or denominations, bear interest at such rate or rates
275 (not to exceed the limits set forth in Section 75-17-101,
276 Mississippi Code of 1972), be payable at such place or places
277 within or without the State of Mississippi, shall mature
278 absolutely at such time or times not to exceed twenty-five (25)
279 years from date of issue, be redeemable before maturity at such
280 time or times and upon such terms, with or without premium, shall
281 bear such registration privileges, and shall be substantially in
282 such form, all as shall be determined by resolution of the
283 commission.

284 (5) The bonds authorized by this section shall be signed by
285 the chairman of the commission, or by his facsimile signature, and
286 the official seal of the commission shall be affixed thereto,
287 attested by the secretary of the commission. The interest
288 coupons, if any, to be attached to such bonds may be executed by
289 the facsimile signatures of such officers. Whenever any such
290 bonds shall have been signed by the officials designated to sign
291 the bonds who were in office at the time of such signing but who
292 may have ceased to be such officers before the sale and delivery
293 of such bonds, or who may not have been in office on the date such
294 bonds may bear, the signatures of such officers upon such bonds
295 and coupons shall nevertheless be valid and sufficient for all
296 purposes and have the same effect as if the person so officially
297 signing such bonds had remained in office until their delivery to
298 the purchaser, or had been in office on the date such bonds may
299 bear. However, notwithstanding anything herein to the contrary,
300 such bonds may be issued as provided in the Registered Bond Act of
301 the State of Mississippi.

302 (6) All bonds and interest coupons issued under the
303 provisions of this section have all the qualities and incidents of
304 negotiable instruments under the provisions of the Uniform
305 Commercial Code, and in exercising the powers granted by this

306 section, the commission shall not be required to and need not
307 comply with the provisions of the Uniform Commercial Code.

308 (7) The commission shall act as the issuing agent for the
309 bonds authorized under this section, prescribe the form of the
310 bonds, advertise for and accept bids, issue and sell the bonds so
311 authorized to be sold, pay all fees and costs incurred in such
312 issuance and sale, and do any and all other things necessary and
313 advisable in connection with the issuance and sale of such bonds.
314 The commission is authorized and empowered to pay the costs that
315 are incident to the sale, issuance and delivery of the bonds
316 authorized under this section from the proceeds derived from the
317 sale of such bonds. The commission shall sell such bonds on
318 sealed bids at public sale, and for such price as it may determine
319 to be for the best interest of the State of Mississippi, but no
320 such sale shall be made at a price less than par plus accrued
321 interest to the date of delivery of the bonds to the purchaser.
322 All interest accruing on such bonds so issued shall be payable
323 semiannually or annually; however, the first interest payment may
324 be for any period of not more than one (1) year.

325 Notice of the sale of any such bonds shall be published at
326 least one time, not less than ten (10) days before the date of
327 sale, and shall be so published in one or more newspapers
328 published or having a general circulation in the City of Jackson,
329 Mississippi, and in one or more other newspapers or financial
330 journals with a national circulation, to be selected by the
331 commission.

332 The commission, when issuing any bonds under the authority of
333 this section, may provide that bonds, at the option of the State
334 of Mississippi, may be called in for payment and redemption at the
335 call price named therein and accrued interest on such date or
336 dates named therein.

337 (8) The bonds issued under the provisions of this section
338 are general obligations of the State of Mississippi, and for the

339 payment thereof the full faith and credit of the State of
340 Mississippi is irrevocably pledged. If the funds appropriated by
341 the Legislature are insufficient to pay the principal of and the
342 interest on such bonds as they become due, then the deficiency
343 shall be paid by the State Treasurer from any funds in the State
344 Treasury not otherwise appropriated. All such bonds shall contain
345 recitals on their faces substantially covering the provisions of
346 this subsection.

347 (9) Upon the issuance and sale of bonds under the provisions
348 of this section, the commission shall transfer the proceeds of any
349 such sale or sales to the special fund created in subsection (2)
350 of this section. The proceeds of such bonds shall be disbursed
351 solely upon the order of the Department of Finance and
352 Administration under such restrictions, if any, as may be
353 contained in the resolution providing for the issuance of the
354 bonds.

355 (10) The bonds authorized under this section may be issued
356 without any other proceedings or the happening of any other
357 conditions or things other than those proceedings, conditions and
358 things which are specified or required by this section. Any
359 resolution providing for the issuance of bonds under the
360 provisions of this section shall become effective immediately upon
361 its adoption by the commission, and any such resolution may be
362 adopted at any regular or special meeting of the commission by a
363 majority of its members.

364 (11) The bonds authorized under the authority of this
365 section may be validated in the Chancery Court of the First
366 Judicial District of Hinds County, Mississippi, in the manner and
367 with the force and effect provided by Chapter 13, Title 31,
368 Mississippi Code of 1972, for the validation of county, municipal,
369 school district and other bonds. The notice to taxpayers required
370 by such statutes shall be published in a newspaper published or
371 having a general circulation in the City of Jackson, Mississippi.

372 (12) Any holder of bonds issued under the provisions of this
373 section or of any of the interest coupons pertaining thereto may,
374 either at law or in equity, by suit, action, mandamus or other
375 proceeding, protect and enforce any and all rights granted under
376 this section, or under such resolution, and may enforce and compel
377 performance of all duties required by this section to be
378 performed, in order to provide for the payment of bonds and
379 interest thereon.

380 (13) All bonds issued under the provisions of this section
381 shall be legal investments for trustees and other fiduciaries, and
382 for savings banks, trust companies and insurance companies
383 organized under the laws of the State of Mississippi, and such
384 bonds shall be legal securities which may be deposited with and
385 shall be received by all public officers and bodies of this state
386 and all municipalities and political subdivisions for the purpose
387 of securing the deposit of public funds.

388 (14) Bonds issued under the provisions of this section and
389 income therefrom shall be exempt from all taxation in the State of
390 Mississippi.

391 (15) The proceeds of the bonds issued under this section
392 shall be used solely for the purposes herein provided, including
393 the costs incident to the issuance and sale of such bonds.

394 (16) The State Treasurer is authorized, without further
395 process of law, to certify to the Department of Finance and
396 Administration the necessity for warrants, and the Department of
397 Finance and Administration is authorized and directed to issue
398 such warrants, in such amounts as may be necessary to pay when due
399 the principal of, premium, if any, and interest on, or the
400 accreted value of, all bonds issued under this section; and the
401 State Treasurer shall forward the necessary amount to the
402 designated place or places of payment of such bonds in ample time
403 to discharge such bonds, or the interest thereon, on the due dates
404 thereof.

405 (17) This section shall be deemed to be full and complete
406 authority for the exercise of the powers herein granted, but this
407 section shall not be deemed to repeal or to be in derogation of
408 any existing law of this state.

409 **SECTION 2.** (1) As used in this section, the following words
410 shall have the meanings ascribed herein unless the context clearly
411 requires otherwise:

412 (a) "Accreted value" of any bond means, as of any date
413 of computation, an amount equal to the sum of (i) the stated
414 initial value of such bond, plus (ii) the interest accrued thereon
415 from the issue date to the date of computation at the rate,
416 compounded semiannually, that is necessary to produce the
417 approximate yield to maturity shown for bonds of the same
418 maturity.

419 (b) "State" means the State of Mississippi.

420 (c) "Commission" means the State Bond Commission.

421 (2) (a) A special fund, to be designated as the "2006
422 Community and Junior Colleges Capital Improvements Fund" is
423 created within the State Treasury. The fund shall be maintained
424 by the State Treasurer as a separate and special fund, separate
425 and apart from the General Fund of the state. Unexpended amounts
426 remaining in the fund at the end of a fiscal year shall not lapse
427 into the State General Fund, and any interest earned or investment
428 earnings on amounts in the fund shall be deposited to the credit
429 of the fund. Monies in the fund may not be used or expended for
430 any purpose except as authorized under this section.

431 (b) Monies deposited into the fund shall be disbursed,
432 in the discretion of the Department of Finance and Administration,
433 to pay the costs of acquisition of real property, construction of
434 new facilities, equipping and furnishing facilities, including
435 furniture and technology equipment and infrastructure, and
436 addition to or renovation of existing facilities for community and
437 junior college campuses as recommended by the State Board for

438 Community and Junior Colleges. The amount to be expended at each
439 community and junior college is as follows:

440	Coahoma.....	\$ 2,400,165.00
441	Copiah-Lincoln.....	2,755,932.00
442	East Central.....	2,627,962.00
443	East Mississippi.....	3,159,827.00
444	Hinds.....	5,238,589.00
445	Holmes.....	3,329,586.00
446	Itawamba.....	3,451,409.00
447	Jones.....	3,697,501.00
448	Meridian.....	2,979,737.00
449	Mississippi Delta.....	2,881,155.00
450	Mississippi Gulf Coast.....	5,164,856.00
451	Northeast Mississippi.....	2,927,081.00
452	Northwest Mississippi.....	3,940,075.00
453	Pearl River.....	3,045,671.00
454	Southwest Mississippi.....	2,400,454.00
455	GRAND TOTAL.....	\$50,000,000.00

456 (c) Amounts deposited into such special fund shall be
457 disbursed to pay the costs of the project(s) described in
458 paragraph (b) of this subsection. If any monies in such special
459 fund are not used within four (4) years after the date the
460 proceeds of the bonds authorized under this section are deposited
461 into the special fund, then the community college or junior
462 college for which any such monies are allocated under paragraph
463 (b) of this subsection shall provide an accounting of such unused
464 monies to the commission. Promptly after the commission has
465 certified, by resolution duly adopted, that the project(s)
466 described in paragraph (b) of this subsection shall have been
467 completed, abandoned, or cannot be completed in a timely fashion,
468 any amounts remaining in such special fund shall be applied to pay
469 debt service on the bonds issued under this section, in accordance

470 with the proceedings authorizing the issuance of such bonds and as
471 directed by the commission.

472 (d) The Department of Finance and Administration,
473 acting through the Bureau of Building, Grounds and Real Property
474 Management, is expressly authorized and empowered to receive and
475 expend any local or other source funds in connection with the
476 expenditure of funds provided for in this subsection. The
477 expenditure of monies deposited into the special fund shall be
478 under the direction of the Department of Finance and
479 Administration, and such funds shall be paid by the State
480 Treasurer upon warrants issued by such department, which warrants
481 shall be issued upon requisitions signed by the Executive Director
482 of the Department of Finance and Administration, or his designee.

483 (3) (a) The commission, at one time, or from time to time,
484 may declare by resolution the necessity for issuance of general
485 obligation bonds of the State of Mississippi to provide funds for
486 all costs incurred or to be incurred for the purposes described in
487 this section. Upon the adoption of a resolution by the Department
488 of Finance and Administration, declaring the necessity for the
489 issuance of any part or all of the general obligation bonds
490 authorized by this section, the Department of Finance and
491 Administration shall deliver a certified copy of its resolution or
492 resolutions to the commission. Upon receipt of such resolution,
493 the commission, in its discretion, may act as the issuing agent,
494 prescribe the form of the bonds, advertise for and accept bids,
495 issue and sell the bonds so authorized to be sold and do any and
496 all other things necessary and advisable in connection with the
497 issuance and sale of such bonds. The total amount of bonds issued
498 under this section shall not exceed Fifty Million Dollars
499 (\$50,000,000.00). No bonds shall be issued under this section
500 after July 1, 2010.

501 (b) Any investment earnings on amounts deposited into
502 the special fund created in subsection (2) of this section shall

503 be used to pay debt service on bonds issued under this section, in
504 accordance with the proceedings authorizing issuance of such
505 bonds.

506 (4) The principal of and interest on the bonds authorized
507 under this section shall be payable in the manner provided in this
508 subsection. Such bonds shall bear such date or dates, be in such
509 denomination or denominations, bear interest at such rate or rates
510 (not to exceed the limits set forth in Section 75-17-101,
511 Mississippi Code of 1972), be payable at such place or places
512 within or without the State of Mississippi, shall mature
513 absolutely at such time or times not to exceed twenty-five (25)
514 years from date of issue, be redeemable before maturity at such
515 time or times and upon such terms, with or without premium, shall
516 bear such registration privileges, and shall be substantially in
517 such form, all as shall be determined by resolution of the
518 commission.

519 (5) The bonds authorized by this section shall be signed by
520 the chairman of the commission, or by his facsimile signature, and
521 the official seal of the commission shall be affixed thereto,
522 attested by the secretary of the commission. The interest
523 coupons, if any, to be attached to such bonds may be executed by
524 the facsimile signatures of such officers. Whenever any such
525 bonds shall have been signed by the officials designated to sign
526 the bonds who were in office at the time of such signing but who
527 may have ceased to be such officers before the sale and delivery
528 of such bonds, or who may not have been in office on the date such
529 bonds may bear, the signatures of such officers upon such bonds
530 and coupons shall nevertheless be valid and sufficient for all
531 purposes and have the same effect as if the person so officially
532 signing such bonds had remained in office until their delivery to
533 the purchaser, or had been in office on the date such bonds may
534 bear. However, notwithstanding anything herein to the contrary,

535 such bonds may be issued as provided in the Registered Bond Act of
536 the State of Mississippi.

537 (6) All bonds and interest coupons issued under the
538 provisions of this section have all the qualities and incidents of
539 negotiable instruments under the provisions of the Uniform
540 Commercial Code, and in exercising the powers granted by this
541 section, the commission shall not be required to and need not
542 comply with the provisions of the Uniform Commercial Code.

543 (7) The commission shall act as the issuing agent for the
544 bonds authorized under this section, prescribe the form of the
545 bonds, advertise for and accept bids, issue and sell the bonds so
546 authorized to be sold, pay all fees and costs incurred in such
547 issuance and sale, and do any and all other things necessary and
548 advisable in connection with the issuance and sale of such bonds.
549 The commission is authorized and empowered to pay the costs that
550 are incident to the sale, issuance and delivery of the bonds
551 authorized under this section from the proceeds derived from the
552 sale of such bonds. The commission shall sell such bonds on
553 sealed bids at public sale, and for such price as it may determine
554 to be for the best interest of the State of Mississippi, but no
555 such sale shall be made at a price less than par plus accrued
556 interest to the date of delivery of the bonds to the purchaser.
557 All interest accruing on such bonds so issued shall be payable
558 semiannually or annually; however, the first interest payment may
559 be for any period of not more than one (1) year.

560 Notice of the sale of any such bonds shall be published at
561 least one time, not less than ten (10) days before the date of
562 sale, and shall be so published in one or more newspapers
563 published or having a general circulation in the City of Jackson,
564 Mississippi, and in one or more other newspapers or financial
565 journals with a national circulation, to be selected by the
566 commission.

567 The commission, when issuing any bonds under the authority of
568 this section, may provide that bonds, at the option of the State
569 of Mississippi, may be called in for payment and redemption at the
570 call price named therein and accrued interest on such date or
571 dates named therein.

572 (8) The bonds issued under the provisions of this section
573 are general obligations of the State of Mississippi, and for the
574 payment thereof the full faith and credit of the State of
575 Mississippi is irrevocably pledged. If the funds appropriated by
576 the Legislature are insufficient to pay the principal of and the
577 interest on such bonds as they become due, then the deficiency
578 shall be paid by the State Treasurer from any funds in the State
579 Treasury not otherwise appropriated. All such bonds shall contain
580 recitals on their faces substantially covering the provisions of
581 this subsection.

582 (9) Upon the issuance and sale of bonds under the provisions
583 of this section, the commission shall transfer the proceeds of any
584 such sale or sales to the special fund created in subsection (2)
585 of this section. The proceeds of such bonds shall be disbursed
586 solely upon the order of the Department of Finance and
587 Administration under such restrictions, if any, as may be
588 contained in the resolution providing for the issuance of the
589 bonds.

590 (10) The bonds authorized under this section may be issued
591 without any other proceedings or the happening of any other
592 conditions or things other than those proceedings, conditions and
593 things which are specified or required by this section. Any
594 resolution providing for the issuance of bonds under the
595 provisions of this section shall become effective immediately upon
596 its adoption by the commission, and any such resolution may be
597 adopted at any regular or special meeting of the commission by a
598 majority of its members.

599 (11) The bonds authorized under the authority of this
600 section may be validated in the Chancery Court of the First
601 Judicial District of Hinds County, Mississippi, in the manner and
602 with the force and effect provided by Chapter 13, Title 31,
603 Mississippi Code of 1972, for the validation of county, municipal,
604 school district and other bonds. The notice to taxpayers required
605 by such statutes shall be published in a newspaper published or
606 having a general circulation in the City of Jackson, Mississippi.

607 (12) Any holder of bonds issued under the provisions of this
608 section or of any of the interest coupons pertaining thereto may,
609 either at law or in equity, by suit, action, mandamus or other
610 proceeding, protect and enforce any and all rights granted under
611 this section, or under such resolution, and may enforce and compel
612 performance of all duties required by this section to be
613 performed, in order to provide for the payment of bonds and
614 interest thereon.

615 (13) All bonds issued under the provisions of this section
616 shall be legal investments for trustees and other fiduciaries, and
617 for savings banks, trust companies and insurance companies
618 organized under the laws of the State of Mississippi, and such
619 bonds shall be legal securities which may be deposited with and
620 shall be received by all public officers and bodies of this state
621 and all municipalities and political subdivisions for the purpose
622 of securing the deposit of public funds.

623 (14) Bonds issued under the provisions of this section and
624 income therefrom shall be exempt from all taxation in the State of
625 Mississippi.

626 (15) The proceeds of the bonds issued under this section
627 shall be used solely for the purposes herein provided, including
628 the costs incident to the issuance and sale of such bonds.

629 (16) The State Treasurer is authorized, without further
630 process of law, to certify to the Department of Finance and
631 Administration the necessity for warrants, and the Department of

632 Finance and Administration is authorized and directed to issue
633 such warrants, in such amounts as may be necessary to pay when due
634 the principal of, premium, if any, and interest on, or the
635 accreted value of, all bonds issued under this section; and the
636 State Treasurer shall forward the necessary amount to the
637 designated place or places of payment of such bonds in ample time
638 to discharge such bonds, or the interest thereon, on the due dates
639 thereof.

640 (17) This section shall be deemed to be full and complete
641 authority for the exercise of the powers herein granted, but this
642 section shall not be deemed to repeal or to be in derogation of
643 any existing law of this state.

644 **SECTION 3.** (1) As used in this section, the following words
645 shall have the meanings ascribed herein unless the context clearly
646 requires otherwise:

647 (a) "Accreted value" of any bond means, as of any date
648 of computation, an amount equal to the sum of (i) the stated
649 initial value of such bond, plus (ii) the interest accrued thereon
650 from the issue date to the date of computation at the rate,
651 compounded semiannually, that is necessary to produce the
652 approximate yield to maturity shown for bonds of the same
653 maturity.

654 (b) "State" means the State of Mississippi.

655 (c) "Commission" means the State Bond Commission.

656 (2) (a) (i) A special fund, to be designated as the "2006
657 Southern Arts and Entertainment Center Fund," is created within
658 the State Treasury. The fund shall be maintained by the State
659 Treasurer as a separate and special fund, separate and apart from
660 the General Fund of the state. Unexpended amounts remaining in
661 the fund at the end of a fiscal year shall not lapse into the
662 State General Fund, and any interest earned or investment earnings
663 on amounts in the fund shall be deposited into such fund.

664 (ii) Monies deposited into the fund shall be
665 disbursed, in the discretion of the Department of Finance and
666 Administration, to pay the costs of construction, furnishing,
667 equipping and repairs and renovations at the Southern Arts and
668 Entertainment Center created in Section 39-25-1.

669 (b) Amounts deposited into such special fund shall be
670 disbursed to pay the costs of the project(s) described in
671 paragraph (a) of this subsection. Promptly after the commission
672 has certified, by resolution duly adopted, that the project(s)
673 described in paragraph (a) of this subsection shall have been
674 completed, abandoned, or cannot be completed in a timely fashion,
675 any amounts remaining in such special fund shall be applied to pay
676 debt service on the bonds issued under this section, in accordance
677 with the proceedings authorizing the issuance of such bonds and as
678 directed by the commission.

679 (c) The Department of Finance and Administration,
680 acting through the Bureau of Building, Grounds and Real Property
681 Management, is expressly authorized and empowered to receive and
682 expend any local or other source funds in connection with the
683 expenditure of funds provided for in this subsection. The
684 expenditure of monies deposited into the special fund shall be
685 under the direction of the Department of Finance and
686 Administration, and such funds shall be paid by the State
687 Treasurer upon warrants issued by such department, which warrants
688 shall be issued upon requisitions signed by the Executive Director
689 of the Department of Finance and Administration, or his designee.

690 (3) (a) The commission, at one time, or from time to time,
691 may declare by resolution the necessity for issuance of general
692 obligation bonds of the State of Mississippi to provide funds for
693 all costs incurred or to be incurred for the purposes described in
694 this section. Upon the adoption of a resolution by the Department
695 of Finance and Administration, declaring the necessity for the
696 issuance of any part or all of the general obligation bonds

697 authorized by this section, the Department of Finance and
698 Administration shall deliver a certified copy of its resolution or
699 resolutions to the commission. Upon receipt of such resolution,
700 the commission, in its discretion, may act as the issuing agent,
701 prescribe the form of the bonds, advertise for and accept bids,
702 issue and sell the bonds so authorized to be sold and do any and
703 all other things necessary and advisable in connection with the
704 issuance and sale of such bonds. The total amount of bonds issued
705 under this section shall not exceed Four Million Dollars
706 (\$4,000,000.00). No bonds shall be issued under this section
707 after July 1, 2010.

708 (b) Any investment earnings on amounts deposited into
709 the special fund created in subsection (2) of this section shall
710 be used to pay debt service on bonds issued under this section, in
711 accordance with the proceedings authorizing issuance of such
712 bonds.

713 (4) The principal of and interest on the bonds authorized
714 under this section shall be payable in the manner provided in this
715 subsection. Such bonds shall bear such date or dates, be in such
716 denomination or denominations, bear interest at such rate or rates
717 (not to exceed the limits set forth in Section 75-17-101,
718 Mississippi Code of 1972), be payable at such place or places
719 within or without the State of Mississippi, shall mature
720 absolutely at such time or times not to exceed twenty-five (25)
721 years from date of issue, be redeemable before maturity at such
722 time or times and upon such terms, with or without premium, shall
723 bear such registration privileges, and shall be substantially in
724 such form, all as shall be determined by resolution of the
725 commission.

726 (5) The bonds authorized by this section shall be signed by
727 the chairman of the commission, or by his facsimile signature, and
728 the official seal of the commission shall be affixed thereto,
729 attested by the secretary of the commission. The interest

730 coupons, if any, to be attached to such bonds may be executed by
731 the facsimile signatures of such officers. Whenever any such
732 bonds shall have been signed by the officials designated to sign
733 the bonds who were in office at the time of such signing but who
734 may have ceased to be such officers before the sale and delivery
735 of such bonds, or who may not have been in office on the date such
736 bonds may bear, the signatures of such officers upon such bonds
737 and coupons shall nevertheless be valid and sufficient for all
738 purposes and have the same effect as if the person so officially
739 signing such bonds had remained in office until their delivery to
740 the purchaser, or had been in office on the date such bonds may
741 bear. However, notwithstanding anything herein to the contrary,
742 such bonds may be issued as provided in the Registered Bond Act of
743 the State of Mississippi.

744 (6) All bonds and interest coupons issued under the
745 provisions of this section have all the qualities and incidents of
746 negotiable instruments under the provisions of the Uniform
747 Commercial Code, and in exercising the powers granted by this
748 section, the commission shall not be required to and need not
749 comply with the provisions of the Uniform Commercial Code.

750 (7) The commission shall act as the issuing agent for the
751 bonds authorized under this section, prescribe the form of the
752 bonds, advertise for and accept bids, issue and sell the bonds so
753 authorized to be sold, pay all fees and costs incurred in such
754 issuance and sale, and do any and all other things necessary and
755 advisable in connection with the issuance and sale of such bonds.
756 The commission is authorized and empowered to pay the costs that
757 are incident to the sale, issuance and delivery of the bonds
758 authorized under this section from the proceeds derived from the
759 sale of such bonds. The commission shall sell such bonds on
760 sealed bids at public sale, and for such price as it may determine
761 to be for the best interest of the State of Mississippi, but no
762 such sale shall be made at a price less than par plus accrued

763 interest to the date of delivery of the bonds to the purchaser.
764 All interest accruing on such bonds so issued shall be payable
765 semiannually or annually; however, the first interest payment may
766 be for any period of not more than one (1) year.

767 Notice of the sale of any such bonds shall be published at
768 least one time, not less than ten (10) days before the date of
769 sale, and shall be so published in one or more newspapers
770 published or having a general circulation in the City of Jackson,
771 Mississippi, and in one or more other newspapers or financial
772 journals with a national circulation, to be selected by the
773 commission.

774 The commission, when issuing any bonds under the authority of
775 this section, may provide that bonds, at the option of the State
776 of Mississippi, may be called in for payment and redemption at the
777 call price named therein and accrued interest on such date or
778 dates named therein.

779 (8) The bonds issued under the provisions of this section
780 are general obligations of the State of Mississippi, and for the
781 payment thereof the full faith and credit of the State of
782 Mississippi is irrevocably pledged. If the funds appropriated by
783 the Legislature are insufficient to pay the principal of and the
784 interest on such bonds as they become due, then the deficiency
785 shall be paid by the State Treasurer from any funds in the State
786 Treasury not otherwise appropriated. All such bonds shall contain
787 recitals on their faces substantially covering the provisions of
788 this subsection.

789 (9) Upon the issuance and sale of bonds under the provisions
790 of this section, the commission shall transfer the proceeds of any
791 such sale or sales to the special fund created in subsection (2)
792 of this section. The proceeds of such bonds shall be disbursed
793 solely upon the order of the Department of Finance and
794 Administration under such restrictions, if any, as may be

795 contained in the resolution providing for the issuance of the
796 bonds.

797 (10) The bonds authorized under this section may be issued
798 without any other proceedings or the happening of any other
799 conditions or things other than those proceedings, conditions and
800 things which are specified or required by this section. Any
801 resolution providing for the issuance of bonds under the
802 provisions of this section shall become effective immediately upon
803 its adoption by the commission, and any such resolution may be
804 adopted at any regular or special meeting of the commission by a
805 majority of its members.

806 (11) The bonds authorized under the authority of this
807 section may be validated in the Chancery Court of the First
808 Judicial District of Hinds County, Mississippi, in the manner and
809 with the force and effect provided by Chapter 13, Title 31,
810 Mississippi Code of 1972, for the validation of county, municipal,
811 school district and other bonds. The notice to taxpayers required
812 by such statutes shall be published in a newspaper published or
813 having a general circulation in the City of Jackson, Mississippi.

814 (12) Any holder of bonds issued under the provisions of this
815 section or of any of the interest coupons pertaining thereto may,
816 either at law or in equity, by suit, action, mandamus or other
817 proceeding, protect and enforce any and all rights granted under
818 this section, or under such resolution, and may enforce and compel
819 performance of all duties required by this section to be
820 performed, in order to provide for the payment of bonds and
821 interest thereon.

822 (13) All bonds issued under the provisions of this section
823 shall be legal investments for trustees and other fiduciaries, and
824 for savings banks, trust companies and insurance companies
825 organized under the laws of the State of Mississippi, and such
826 bonds shall be legal securities which may be deposited with and
827 shall be received by all public officers and bodies of this state

828 and all municipalities and political subdivisions for the purpose
829 of securing the deposit of public funds.

830 (14) Bonds issued under the provisions of this section and
831 income therefrom shall be exempt from all taxation in the State of
832 Mississippi.

833 (15) The proceeds of the bonds issued under this section
834 shall be used solely for the purposes herein provided, including
835 the costs incident to the issuance and sale of such bonds.

836 (16) The State Treasurer is authorized, without further
837 process of law, to certify to the Department of Finance and
838 Administration the necessity for warrants, and the Department of
839 Finance and Administration is authorized and directed to issue
840 such warrants, in such amounts as may be necessary to pay when due
841 the principal of, premium, if any, and interest on, or the
842 accreted value of, all bonds issued under this section; and the
843 State Treasurer shall forward the necessary amount to the
844 designated place or places of payment of such bonds in ample time
845 to discharge such bonds, or the interest thereon, on the due dates
846 thereof.

847 (17) This section shall be deemed to be full and complete
848 authority for the exercise of the powers herein granted, but this
849 section shall not be deemed to repeal or to be in derogation of
850 any existing law of this state.

851 **SECTION 4.** (1) As used in this section, the following words
852 shall have the meanings ascribed herein unless the context clearly
853 requires otherwise:

854 (a) "Accreted value" of any bond means, as of any date
855 of computation, an amount equal to the sum of (i) the stated
856 initial value of such bond, plus (ii) the interest accrued thereon
857 from the issue date to the date of computation at the rate,
858 compounded semiannually, that is necessary to produce the
859 approximate yield to maturity shown for bonds of the same
860 maturity.

861 (b) "Commission" means the State Bond Commission.

862 (c) "Project" means an economic development and tourism
863 destination facility in Hancock County, Mississippi, that will
864 feature a space, science and education center. The title to the
865 project facilities is to be vested in the National Aeronautics and
866 Space Administration.

867 (d) "State" means the State of Mississippi.

868 (e) "Authority" means the Mississippi Development
869 Authority.

870 (2) (a) (i) A special fund, to be designated as the "2006
871 Infinity Space, Science and Education Center Fund," is created
872 within the State Treasury. The fund shall be maintained by the
873 State Treasurer as a separate and special fund, separate and apart
874 from the General Fund of the state. Unexpended amounts remaining
875 in the fund at the end of a fiscal year shall not lapse into the
876 State General Fund, and any interest earned or investment earnings
877 on amounts in the fund shall be deposited into such fund.

878 (ii) Monies deposited into the fund shall be
879 disbursed, in the discretion of the authority to pay the costs
880 incurred for the construction, furnishing and equipping of the
881 project.

882 (b) Amounts deposited into such special fund shall be
883 disbursed to pay the costs of the project(s) described in
884 paragraph (a) of this subsection. If any monies in the special
885 fund are not used within four (4) years after the date the
886 proceeds of the bonds authorized under this section are deposited
887 into such fund, then the authority shall provide an accounting of
888 such unused monies to the commission. Promptly after the
889 commission has certified, by resolution duly adopted, that the
890 project(s) described in paragraph (a) of this subsection shall
891 have been completed, abandoned, or cannot be completed in a timely
892 fashion, any amounts remaining in such special fund shall be
893 applied to pay debt service on the bonds issued under this

894 section, in accordance with the proceedings authorizing the
895 issuance of such bonds and as directed by the commission. Before
896 monies in the special fund may be used for the project, the
897 authority shall require that the developer and operator of the
898 project enter into binding commitments regarding at least the
899 following:

900 (i) That a certain minimum number of jobs will be
901 created over a certain period of time as determined by the
902 authority (which jobs must be held by persons eligible for
903 employment in the United States under applicable state and federal
904 law); and

905 (ii) That if any such commitments are not
906 satisfied, an amount equal to all or a portion of the funds
907 provided by the state under this section as determined by the
908 authority shall be repaid.

909 (3) (a) The commission, at one time, or from time to time,
910 may declare by resolution the necessity for issuance of general
911 obligation bonds of the State of Mississippi to provide funds for
912 all costs incurred or to be incurred for the purposes described in
913 this section. No bonds shall be issued under this section until
914 the authority is provided proof that the funds from private, local
915 and/or federal sources have been irrevocably dedicated to the
916 project in the amount of not less than Sixteen Million Dollars
917 (\$16,000,000.00). Upon the adoption of a resolution by the
918 authority, declaring the necessity for the issuance of any part or
919 all of the general obligation bonds authorized by this section,
920 the authority shall deliver a certified copy of its resolution or
921 resolutions to the commission. Upon receipt of such resolution,
922 the commission, in its discretion, may act as the issuing agent,
923 prescribe the form of the bonds, advertise for and accept bids,
924 issue and sell the bonds so authorized to be sold and do any and
925 all other things necessary and advisable in connection with the
926 issuance and sale of such bonds. The total amount of bonds issued

927 under this section shall not exceed Four Million Dollars
928 (\$4,000,000.00). No bonds shall be issued under this section
929 after July 1, 2009.

930 (b) Any investment earnings on amounts deposited into
931 the special fund created in subsection (2) of this section shall
932 be used to pay debt service on bonds issued under this section, in
933 accordance with the proceedings authorizing issuance of such
934 bonds.

935 (4) The principal of and interest on the bonds authorized
936 under this section shall be payable in the manner provided in this
937 subsection. Such bonds shall bear such date or dates, be in such
938 denomination or denominations, bear interest at such rate or rates
939 (not to exceed the limits set forth in Section 75-17-101,
940 Mississippi Code of 1972), be payable at such place or places
941 within or without the State of Mississippi, shall mature
942 absolutely at such time or times not to exceed twenty-five (25)
943 years from date of issue, be redeemable before maturity at such
944 time or times and upon such terms, with or without premium, shall
945 bear such registration privileges, and shall be substantially in
946 such form, all as shall be determined by resolution of the
947 commission.

948 (5) The bonds authorized by this section shall be signed by
949 the chairman of the commission, or by his facsimile signature, and
950 the official seal of the commission shall be affixed thereto,
951 attested by the secretary of the commission. The interest
952 coupons, if any, to be attached to such bonds may be executed by
953 the facsimile signatures of such officers. Whenever any such
954 bonds shall have been signed by the officials designated to sign
955 the bonds who were in office at the time of such signing but who
956 may have ceased to be such officers before the sale and delivery
957 of such bonds, or who may not have been in office on the date such
958 bonds may bear, the signatures of such officers upon such bonds
959 and coupons shall nevertheless be valid and sufficient for all

960 purposes and have the same effect as if the person so officially
961 signing such bonds had remained in office until their delivery to
962 the purchaser, or had been in office on the date such bonds may
963 bear. However, notwithstanding anything herein to the contrary,
964 such bonds may be issued as provided in the Registered Bond Act of
965 the State of Mississippi.

966 (6) All bonds and interest coupons issued under the
967 provisions of this section have all the qualities and incidents of
968 negotiable instruments under the provisions of the Uniform
969 Commercial Code, and in exercising the powers granted by this
970 section, the commission shall not be required to and need not
971 comply with the provisions of the Uniform Commercial Code.

972 (7) The commission shall act as the issuing agent for the
973 bonds authorized under this section, prescribe the form of the
974 bonds, advertise for and accept bids, issue and sell the bonds so
975 authorized to be sold, pay all fees and costs incurred in such
976 issuance and sale, and do any and all other things necessary and
977 advisable in connection with the issuance and sale of such bonds.
978 The commission is authorized and empowered to pay the costs that
979 are incident to the sale, issuance and delivery of the bonds
980 authorized under this section from the proceeds derived from the
981 sale of such bonds. The commission shall sell such bonds on
982 sealed bids at public sale, and for such price as it may determine
983 to be for the best interest of the State of Mississippi, but no
984 such sale shall be made at a price less than par plus accrued
985 interest to the date of delivery of the bonds to the purchaser.
986 All interest accruing on such bonds so issued shall be payable
987 semiannually or annually; however, the first interest payment may
988 be for any period of not more than one (1) year.

989 Notice of the sale of any such bonds shall be published at
990 least one time, not less than ten (10) days before the date of
991 sale, and shall be so published in one or more newspapers
992 published or having a general circulation in the City of Jackson,

993 Mississippi, and in one or more other newspapers or financial
994 journals with a national circulation, to be selected by the
995 commission.

996 The commission, when issuing any bonds under the authority of
997 this section, may provide that bonds, at the option of the State
998 of Mississippi, may be called in for payment and redemption at the
999 call price named therein and accrued interest on such date or
1000 dates named therein.

1001 (8) The bonds issued under the provisions of this section
1002 are general obligations of the State of Mississippi, and for the
1003 payment thereof the full faith and credit of the State of
1004 Mississippi is irrevocably pledged. If the funds appropriated by
1005 the Legislature are insufficient to pay the principal of and the
1006 interest on such bonds as they become due, then the deficiency
1007 shall be paid by the State Treasurer from any funds in the State
1008 Treasury not otherwise appropriated. All such bonds shall contain
1009 recitals on their faces substantially covering the provisions of
1010 this subsection.

1011 (9) Upon the issuance and sale of bonds under the provisions
1012 of this section, the commission shall transfer the proceeds of any
1013 such sale or sales to the special fund created in subsection (2)
1014 of this section. The proceeds of such bonds shall be disbursed
1015 solely upon the order of the authority under such restrictions, if
1016 any, as may be contained in the resolution providing for the
1017 issuance of the bonds.

1018 (10) The bonds authorized under this section may be issued
1019 without any other proceedings or the happening of any other
1020 conditions or things other than those proceedings, conditions and
1021 things which are specified or required by this section. Any
1022 resolution providing for the issuance of bonds under the
1023 provisions of this section shall become effective immediately upon
1024 its adoption by the commission, and any such resolution may be

1025 adopted at any regular or special meeting of the commission by a
1026 majority of its members.

1027 (11) The bonds authorized under the authority of this
1028 section may be validated in the Chancery Court of the First
1029 Judicial District of Hinds County, Mississippi, in the manner and
1030 with the force and effect provided by Chapter 13, Title 31,
1031 Mississippi Code of 1972, for the validation of county, municipal,
1032 school district and other bonds. The notice to taxpayers required
1033 by such statutes shall be published in a newspaper published or
1034 having a general circulation in the City of Jackson, Mississippi.

1035 (12) Any holder of bonds issued under the provisions of this
1036 section or of any of the interest coupons pertaining thereto may,
1037 either at law or in equity, by suit, action, mandamus or other
1038 proceeding, protect and enforce any and all rights granted under
1039 this section, or under such resolution, and may enforce and compel
1040 performance of all duties required by this section to be
1041 performed, in order to provide for the payment of bonds and
1042 interest thereon.

1043 (13) All bonds issued under the provisions of this section
1044 shall be legal investments for trustees and other fiduciaries, and
1045 for savings banks, trust companies and insurance companies
1046 organized under the laws of the State of Mississippi, and such
1047 bonds shall be legal securities which may be deposited with and
1048 shall be received by all public officers and bodies of this state
1049 and all municipalities and political subdivisions for the purpose
1050 of securing the deposit of public funds.

1051 (14) Bonds issued under the provisions of this section and
1052 income therefrom shall be exempt from all taxation in the State of
1053 Mississippi.

1054 (15) The proceeds of the bonds issued under this section
1055 shall be used solely for the purposes herein provided, including
1056 the costs incident to the issuance and sale of such bonds.

1057 (16) The State Treasurer is authorized, without further
1058 process of law, to certify to the Department of Finance and
1059 Administration the necessity for warrants, and the Department of
1060 Finance and Administration is authorized and directed to issue
1061 such warrants, in such amounts as may be necessary to pay when due
1062 the principal of, premium, if any, and interest on, or the
1063 accreted value of, all bonds issued under this section; and the
1064 State Treasurer shall forward the necessary amount to the
1065 designated place or places of payment of such bonds in ample time
1066 to discharge such bonds, or the interest thereon, on the due dates
1067 thereof.

1068 (17) This section shall be deemed to be full and complete
1069 authority for the exercise of the powers herein granted, but this
1070 section shall not be deemed to repeal or to be in derogation of
1071 any existing law of this state.

1072 **SECTION 5.** Section 57-75-5, Mississippi Code of 1972, is
1073 amended as follows:

1074 57-75-5. Words and phrases used in this chapter shall have
1075 meanings as follows, unless the context clearly indicates a
1076 different meaning:

1077 (a) "Act" means the Mississippi Major Economic Impact
1078 Act as originally enacted or as hereafter amended.

1079 (b) "Authority" means the Mississippi Major Economic
1080 Impact Authority created pursuant to the act.

1081 (c) "Bonds" means general obligation bonds, interim
1082 notes and other evidences of debt of the State of Mississippi
1083 issued pursuant to this chapter.

1084 (d) "Facility related to the project" means and
1085 includes any of the following, as the same may pertain to the
1086 project within the project area: (i) facilities to provide
1087 potable and industrial water supply systems, sewage and waste
1088 disposal systems and water, natural gas and electric transmission
1089 systems to the site of the project; (ii) airports, airfields and

1090 air terminals; (iii) rail lines; (iv) port facilities; (v)
1091 highways, streets and other roadways; (vi) public school
1092 buildings, classrooms and instructional facilities, training
1093 facilities and equipment, including any functionally related
1094 facilities; (vii) parks, outdoor recreation facilities and
1095 athletic facilities; (viii) auditoriums, pavilions, campgrounds,
1096 art centers, cultural centers, folklore centers and other public
1097 facilities; (ix) health care facilities, public or private; and
1098 (x) fire protection facilities, equipment and elevated water
1099 tanks.

1100 (e) "Person" means any natural person, corporation,
1101 association, partnership, receiver, trustee, guardian, executor,
1102 administrator, fiduciary, governmental unit, public agency,
1103 political subdivision, or any other group acting as a unit, and
1104 the plural as well as the singular.

1105 (f) "Project" means:

1106 (i) Any industrial, commercial, research and
1107 development, warehousing, distribution, transportation,
1108 processing, mining, United States government or tourism enterprise
1109 together with all real property required for construction,
1110 maintenance and operation of the enterprise with an initial
1111 capital investment of not less than Three Hundred Million Dollars
1112 (\$300,000,000.00) from private or United States government sources
1113 together with all buildings, and other supporting land and
1114 facilities, structures or improvements of whatever kind required
1115 or useful for construction, maintenance and operation of the
1116 enterprise; or with an initial capital investment of not less than
1117 One Hundred Fifty Million Dollars (\$150,000,000.00) from private
1118 or United States government sources together with all buildings
1119 and other supporting land and facilities, structures or
1120 improvements of whatever kind required or useful for construction,
1121 maintenance and operation of the enterprise and which creates at
1122 least one thousand (1,000) net new full-time jobs; or which

1123 creates at least one thousand (1,000) net new full-time jobs which
1124 provides an average salary, excluding benefits which are not
1125 subject to Mississippi income taxation, of at least one hundred
1126 twenty-five percent (125%) of the most recently published average
1127 annual wage of the state as determined by the Mississippi
1128 Department of Employment Security. "Project" shall include any
1129 addition to or expansion of an existing enterprise if such
1130 addition or expansion has an initial capital investment of not
1131 less than Three Hundred Million Dollars (\$300,000,000.00) from
1132 private or United States government sources, or has an initial
1133 capital investment of not less than One Hundred Fifty Million
1134 Dollars (\$150,000,000.00) from private or United States government
1135 sources together with all buildings and other supporting land and
1136 facilities, structures or improvements of whatever kind required
1137 or useful for construction, maintenance and operation of the
1138 enterprise and which creates at least one thousand (1,000) net new
1139 full-time jobs; or which creates at least one thousand (1,000) net
1140 new full-time jobs which provides an average salary, excluding
1141 benefits which are not subject to Mississippi income taxation, of
1142 at least one hundred twenty-five percent (125%) of the most
1143 recently published average annual wage of the state as determined
1144 by the Mississippi Department of Employment Security. "Project"
1145 shall also include any ancillary development or business resulting
1146 from the enterprise, of which the authority is notified, within
1147 three (3) years from the date that the enterprise entered into
1148 commercial production, that the project area has been selected as
1149 the site for the ancillary development or business.

1150 (ii) 1. Any major capital project designed to
1151 improve, expand or otherwise enhance any active duty or reserve
1152 United States armed services bases and facilities or any major
1153 Mississippi National Guard training installations, their support
1154 areas or their military operations, upon designation by the
1155 authority that any such base was or is at risk to be recommended

1156 for closure or realignment pursuant to the Defense Base Closure
1157 and Realignment Act of 1990, as amended, or other applicable
1158 federal law; or any major development project determined by the
1159 authority to be necessary to acquire or improve base properties
1160 and to provide employment opportunities through construction of
1161 projects as defined in Section 57-3-5, which shall be located on
1162 or provide direct support service or access to such military
1163 installation property in the event of closure or reduction of
1164 military operations at the installation.

1165 2. Any major study or investigation related
1166 to such a facility, installation or base, upon a determination by
1167 the authority that the study or investigation is critical to the
1168 expansion, retention or reuse of the facility, installation or
1169 base.

1170 3. Any project as defined in Section 57-3-5,
1171 any business or enterprise determined to be in the furtherance of
1172 the public purposes of this act as determined by the authority or
1173 any facility related to such project each of which shall be,
1174 directly or indirectly, related to any military base or other
1175 military-related facility no longer operated by the United States
1176 armed services or the Mississippi National Guard.

1177 (iii) Any enterprise to be maintained, improved or
1178 constructed in Tishomingo County by or for a National Aeronautics
1179 and Space Administration facility in such county.

1180 (iv) 1. Any major capital project with an initial
1181 capital investment from private sources of not less than Seven
1182 Hundred Fifty Million Dollars (\$750,000,000.00) which will create
1183 at least three thousand (3,000) jobs meeting criteria established
1184 by the Mississippi Development Authority.

1185 2. "Project" shall also include any ancillary
1186 development or business resulting from an enterprise operating a
1187 project as defined in item 1 of this paragraph (f)(iv), of which
1188 the authority is notified, within three (3) years from the date

1189 that the enterprise entered into commercial production, that the
1190 state has been selected as the site for the ancillary development
1191 or business.

1192 (v) Any manufacturing, processing or industrial
1193 project determined by the authority, in its sole discretion, to
1194 contribute uniquely and significantly to the economic growth and
1195 development of the state, and which meets the following criteria:

1196 1. The project shall create at least two
1197 thousand (2,000) net new full-time jobs meeting criteria
1198 established by the authority, which criteria shall include, but
1199 not be limited to, the requirement that such jobs must be held by
1200 persons eligible for employment in the United States under
1201 applicable state and federal law.

1202 2. The project and any facility related to
1203 the project shall include a total investment from private sources
1204 of not less than Sixty Million Dollars (\$60,000,000.00), or from
1205 any combination of sources of not less than Eighty Million Dollars
1206 (\$80,000,000.00).

1207 (vi) Any real property owned or controlled by the
1208 National Aeronautics and Space Administration, the United States
1209 government, or any agency thereof, which is legally conveyed to
1210 the State of Mississippi or to the State of Mississippi for the
1211 benefit of the Mississippi Major Economic Impact Authority, its
1212 successors and assigns pursuant to Section 212 of Public Law
1213 104-99, enacted January 26, 1996 (110 Stat. 26 at 38).

1214 (vii) Any major capital project related to the
1215 establishment, improvement, expansion and/or other enhancement of
1216 any active duty military installation and having a minimum capital
1217 investment from any source or combination of sources other than
1218 the State of Mississippi of at least Forty Million Dollars
1219 (\$40,000,000.00), and which will create at least four hundred
1220 (400) military installation related full-time jobs, which jobs may
1221 be military jobs, civilian jobs or a combination of military and

1222 civilian jobs. The authority shall require that binding
1223 commitments be entered into requiring that the minimum
1224 requirements for the project provided for in this subparagraph
1225 shall be met not later than July 1, 2008.

1226 (viii) Any major capital project with an initial
1227 capital investment from any source or combination of sources of
1228 not less than Ten Million Dollars (\$10,000,000.00) which will
1229 create at least eighty (80) full-time jobs which provide an
1230 average annual salary, excluding benefits which are not subject to
1231 Mississippi income taxes, of at least one hundred thirty-five
1232 percent (135%) of the most recently published average annual wage
1233 of the state or the most recently published average annual wage of
1234 the county in which the project is located as determined by the
1235 Mississippi Department of Employment Security, whichever is the
1236 lesser. The authority shall require that binding commitments be
1237 entered into requiring that:

1238 1. The minimum requirements for the project
1239 provided for in this subparagraph shall be met, and

1240 2. That if such commitments are not met, all
1241 or a portion of the funds provided by the state for the project as
1242 determined by the authority shall be repaid.

1243 (ix) Any regional retail shopping mall with an
1244 initial capital investment from private sources in excess of One
1245 Hundred Fifty Million Dollars (\$150,000,000.00), with a square
1246 footage in excess of eight hundred thousand (800,000) square feet,
1247 which will create at least seven hundred (700) full-time jobs with
1248 an average hourly wage of Eleven Dollars (\$11.00) per hour. The
1249 authority shall require that binding commitments be entered into
1250 requiring that:

1251 1. The minimum requirements for the project
1252 provided for in this subparagraph shall be met, and

1253 2. That if such commitments are not met, all
1254 or a portion of the funds provided by the state for the project as
1255 determined by the authority shall be repaid.

1256 (x) Any major capital project with an initial
1257 capital investment from any source or combination of sources of
1258 not less than Seventy-five Million Dollars (\$75,000,000.00) which
1259 will create at least one hundred twenty-five (125) full-time jobs
1260 which provide an average annual salary, excluding benefits which
1261 are not subject to Mississippi income taxes, of at least one
1262 hundred thirty-five percent (135%) of the most recently published
1263 average annual wage of the state or the most recently published
1264 average annual wage of the county in which the project is located
1265 as determined by the Mississippi Department of Employment
1266 Security, whichever is the greater. The authority shall require
1267 that binding commitments be entered into requiring that:

1268 1. The minimum requirements for the project
1269 provided for in this subparagraph shall be met; and

1270 2. That if such commitments are not met, all
1271 or a portion of the funds provided by the state for the project as
1272 determined by the authority shall be repaid.

1273 (xi) Any potential major capital project that the
1274 authority has determined is feasible to recruit.

1275 (xii) Any project built according to the
1276 specifications and federal provisions set forth by the National
1277 Aeronautics and Space Administration Center Operations Directorate
1278 at Stennis Space Center for the purpose of consolidating common
1279 services from National Aeronautics and Space Administration
1280 centers in human resources, procurement, financial management and
1281 information technology located on land owned or controlled by the
1282 National Aeronautics and Space Administration, which will create
1283 at least four hundred seventy (470) full-time jobs.

1284 (xiii) Any major capital project with an initial
1285 capital investment from any source or combination of sources of

1286 not less than Ten Million Dollars (\$10,000,000.00) which will
1287 create at least two hundred fifty (250) full-time jobs. The
1288 authority shall require that binding commitments be entered into
1289 requiring that:

1290 1. The minimum requirements for the project
1291 provided for in this subparagraph shall be met; and

1292 2. That if such commitments are not met, all
1293 or a portion of the funds provided by the state for the project as
1294 determined by the authority shall be repaid.

1295 (xiv) Any major pharmaceutical facility with a
1296 capital investment of not less than Fifty Million Dollars
1297 (\$50,000,000.00) made after July 1, 2002, through four (4) years
1298 after the initial date of any loan or grant made by the authority
1299 for such project, which will maintain at least seven hundred fifty
1300 (750) full-time employees. The authority shall require that
1301 binding commitments be entered into requiring that:

1302 1. The minimum requirements for the project
1303 provided for in this subparagraph shall be met; and

1304 2. That if such commitments are not met, all
1305 or a portion of the funds provided by the state for the project as
1306 determined by the authority shall be repaid.

1307 (xv) Any pharmaceutical manufacturing, packaging
1308 and distribution facility with an initial capital investment from
1309 any local or federal sources of not less than Five Hundred
1310 Thousand Dollars (\$500,000.00) which will create at least ninety
1311 (90) full-time jobs. The authority shall require that binding
1312 commitments be entered into requiring that:

1313 1. The minimum requirements for the project
1314 provided for in this subparagraph shall be met; and

1315 2. That if such commitments are not met, all
1316 or a portion of the funds provided by the state for the project as
1317 determined by the authority shall be repaid.

1318 (xvi) Any major industrial wood processing
1319 facility with an initial capital investment of not less than One
1320 Hundred Million Dollars (\$100,000,000.00) which will create at
1321 least one hundred twenty-five (125) full-time jobs which provide
1322 an average annual salary, excluding benefits which are not subject
1323 to Mississippi income taxes, of at least Thirty Thousand Dollars
1324 (\$30,000.00). The authority shall require that binding
1325 commitments be entered into requiring that:

1326 1. The minimum requirements for the project
1327 provided for in this subparagraph shall be met; and

1328 2. That if such commitments are not met, all
1329 or a portion of the funds provided by the state for the project as
1330 determined by the authority shall be repaid.

1331 (xvii) Any technical, engineering,
1332 manufacturing-logistic service provider with an initial capital
1333 investment of not less than One Million Dollars (\$1,000,000.00)
1334 which will create at least ninety (90) full-time jobs. The
1335 authority shall require that binding commitments be entered into
1336 requiring that:

1337 1. The minimum requirements for the project
1338 provided for in this subparagraph shall be met; and

1339 2. That if such commitments are not met, all
1340 or a portion of the funds provided by the state for the project as
1341 determined by the authority shall be repaid.

1342 (xviii) Any major capital project with an initial
1343 capital investment from any source or combination of sources other
1344 than the State of Mississippi of not less than Six Hundred Million
1345 Dollars (\$600,000,000.00) which will create at least four hundred
1346 fifty (450) full-time jobs with an average annual salary,
1347 excluding benefits which are not subject to Mississippi income
1348 taxes, of at least Seventy Thousand Dollars (\$70,000.00). The
1349 authority shall require that binding commitments be entered into
1350 requiring that:

1351 1. The minimum requirements for the project
1352 provided for in this subparagraph shall be met, and

1353 2. That if such commitments are not met, all
1354 or a portion of the funds provided by the state for the project as
1355 determined by the authority shall be repaid.

1356 (xix) Any major coal and/or petroleum coke
1357 gasification project with an initial capital investment from any
1358 source or combination of sources other than the State of
1359 Mississippi of not less than Eight Hundred Million Dollars
1360 (\$800,000,000.00) which will create at least two hundred (200)
1361 full-time jobs with an average annual salary, excluding benefits
1362 which are not subject to Mississippi income taxes, of at least
1363 Forty-five Thousand Dollars (\$45,000.00). The authority shall
1364 require that binding commitments be entered into requiring that:

1365 1. The minimum requirements for the project
1366 provided for in this subparagraph shall be met, and

1367 2. That if such commitments are not met, all
1368 or a portion of the funds provided by the state for the project as
1369 determined by the authority shall be repaid.

1370 (g) "Project area" means the project site, together
1371 with any area or territory within the state lying within
1372 sixty-five (65) miles of any portion of the project site whether
1373 or not such area or territory be contiguous; however, for the
1374 project defined in paragraph (f)(iv) of this section the term
1375 "project area" means any area or territory within the state. The
1376 project area shall also include all territory within a county if
1377 any portion of such county lies within sixty-five (65) miles of
1378 any portion of the project site. "Project site" means the real
1379 property on which the principal facilities of the enterprise will
1380 operate.

1381 (h) "Public agency" means:

1382 (i) Any department, board, commission, institution
1383 or other agency or instrumentality of the state;

1384 (ii) Any city, town, county, political
1385 subdivision, school district or other district created or existing
1386 under the laws of the state or any public agency of any such city,
1387 town, county, political subdivision or district or any other
1388 public entity created or existing under local and private
1389 legislation;

1390 (iii) Any department, commission, agency or
1391 instrumentality of the United States of America; and

1392 (iv) Any other state of the United States of
1393 America which may be cooperating with respect to location of the
1394 project within the state, or any agency thereof.

1395 (i) "State" means State of Mississippi.

1396 (j) "Fee-in-lieu" means a negotiated fee to be paid by
1397 the project in lieu of any franchise taxes imposed on the project
1398 by Chapter 13, Title 27, Mississippi Code of 1972. The
1399 fee-in-lieu shall not be less than Twenty-five Thousand Dollars
1400 (\$25,000.00) annually. A fee-in-lieu may be negotiated with an
1401 enterprise operating an existing project defined in Section
1402 57-75-5(f)(iv)1; however, a fee-in-lieu shall not be negotiated
1403 for other existing enterprises that fall within the definition of
1404 the term "project."

1405 **SECTION 6.** Section 57-75-15, Mississippi Code of 1972, is
1406 amended as follows:

1407 57-75-15. (1) Upon notification to the authority by the
1408 enterprise that the state has been finally selected as the site
1409 for the project, the State Bond Commission shall have the power
1410 and is hereby authorized and directed, upon receipt of a
1411 declaration from the authority as hereinafter provided, to borrow
1412 money and issue general obligation bonds of the state in one or
1413 more series for the purposes herein set out. Upon such
1414 notification, the authority may thereafter from time to time
1415 declare the necessity for the issuance of general obligation bonds
1416 as authorized by this section and forward such declaration to the

1417 State Bond Commission, provided that before such notification, the
1418 authority may enter into agreements with the United States
1419 government, private companies and others that will commit the
1420 authority to direct the State Bond Commission to issue bonds for
1421 eligible undertakings set out in subsection (4) of this section,
1422 conditioned on the siting of the project in the state.

1423 (2) Upon receipt of any such declaration from the authority,
1424 the State Bond Commission shall verify that the state has been
1425 selected as the site of the project and shall act as the issuing
1426 agent for the series of bonds directed to be issued in such
1427 declaration pursuant to authority granted in this section.

1428 (3) (a) Bonds issued under the authority of this section
1429 for projects as defined in Section 57-75-5(f)(i) shall not exceed
1430 an aggregate principal amount in the sum of Sixty-seven Million
1431 Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

1432 (b) Bonds issued under the authority of this section
1433 for projects as defined in Section 57-75-5(f)(ii) shall not exceed
1434 Sixty-one Million Dollars (\$61,000,000.00). The authority, with
1435 the express direction of the State Bond Commission, is authorized
1436 to expend any remaining proceeds of bonds issued under the
1437 authority of this act prior to January 1, 1998, for the purpose of
1438 financing projects as then defined in Section 57-75-5(f)(ii) or
1439 for any other projects as defined in Section 57-75-5(f)(ii), as it
1440 may be amended from time to time. If there are any monetary
1441 proceeds derived from the disposition of any improvements located
1442 on real property in Kemper County purchased pursuant to this act
1443 for projects related to the NAAS and if there are any monetary
1444 proceeds derived from the disposition of any timber located on
1445 real property in Kemper County purchased pursuant to this act for
1446 projects related to the NAAS, all of such proceeds (both from the
1447 disposition of improvements and the disposition of timber)
1448 commencing July 1, 1996, through June 30, 2010, shall be paid to
1449 the Board of Education of Kemper County, Mississippi, for

1450 expenditure by such board of education to benefit the public
1451 schools of Kemper County. No bonds shall be issued under this
1452 paragraph (b) until the State Bond Commission by resolution adopts
1453 a finding that the issuance of such bonds will improve, expand or
1454 otherwise enhance the military installation, its support areas or
1455 military operations, or will provide employment opportunities to
1456 replace those lost by closure or reductions in operations at the
1457 military installation or will support critical studies or
1458 investigations authorized by Section 57-75-5(f)(ii).

1459 (c) Bonds issued under the authority of this section
1460 for projects as defined in Section 57-75-5(f)(iii) shall not
1461 exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be
1462 issued under this paragraph after December 31, 1996.

1463 (d) Bonds issued under the authority of this section
1464 for projects defined in Section 57-75-5(f)(iv) shall not exceed
1465 Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An
1466 additional amount of bonds in an amount not to exceed Twelve
1467 Million Five Hundred Thousand Dollars (\$12,500,000.00) may be
1468 issued under the authority of this section for the purpose of
1469 defraying costs associated with the construction of surface water
1470 transmission lines for a project defined in Section 57-75-5(f)(iv)
1471 or for any facility related to the project. No bonds shall be
1472 issued under this paragraph after June 30, 2005.

1473 (e) Bonds issued under the authority of this section
1474 for projects defined in Section 57-75-5(f)(v) and for facilities
1475 related to such projects shall not exceed Thirty-eight Million
1476 Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be
1477 issued under this paragraph after April 1, 2005.

1478 (f) Bonds issued under the authority of this section
1479 for projects defined in Section 57-75-5(f)(vii) shall not exceed
1480 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
1481 under this paragraph after June 30, 2006.

1482 (g) Bonds issued under the authority of this section
1483 for projects defined in Section 57-75-5(f)(viii) shall not exceed
1484 Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No
1485 bonds shall be issued under this paragraph after June 30, 2007.

1486 (h) Bonds issued under the authority of this section
1487 for projects defined in Section 57-75-5(f)(ix) shall not exceed
1488 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
1489 under this paragraph after June 30, 2007.

1490 (i) Bonds issued under the authority of this section
1491 for projects defined in Section 57-75-5(f)(x) shall not exceed
1492 Five Million Dollars (\$5,000,000.00). No bonds shall be issued
1493 under this paragraph after April 1, 2005.

1494 (j) Bonds issued under the authority of this section
1495 for projects defined in Section 57-75-5(f)(xii) shall not exceed
1496 Twenty-three Million Seven Hundred Thousand Dollars
1497 (\$23,700,000.00). No bonds shall be issued under this paragraph
1498 until local governments in or near the county in which the project
1499 is located have irrevocably committed funds to the project in an
1500 amount of not less than Two Million Five Hundred Thousand Dollars
1501 (\$2,500,000.00) in the aggregate. No bonds shall be issued under
1502 this paragraph after June 30, 2008.

1503 (k) Bonds issued under the authority of this section
1504 for projects defined in Section 57-75-5(f)(xiii) shall not exceed
1505 Three Million Dollars (\$3,000,000.00). No bonds shall be issued
1506 under this paragraph after June 30, 2009.

1507 (l) Bonds issued under the authority of this section
1508 for projects defined in Section 57-75-5(f)(xiv) shall not exceed
1509 Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be
1510 issued under this paragraph until local governments in the county
1511 in which the project is located have irrevocably committed funds
1512 to the project in an amount of not less than Two Million Dollars
1513 (\$2,000,000.00). No bonds shall be issued under this paragraph
1514 after June 30, 2009.

1515 (m) Bonds issued under the authority of this section
1516 for projects defined in Section 57-75-5(f)(xv) shall not exceed
1517 Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be
1518 issued under this paragraph after June 30, 2009.

1519 (n) Bonds issued under the authority of this section
1520 for projects defined in Section 57-75-5(f)(xvi) shall not exceed
1521 Ten Million Dollars (\$10,000,000.00). No bonds shall be issued
1522 under this paragraph after June 30, 2009.

1523 (o) Bonds issued under the authority of this section
1524 for projects defined in Section 57-75-5(f)(xvii) shall not exceed
1525 Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No
1526 bonds shall be issued under this paragraph after June 30, 2009.

1527 (p) Bonds issued under the authority of this section
1528 for projects defined in Section 57-75-5(f)(xviii) shall not exceed
1529 Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be
1530 issued under this paragraph after June 30, 2016.

1531 (q) Bonds issued under the authority of this section
1532 for projects defined in Section 57-75-5(f)(xix) shall not exceed
1533 Two Million Dollars (\$2,000,000.00). No bonds shall be issued
1534 under this paragraph after June 30, 2010.

1535 (4) (a) The proceeds from the sale of the bonds issued
1536 under this section may be applied for the following purposes:

1537 (i) Defraying all or any designated portion of the
1538 costs incurred with respect to acquisition, planning, design,
1539 construction, installation, rehabilitation, improvement,
1540 relocation and with respect to state-owned property, operation and
1541 maintenance of the project and any facility related to the project
1542 located within the project area, including costs of design and
1543 engineering, all costs incurred to provide land, easements and
1544 rights-of-way, relocation costs with respect to the project and
1545 with respect to any facility related to the project located within
1546 the project area, and costs associated with mitigation of
1547 environmental impacts and environmental impact studies;

1548 (ii) Defraying the cost of providing for the
1549 recruitment, screening, selection, training or retraining of
1550 employees, candidates for employment or replacement employees of
1551 the project and any related activity;

1552 (iii) Reimbursing the Mississippi Development
1553 Authority for expenses it incurred in regard to projects defined
1554 in Section 57-75-5(f)(iv) prior to November 6, 2000. The
1555 Mississippi Development Authority shall submit an itemized list of
1556 expenses it incurred in regard to such projects to the Chairmen of
1557 the Finance and Appropriations Committees of the Senate and the
1558 Chairmen of the Ways and Means and Appropriations Committees of
1559 the House of Representatives;

1560 (iv) Providing grants to enterprises operating
1561 projects defined in Section 57-75-5(f)(iv)1;

1562 (v) Paying any warranty made by the authority
1563 regarding site work for a project defined in Section
1564 57-75-5(f)(iv)1;

1565 (vi) Defraying the cost of marketing and promotion
1566 of a project as defined in Section 57-75-5(f)(iv)1. The authority
1567 shall submit an itemized list of costs incurred for marketing and
1568 promotion of such project to the Chairmen of the Finance and
1569 Appropriations Committees of the Senate and the Chairmen of the
1570 Ways and Means and Appropriations Committees of the House of
1571 Representatives;

1572 (vii) Providing for the payment of interest on the
1573 bonds;

1574 (viii) Providing debt service reserves;

1575 (ix) Paying underwriters' discount, original issue
1576 discount, accountants' fees, engineers' fees, attorneys' fees,
1577 rating agency fees and other fees and expenses in connection with
1578 the issuance of the bonds;

1579 (x) For purposes authorized in paragraphs (b),
1580 (c), (d), (e) and (f) of this subsection (4);

1581 (xi) Providing grants to enterprises operating
1582 projects defined in Section 57-75-5(f)(v), or, in connection with
1583 a facility related to such a project, for any purposes deemed by
1584 the authority in its sole discretion to be necessary and
1585 appropriate;

1586 (xii) Providing grant funds or loans to a public
1587 agency or an enterprise owning, leasing or operating a project
1588 defined in Section 57-75-5(f)(ii);

1589 (xiii) Providing grant funds or loans to an
1590 enterprise owning, leasing or operating a project defined in
1591 Section 57-75-5(f)(xiv);

1592 (xiv) Providing grants, loans and payments to or
1593 for the benefit of an enterprise owning or operating a project
1594 defined in Section 57-75-5(f)(xviii); and

1595 (xv) Purchasing equipment for a project defined in
1596 Section 57-75-5(f)(viii) subject to such terms and conditions as
1597 the authority considers necessary and appropriate.

1598 Such bonds shall be issued from time to time and in such
1599 principal amounts as shall be designated by the authority, not to
1600 exceed in aggregate principal amounts the amount authorized in
1601 subsection (3) of this section. Proceeds from the sale of the
1602 bonds issued under this section may be invested, subject to
1603 federal limitations, pending their use, in such securities as may
1604 be specified in the resolution authorizing the issuance of the
1605 bonds or the trust indenture securing them, and the earning on
1606 such investment applied as provided in such resolution or trust
1607 indenture.

1608 (b) (i) The proceeds of bonds issued after June 21,
1609 2002, under this section for projects described in Section
1610 57-75-5(f)(iv) may be used to reimburse reasonable actual and
1611 necessary costs incurred by the Mississippi Development Authority
1612 in providing assistance related to a project for which funding is
1613 provided from the use of proceeds of such bonds. The Mississippi

1614 Development Authority shall maintain an accounting of actual costs
1615 incurred for each project for which reimbursements are sought.
1616 Reimbursements under this paragraph (b)(i) shall not exceed Three
1617 Hundred Thousand Dollars (\$300,000.00) in the aggregate.
1618 Reimbursements under this paragraph (b)(i) shall satisfy any
1619 applicable federal tax law requirements.

1620 (ii) The proceeds of bonds issued after June 21,
1621 2002, under this section for projects described in Section
1622 57-75-5(f)(iv) may be used to reimburse reasonable actual and
1623 necessary costs incurred by the Department of Audit in providing
1624 services related to a project for which funding is provided from
1625 the use of proceeds of such bonds. The Department of Audit shall
1626 maintain an accounting of actual costs incurred for each project
1627 for which reimbursements are sought. The Department of Audit may
1628 escalate its budget and expend such funds in accordance with rules
1629 and regulations of the Department of Finance and Administration in
1630 a manner consistent with the escalation of federal funds.

1631 Reimbursements under this paragraph (b)(ii) shall not exceed One
1632 Hundred Thousand Dollars (\$100,000.00) in the aggregate.

1633 Reimbursements under this paragraph (b)(ii) shall satisfy any
1634 applicable federal tax law requirements.

1635 (c) (i) The proceeds of bonds issued under this
1636 section for projects described in Section 57-75-5(f)(ix) may be
1637 used to reimburse reasonable actual and necessary costs incurred
1638 by the Mississippi Development Authority in providing assistance
1639 related to a project for which funding is provided for the use of
1640 proceeds of such bonds. The Mississippi Development Authority
1641 shall maintain an accounting of actual costs incurred for each
1642 project for which reimbursements are sought. Reimbursements under
1643 this paragraph shall not exceed Twenty-five Thousand Dollars
1644 (\$25,000.00) in the aggregate.

1645 (ii) The proceeds of bonds issued under this
1646 section for projects described in Section 57-75-5(f)(ix) may be

1647 used to reimburse reasonable actual and necessary costs incurred
1648 by the Department of Audit in providing services related to a
1649 project for which funding is provided from the use of proceeds of
1650 such bonds. The Department of Audit shall maintain an accounting
1651 of actual costs incurred for each project for which reimbursements
1652 are sought. The Department of Audit may escalate its budget and
1653 expend such funds in accordance with rules and regulations of the
1654 Department of Finance and Administration in a manner consistent
1655 with the escalation of federal funds. Reimbursements under this
1656 paragraph shall not exceed Twenty-five Thousand Dollars
1657 (\$25,000.00) in the aggregate. Reimbursements under this
1658 paragraph shall satisfy any applicable federal tax law
1659 requirements.

1660 (d) (i) The proceeds of bonds issued under this
1661 section for projects described in Section 57-75-5(f)(x) may be
1662 used to reimburse reasonable actual and necessary costs incurred
1663 by the Mississippi Development Authority in providing assistance
1664 related to a project for which funding is provided for the use of
1665 proceeds of such bonds. The Mississippi Development Authority
1666 shall maintain an accounting of actual costs incurred for each
1667 project for which reimbursements are sought. Reimbursements under
1668 this paragraph shall not exceed Twenty-five Thousand Dollars
1669 (\$25,000.00) in the aggregate.

1670 (ii) The proceeds of bonds issued under this
1671 section for projects described in Section 57-75-5(f)(x) may be
1672 used to reimburse reasonable actual and necessary costs incurred
1673 by the Department of Audit in providing services related to a
1674 project for which funding is provided from the use of proceeds of
1675 such bonds. The Department of Audit shall maintain an accounting
1676 of actual costs incurred for each project for which reimbursements
1677 are sought. The Department of Audit may escalate its budget and
1678 expend such funds in accordance with rules and regulations of the
1679 Department of Finance and Administration in a manner consistent

1680 with the escalation of federal funds. Reimbursements under this
1681 paragraph shall not exceed Twenty-five Thousand Dollars
1682 (\$25,000.00) in the aggregate. Reimbursements under this
1683 paragraph shall satisfy any applicable federal tax law
1684 requirements.

1685 (e) (i) The proceeds of bonds issued under this
1686 section for projects described in Section 57-75-5(f)(xii) may be
1687 used to reimburse reasonable actual and necessary costs incurred
1688 by the Mississippi Development Authority in providing assistance
1689 related to a project for which funding is provided from the use of
1690 proceeds of such bonds. The Mississippi Development Authority
1691 shall maintain an accounting of actual costs incurred for each
1692 project for which reimbursements are sought. Reimbursements under
1693 this paragraph (e)(i) shall not exceed Twenty-five Thousand
1694 Dollars (\$25,000.00) in the aggregate.

1695 (ii) The proceeds of bonds issued under this
1696 section for projects described in Section 57-75-5(f)(xii) may be
1697 used to reimburse reasonable actual and necessary costs incurred
1698 by the Department of Audit in providing services related to a
1699 project for which funding is provided from the use of proceeds of
1700 such bonds. The Department of Audit shall maintain an accounting
1701 of actual costs incurred for each project for which reimbursements
1702 are sought. The Department of Audit may escalate its budget and
1703 expend such funds in accordance with rules and regulations of the
1704 Department of Finance and Administration in a manner consistent
1705 with the escalation of federal funds. Reimbursements under this
1706 paragraph (e)(ii) shall not exceed Twenty-five Thousand Dollars
1707 (\$25,000.00) in the aggregate. Reimbursements under this
1708 paragraph (e)(ii) shall satisfy any applicable federal tax law
1709 requirements.

1710 (f) (i) The proceeds of bonds issued under this
1711 section for projects described in Section 57-75-5(f)(xiii),
1712 (f)(xiv), (f)(xv), (f)(xvi), (f)(xvii) and (f)(xviii) may be used

1713 to reimburse reasonable actual and necessary costs incurred by the
1714 Mississippi Development Authority in providing assistance related
1715 to a project for which funding is provided from the use of
1716 proceeds of such bonds. The Mississippi Development Authority
1717 shall maintain an accounting of actual costs incurred for each
1718 project for which reimbursements are sought. Reimbursements under
1719 this paragraph (f)(i) shall not exceed Twenty-five Thousand
1720 Dollars (\$25,000.00) for each project.

1721 (ii) The proceeds of bonds issued under this
1722 section for projects described in Section 57-75-5(f)(xiii),
1723 (f)(xiv), (f)(xv), (f)(xvi), (f)(xvii) and (f)(xviii) may be used
1724 to reimburse reasonable actual and necessary costs incurred by the
1725 Department of Audit in providing services related to a project for
1726 which funding is provided from the use of proceeds of such bonds.
1727 The Department of Audit shall maintain an accounting of actual
1728 costs incurred for each project for which reimbursements are
1729 sought. The Department of Audit may escalate its budget and
1730 expend such funds in accordance with rules and regulations of the
1731 Department of Finance and Administration in a manner consistent
1732 with the escalation of federal funds. Reimbursements under this
1733 paragraph (f)(ii) shall not exceed Twenty-five Thousand Dollars
1734 (\$25,000.00) for each project. Reimbursements under this
1735 paragraph (f)(ii) shall satisfy any applicable federal tax law
1736 requirements.

1737 (5) The principal of and the interest on the bonds shall be
1738 payable in the manner hereinafter set forth. The bonds shall bear
1739 date or dates; be in such denomination or denominations; bear
1740 interest at such rate or rates; be payable at such place or places
1741 within or without the state; mature absolutely at such time or
1742 times; be redeemable before maturity at such time or times and
1743 upon such terms, with or without premium; bear such registration
1744 privileges; and be substantially in such form; all as shall be
1745 determined by resolution of the State Bond Commission except that

1746 such bonds shall mature or otherwise be retired in annual
1747 installments beginning not more than five (5) years from the date
1748 thereof and extending not more than twenty-five (25) years from
1749 the date thereof. The bonds shall be signed by the Chairman of
1750 the State Bond Commission, or by his facsimile signature, and the
1751 official seal of the State Bond Commission shall be imprinted on
1752 or affixed thereto, attested by the manual or facsimile signature
1753 of the Secretary of the State Bond Commission. Whenever any such
1754 bonds have been signed by the officials herein designated to sign
1755 the bonds, who were in office at the time of such signing but who
1756 may have ceased to be such officers before the sale and delivery
1757 of such bonds, or who may not have been in office on the date such
1758 bonds may bear, the signatures of such officers upon such bonds
1759 shall nevertheless be valid and sufficient for all purposes and
1760 have the same effect as if the person so officially signing such
1761 bonds had remained in office until the delivery of the same to the
1762 purchaser, or had been in office on the date such bonds may bear.

1763 (6) All bonds issued under the provisions of this section
1764 shall be and are hereby declared to have all the qualities and
1765 incidents of negotiable instruments under the provisions of the
1766 Uniform Commercial Code and in exercising the powers granted by
1767 this chapter, the State Bond Commission shall not be required to
1768 and need not comply with the provisions of the Uniform Commercial
1769 Code.

1770 (7) The State Bond Commission shall sell the bonds on sealed
1771 bids at public sale, and for such price as it may determine to be
1772 for the best interest of the State of Mississippi, but no such
1773 sale shall be made at a price less than par plus accrued interest
1774 to date of delivery of the bonds to the purchaser. The bonds
1775 shall bear interest at such rate or rates not exceeding the limits
1776 set forth in Section 75-17-101 as shall be fixed by the State Bond
1777 Commission. All interest accruing on such bonds so issued shall
1778 be payable semiannually or annually; provided that the first

1779 interest payment may be for any period of not more than one (1)
1780 year.

1781 Notice of the sale of any bonds shall be published at least
1782 one time, the first of which shall be made not less than ten (10)
1783 days prior to the date of sale, and shall be so published in one
1784 or more newspapers having a general circulation in the City of
1785 Jackson and in one or more other newspapers or financial journals
1786 with a large national circulation, to be selected by the State
1787 Bond Commission.

1788 The State Bond Commission, when issuing any bonds under the
1789 authority of this section, may provide that the bonds, at the
1790 option of the state, may be called in for payment and redemption
1791 at the call price named therein and accrued interest on such date
1792 or dates named therein.

1793 (8) State bonds issued under the provisions of this section
1794 shall be the general obligations of the state and backed by the
1795 full faith and credit of the state. The Legislature shall
1796 appropriate annually an amount sufficient to pay the principal of
1797 and the interest on such bonds as they become due. All bonds
1798 shall contain recitals on their faces substantially covering the
1799 foregoing provisions of this section.

1800 (9) The State Treasurer is authorized to certify to the
1801 Department of Finance and Administration the necessity for
1802 warrants, and the Department of Finance and Administration is
1803 authorized and directed to issue such warrants payable out of any
1804 funds appropriated by the Legislature under this section for such
1805 purpose, in such amounts as may be necessary to pay when due the
1806 principal of and interest on all bonds issued under the provisions
1807 of this section. The State Treasurer shall forward the necessary
1808 amount to the designated place or places of payment of such bonds
1809 in ample time to discharge such bonds, or the interest thereon, on
1810 the due dates thereof.

1811 (10) The bonds may be issued without any other proceedings
1812 or the happening of any other conditions or things other than
1813 those proceedings, conditions and things which are specified or
1814 required by this chapter. Any resolution providing for the
1815 issuance of general obligation bonds under the provisions of this
1816 section shall become effective immediately upon its adoption by
1817 the State Bond Commission, and any such resolution may be adopted
1818 at any regular or special meeting of the State Bond Commission by
1819 a majority of its members.

1820 (11) In anticipation of the issuance of bonds hereunder, the
1821 State Bond Commission is authorized to negotiate and enter into
1822 any purchase, loan, credit or other agreement with any bank, trust
1823 company or other lending institution or to issue and sell interim
1824 notes for the purpose of making any payments authorized under this
1825 section. All borrowings made under this provision shall be
1826 evidenced by notes of the state which shall be issued from time to
1827 time, for such amounts not exceeding the amount of bonds
1828 authorized herein, in such form and in such denomination and
1829 subject to such terms and conditions of sale and issuance,
1830 prepayment or redemption and maturity, rate or rates of interest
1831 not to exceed the maximum rate authorized herein for bonds, and
1832 time of payment of interest as the State Bond Commission shall
1833 agree to in such agreement. Such notes shall constitute general
1834 obligations of the state and shall be backed by the full faith and
1835 credit of the state. Such notes may also be issued for the
1836 purpose of refunding previously issued notes. No note shall
1837 mature more than three (3) years following the date of its
1838 issuance. The State Bond Commission is authorized to provide for
1839 the compensation of any purchaser of the notes by payment of a
1840 fixed fee or commission and for all other costs and expenses of
1841 issuance and service, including paying agent costs. Such costs
1842 and expenses may be paid from the proceeds of the notes.

1843 (12) The bonds and interim notes authorized under the
1844 authority of this section may be validated in the First Judicial
1845 District of the Chancery Court of Hinds County, Mississippi, in
1846 the manner and with the force and effect provided now or hereafter
1847 by Chapter 13, Title 31, Mississippi Code of 1972, for the
1848 validation of county, municipal, school district and other bonds.
1849 The necessary papers for such validation proceedings shall be
1850 transmitted to the State Bond Attorney, and the required notice
1851 shall be published in a newspaper published in the City of
1852 Jackson, Mississippi.

1853 (13) Any bonds or interim notes issued under the provisions
1854 of this chapter, a transaction relating to the sale or securing of
1855 such bonds or interim notes, their transfer and the income
1856 therefrom shall at all times be free from taxation by the state or
1857 any local unit or political subdivision or other instrumentality
1858 of the state, excepting inheritance and gift taxes.

1859 (14) All bonds issued under this chapter shall be legal
1860 investments for trustees, other fiduciaries, savings banks, trust
1861 companies and insurance companies organized under the laws of the
1862 State of Mississippi; and such bonds shall be legal securities
1863 which may be deposited with and shall be received by all public
1864 officers and bodies of the state and all municipalities and other
1865 political subdivisions thereof for the purpose of securing the
1866 deposit of public funds.

1867 (15) The Attorney General of the State of Mississippi shall
1868 represent the State Bond Commission in issuing, selling and
1869 validating bonds herein provided for, and the Bond Commission is
1870 hereby authorized and empowered to expend from the proceeds
1871 derived from the sale of the bonds authorized hereunder all
1872 necessary administrative, legal and other expenses incidental and
1873 related to the issuance of bonds authorized under this chapter.

1874 (16) There is hereby created a special fund in the State
1875 Treasury to be known as the Mississippi Major Economic Impact

1876 Authority Fund wherein shall be deposited the proceeds of the
1877 bonds issued under this chapter and all monies received by the
1878 authority to carry out the purposes of this chapter. Expenditures
1879 authorized herein shall be paid by the State Treasurer upon
1880 warrants drawn from the fund, and the Department of Finance and
1881 Administration shall issue warrants upon requisitions signed by
1882 the director of the authority.

1883 (17) (a) There is hereby created the Mississippi Economic
1884 Impact Authority Sinking Fund from which the principal of and
1885 interest on such bonds shall be paid by appropriation. All monies
1886 paid into the sinking fund not appropriated to pay accruing bonds
1887 and interest shall be invested by the State Treasurer in such
1888 securities as are provided by law for the investment of the
1889 sinking funds of the state.

1890 (b) In the event that all or any part of the bonds and
1891 notes are purchased, they shall be cancelled and returned to the
1892 loan and transfer agent as cancelled and paid bonds and notes and
1893 thereafter all payments of interest thereon shall cease and the
1894 cancelled bonds, notes and coupons, together with any other
1895 cancelled bonds, notes and coupons, shall be destroyed as promptly
1896 as possible after cancellation but not later than two (2) years
1897 after cancellation. A certificate evidencing the destruction of
1898 the cancelled bonds, notes and coupons shall be provided by the
1899 loan and transfer agent to the seller.

1900 (c) The State Treasurer shall determine and report to
1901 the Department of Finance and Administration and Legislative
1902 Budget Office by September 1 of each year the amount of money
1903 necessary for the payment of the principal of and interest on
1904 outstanding obligations for the following fiscal year and the
1905 times and amounts of the payments. It shall be the duty of the
1906 Governor to include in every executive budget submitted to the
1907 Legislature full information relating to the issuance of bonds and
1908 notes under the provisions of this chapter and the status of the

1909 sinking fund for the payment of the principal of and interest on
1910 the bonds and notes.

1911 (d) Any monies repaid to the state from loans
1912 authorized in Section 57-75-11(hh) shall be deposited into the
1913 Mississippi Major Economic Impact Authority Sinking Fund unless
1914 the State Bond Commission, at the request of the authority, shall
1915 determine that such loan repayments are needed to provide
1916 additional loans as authorized under Section 57-75-11(hh). For
1917 purposes of providing additional loans, there is hereby created
1918 the Mississippi Major Economic Impact Authority Revolving Loan
1919 Fund and loan repayments shall be deposited into the fund. The
1920 fund shall be maintained for such period as determined by the
1921 State Bond Commission for the sole purpose of making additional
1922 loans as authorized by Section 57-75-11(hh). Unexpended amounts
1923 remaining in the fund at the end of a fiscal year shall not lapse
1924 into the State General Fund and any interest earned on amounts in
1925 such fund shall be deposited to the credit of the fund.

1926 (e) Any monies repaid to the state from loans
1927 authorized in Section 57-75-11(ii) shall be deposited into the
1928 Mississippi Major Economic Impact Authority Sinking Fund.

1929 (f) Any monies repaid to the state from loans
1930 authorized in Section 57-75-11(jj) shall be deposited into the
1931 Mississippi Major Economic Impact Authority Sinking Fund.

1932 (18) (a) Upon receipt of a declaration by the authority
1933 that it has determined that the state is a potential site for a
1934 project, the State Bond Commission is authorized and directed to
1935 authorize the State Treasurer to borrow money from any special
1936 fund in the State Treasury not otherwise appropriated to be
1937 utilized by the authority for the purposes provided for in this
1938 subsection.

1939 (b) The proceeds of the money borrowed under this
1940 subsection may be utilized by the authority for the purpose of
1941 defraying all or a portion of the costs incurred by the authority

1942 with respect to acquisition options and planning, design and
1943 environmental impact studies with respect to a project defined in
1944 Section 57-75-5(f)(xi). The authority may escalate its budget and
1945 expend the proceeds of the money borrowed under this subsection in
1946 accordance with rules and regulations of the Department of Finance
1947 and Administration in a manner consistent with the escalation of
1948 federal funds.

1949 (c) The authority shall request an appropriation or
1950 additional authority to issue general obligation bonds to repay
1951 the borrowed funds and establish a date for the repayment of the
1952 funds so borrowed.

1953 (d) Borrowings made under the provisions of this
1954 subsection shall not exceed Five Hundred Thousand Dollars
1955 (\$500,000.00) at any one time.

1956 **SECTION 7.** Sections 3 through 18, Chapter 541, Laws of 2001,
1957 as amended by Chapter 540, Laws of 2002, as amended by Chapter
1958 519, Laws of 2003, as amended by Chapter 1, Laws of 2004 Third
1959 Extraordinary Session, is amended as follows:

1960 Section 3. As used in Sections 3 through 18 of this act, the
1961 following words shall have the meanings ascribed herein unless the
1962 context clearly requires otherwise:

1963 (a) "Accreted value" of any bonds means, as of any date
1964 of computation, an amount equal to the sum of (i) the stated
1965 initial value of such bond, plus (ii) the interest accrued thereon
1966 from the issue date to the date of computation at the rate,
1967 compounded semiannually, that is necessary to produce the
1968 approximate yield to maturity shown for bonds of the same
1969 maturity;

1970 (b) "State" means the State of Mississippi; and

1971 (c) "Commission" means the State Bond Commission.

1972 Section 4. (1) The Mississippi Arts Commission, at one
1973 time, or from time to time, may declare by resolution the
1974 necessity for issuance of general obligation bonds of the State of

1975 Mississippi to provide funds for the grant program authorized in
1976 Section 2 of this act. Upon the adoption of a resolution by the
1977 Mississippi Arts Commission, declaring the necessity for the
1978 issuance of any part or all of the general obligation bonds
1979 authorized by this section, the Mississippi Arts Commission shall
1980 deliver a certified copy of its resolution or resolutions to the
1981 commission. Upon receipt of such resolution, the commission, in
1982 its discretion, may act as the issuing agent, prescribe the form
1983 of the bonds, advertise for and accept bids, issue and sell the
1984 bonds so authorized to be sold and do any and all other things
1985 necessary and advisable in connection with the issuance and sale
1986 of such bonds. The total amount of bonds issued under Sections 3
1987 through 18 of this act shall not exceed Twenty Million Two Hundred
1988 Thousand Dollars (\$20,200,000.00).

1989 (2) The proceeds of bonds issued pursuant to Sections 3
1990 through 18 of this act shall be deposited into the Building Fund
1991 for the Arts created pursuant to Section 2 of this act. Any
1992 investment earnings on bonds issued pursuant to Sections 3 through
1993 18 of this act shall be used to pay debt service on bonds issued
1994 under Sections 3 through 18 of this act, in accordance with the
1995 proceedings authorizing issuance of such bonds.

1996 Section 5. The principal of and interest on the bonds
1997 authorized under Sections 3 through 18 of this act shall be
1998 payable in the manner provided in this section. Such bonds shall
1999 bear such date or dates, be in such denomination or denominations,
2000 bear interest at such rate or rates (not to exceed the limits set
2001 forth in Section 75-17-101, Mississippi Code of 1972), be payable
2002 at such place or places within or without the State of
2003 Mississippi, shall mature absolutely at such time or times not to
2004 exceed twenty-five (25) years from date of issue, be redeemable
2005 before maturity at such time or times and upon such terms, with or
2006 without premium, shall bear such registration privileges, and

2007 shall be substantially in such form, all as shall be determined by
2008 resolution of the commission.

2009 Section 6. The bonds authorized by Sections 3 through 18 of
2010 this act shall be signed by the chairman of the commission, or by
2011 his facsimile signature, and the official seal of the commission
2012 shall be affixed thereto, attested by the secretary of the
2013 commission. The interest coupons, if any, to be attached to such
2014 bonds may be executed by the facsimile signatures of such
2015 officers. Whenever any such bonds shall have been signed by the
2016 officials designated to sign the bonds who were in office at the
2017 time of such signing but who may have ceased to be such officers
2018 before the sale and delivery of such bonds, or who may not have
2019 been in office on the date such bonds may bear, the signatures of
2020 such officers upon such bonds and coupons shall nevertheless be
2021 valid and sufficient for all purposes and have the same effect as
2022 if the person so officially signing such bonds had remained in
2023 office until their delivery to the purchaser, or had been in
2024 office on the date such bonds may bear. However, notwithstanding
2025 anything herein to the contrary, such bonds may be issued as
2026 provided in the Registered Bond Act of the State of Mississippi.

2027 Section 7. All bonds and interest coupons issued under the
2028 provisions of Sections 3 through 18 of this act have all the
2029 qualities and incidents of negotiable instruments under the
2030 provisions of the Uniform Commercial Code, and in exercising the
2031 powers granted by Sections 3 through 18 of this act, the
2032 commission shall not be required to and need not comply with the
2033 provisions of the Uniform Commercial Code.

2034 Section 8. The commission shall act as the issuing agent for
2035 the bonds authorized under Sections 3 through 18 of this act,
2036 prescribe the form of the bonds, advertise for and accept bids,
2037 issue and sell the bonds so authorized to be sold, pay all fees
2038 and costs incurred in such issuance and sale, and do any and all
2039 other things necessary and advisable in connection with the

2040 issuance and sale of such bonds. The commission is authorized and
2041 empowered to pay the costs that are incident to the sale, issuance
2042 and delivery of the bonds authorized under Sections 3 through 18
2043 of this act from the proceeds derived from the sale of such bonds.
2044 The commission shall sell such bonds on sealed bids at public
2045 sale, and for such price as it may determine to be for the best
2046 interest of the State of Mississippi, but no such sale shall be
2047 made at a price less than par plus accrued interest to the date of
2048 delivery of the bonds to the purchaser. All interest accruing on
2049 such bonds so issued shall be payable semiannually or annually;
2050 however, the first interest payment may be for any period of not
2051 more than one (1) year.

2052 Notice of the sale of any such bonds shall be published at
2053 least one time, not less than ten (10) days before the date of
2054 sale, and shall be so published in one or more newspapers
2055 published or having a general circulation in the City of Jackson,
2056 Mississippi, and in one or more other newspapers or financial
2057 journals with a national circulation, to be selected by the
2058 commission.

2059 The commission, when issuing any bonds under the authority of
2060 Sections 3 through 18 of this act, may provide that bonds, at the
2061 option of the State of Mississippi, may be called in for payment
2062 and redemption at the call price named therein and accrued
2063 interest on such date or dates named therein.

2064 Section 9. The bonds issued under the provisions of Sections
2065 3 through 18 of this act are general obligations of the State of
2066 Mississippi, and for the payment thereof the full faith and credit
2067 of the State of Mississippi is irrevocably pledged. If the funds
2068 appropriated by the Legislature are insufficient to pay the
2069 principal of and the interest on such bonds as they become due,
2070 then the deficiency shall be paid by the State Treasurer from any
2071 funds in the State Treasury not otherwise appropriated. All such

2072 bonds shall contain recitals on their faces substantially covering
2073 the provisions of this section.

2074 Section 10. Upon the issuance and sale of bonds under the
2075 provisions of Sections 3 through 18 of this act, the commission
2076 shall transfer the proceeds of any such sale or sales to the
2077 special fund created in Section 2 of this act. Except as
2078 otherwise provided in Section 2 of this act, the proceeds of such
2079 bonds shall be disbursed solely upon the order of the Department
2080 of Finance and Administration under such restrictions, if any, as
2081 may be contained in the resolution providing for the issuance of
2082 the bonds.

2083 Section 11. The bonds authorized under Sections 3 through 18
2084 of this act may be issued without any other proceedings or the
2085 happening of any other conditions or things other than those
2086 proceedings, conditions and things which are specified or required
2087 by Sections 3 through 18 of this act. Any resolution providing
2088 for the issuance of bonds under the provisions of Sections 3
2089 through 18 of this act shall become effective immediately upon its
2090 adoption by the commission, and any such resolution may be adopted
2091 at any regular or special meeting of the commission by a majority
2092 of its members.

2093 Section 12. The bonds authorized under the authority of
2094 Sections 3 through 18 of this act may be validated in the Chancery
2095 Court of the First Judicial District of Hinds County, Mississippi,
2096 in the manner and with the force and effect provided by Chapter
2097 13, Title 31, Mississippi Code of 1972, for the validation of
2098 county, municipal, school district and other bonds. The notice to
2099 taxpayers required by such statutes shall be published in a
2100 newspaper published or having a general circulation in the City of
2101 Jackson, Mississippi.

2102 Section 13. Any holder of bonds issued under the provisions
2103 of Sections 3 through 18 of this act or of any of the interest
2104 coupons pertaining thereto may, either at law or in equity, by

2105 suit, action, mandamus or other proceeding, protect and enforce
2106 any and all rights granted under Sections 3 through 18 of this
2107 act, or under such resolution, and may enforce and compel
2108 performance of all duties required by Sections 3 through 18 of
2109 this act to be performed, in order to provide for the payment of
2110 bonds and interest thereon.

2111 Section 14. All bonds issued under the provisions of
2112 Sections 3 through 18 of this act shall be legal investments for
2113 trustees and other fiduciaries, and for savings banks, trust
2114 companies and insurance companies organized under the laws of the
2115 State of Mississippi, and such bonds shall be legal securities
2116 which may be deposited with and shall be received by all public
2117 officers and bodies of this state and all municipalities and
2118 political subdivisions for the purpose of securing the deposit of
2119 public funds.

2120 Section 15. Bonds issued under the provisions of Sections 3
2121 through 18 of this act and income therefrom shall be exempt from
2122 all taxation in the State of Mississippi.

2123 Section 16. The proceeds of the bonds issued under Sections
2124 3 through 18 of this act shall be used solely for the purposes
2125 therein provided, including the costs incident to the issuance and
2126 sale of such bonds.

2127 Section 17. The State Treasurer is authorized, without
2128 further process of law, to certify to the Department of Finance
2129 and Administration the necessity for warrants, and the Department
2130 of Finance and Administration is authorized and directed to issue
2131 such warrants, in such amounts as may be necessary to pay when due
2132 the principal of, premium, if any, and interest on, or the
2133 accreted value of, all bonds issued under Sections 3 through 18 of
2134 this act; and the State Treasurer shall forward the necessary
2135 amount to the designated place or places of payment of such bonds
2136 in ample time to discharge such bonds, or the interest thereon, on
2137 the due dates thereof.

2138 Section 18. Sections 3 through 18 of this act shall be
2139 deemed to be full and complete authority for the exercise of the
2140 powers therein granted, but Sections 3 through 18 of this act
2141 shall not be deemed to repeal or to be in derogation of any
2142 existing law of this state.

2143 **SECTION 8.** Section 39-11-13, Mississippi Code of 1972, is
2144 amended as follows:

2145 39-11-13. (1) (a) A special fund, to be designated as the
2146 "Building Fund for the Arts" is created within the State Treasury.
2147 The fund shall be maintained by the State Treasurer as a separate
2148 and special fund, separate and apart from the General Fund of the
2149 state. The fund shall consist of any money designated for deposit
2150 therein from any source, including, but not limited to, any state
2151 general obligation bonds issued for the purposes described in this
2152 section. Unexpended amounts remaining in the fund at the end of a
2153 fiscal year shall not lapse into the State General Fund, and
2154 investment earnings on amounts in the fund shall be deposited into
2155 such fund.

2156 (b) Money deposited into the fund shall be disbursed,
2157 in the discretion of the Mississippi Arts Commission, to provide
2158 grants to nonprofit organizations that are qualified as tax exempt
2159 under Section 501(c)(3) of the Internal Revenue Code and units of
2160 local government to pay the costs of:

2161 (i) Repair, upgrading, expansion, renovation or
2162 enhancement of existing buildings and facilities for the
2163 presentation, teaching or exhibition of the arts in any and all of
2164 its forms and furniture, equipment and/or technology for such
2165 buildings or facilities;

2166 (ii) Construction of new buildings and facilities
2167 for the presentation, teaching or exhibition of the arts in any
2168 and all of its forms and furniture, equipment and/or technology
2169 for such buildings or facilities; or

2170 (iii) The development, construction, equipping and
2171 furnishing of an entertainment and film center and museum and
2172 completion of a sound stage project.

2173 (c) The entity to which such grants are made shall
2174 provide matching funds from local, federal or private sources
2175 equal to forty percent (40%) of the proposed project cost in order
2176 to be eligible for a grant under this section.

2177 (d) The maximum aggregate amount of monies in the
2178 special fund that may be used to provide grant funds to an entity
2179 or combination of entities under paragraph (b)(iii) of this
2180 subsection shall not exceed One Million Dollars (\$1,000,000.00),
2181 and no monies in the special fund may be used to provide grant
2182 funds under paragraph (b)(iii) of this subsection after July 1,
2183 2003. The maximum aggregate amount of grant funds that may be
2184 provided to an entity or combination of entities under paragraph
2185 (b)(iii) of this subsection during a fiscal year shall not exceed
2186 Five Hundred Thousand Dollars (\$500,000.00).

2187 (2) (a) Amounts deposited into such special fund shall be
2188 disbursed to pay the costs of projects described in subsection (1)
2189 of this section. If any monies in the special fund are derived
2190 from proceeds of bonds issued under Sections 3 through 18 of
2191 Chapter 541, Laws of 2001, as amended by Chapter 540, Laws of
2192 2002, as amended by Chapter 519, Laws of 2003, as amended by
2193 Chapter 1, Laws of 2004 Third Extraordinary Session, as amended by
2194 House Bill No. 1634, 2006 Regular Session, and are not used within
2195 four (4) years after the date such bond proceeds are deposited
2196 into the special fund, then the Mississippi Arts Commission shall
2197 provide an accounting of such unused monies to the State Bond
2198 Commission.

2199 (b) Monies in the special fund which are derived from
2200 proceeds of bonds issued after April 9, 2002, may be used to
2201 reimburse reasonable actual and necessary costs incurred by the
2202 Mississippi Arts Commission in providing assistance directly

2203 related to a project described in subsection (1) of this section
2204 for which grant funds are provided under this section from the use
2205 of proceeds of such bonds. Reimbursement may be made only until
2206 such time as the project is completed. An accounting of actual
2207 costs incurred for which reimbursement is sought shall be
2208 maintained for each project by the Mississippi Arts Commission.
2209 Reimbursement of reasonable actual and necessary costs for a
2210 project shall not exceed three percent (3%) of the proceeds of
2211 bonds issued for such project. Monies authorized for a particular
2212 project may not be used to reimburse administrative costs for
2213 unrelated projects. This paragraph (b) shall be repealed from and
2214 after July 1, 2007.

2215 (3) The Mississippi Arts Commission is expressly authorized
2216 and empowered to receive and expend any local or other source
2217 funds in connection with the expenditure of funds provided for in
2218 this section. The expenditure of money deposited into the special
2219 fund shall be under the direction of the Mississippi Arts
2220 Commission, and such funds shall be paid by the State Treasurer
2221 upon warrants issued by the Department of Finance and
2222 Administration upon request of the Mississippi Arts Commission,
2223 which warrants shall be issued upon requisitions signed by the
2224 Executive Director of the Mississippi Arts Commission or his or
2225 her designee.

2226 (4) The Mississippi Arts Commission shall adopt necessary
2227 rules and regulations to govern the administration of the program
2228 described in subsection (1) of this section, including, but not
2229 limited to, rules and regulations governing applications for
2230 grants and rules and regulations providing for the distribution of
2231 grant funds. The Mississippi Arts Commission shall comply with
2232 the provisions of the Mississippi Administrative Procedures Law.

2233 **SECTION 9.** Sections 210 through 226, Chapter 1, Laws of 2004
2234 Third Extraordinary Session, as amended by Chapter 458, Laws of
2235 2005, are amended as follows:

2236 Section 210. As used in Sections 210 through 226 of this
2237 act, the following words shall have the meanings ascribed herein
2238 unless the context clearly requires otherwise:

2239 (a) "Accreted value" of any bonds means, as of any date
2240 of computation, an amount equal to the sum of (i) the stated
2241 initial value of such bond, plus (ii) the interest accrued thereon
2242 from the issue date to the date of computation at the rate,
2243 compounded semiannually, that is necessary to produce the
2244 approximate yield to maturity shown for bonds of the same
2245 maturity;

2246 (b) "State" means the State of Mississippi; and

2247 (c) "Commission" means the State Bond Commission.

2248 Section 211. (1) (a) A special fund, to be designated as
2249 the "Mississippi Museum of Art Fund," is created within the State
2250 Treasury. The fund shall be maintained by the State Treasurer as
2251 a separate and special fund, separate and apart from the General
2252 Fund of the state. Unexpended amounts remaining in the fund at
2253 the end of a fiscal year shall not lapse into the State General
2254 Fund, and any interest earned or investment earnings on amounts in
2255 the fund shall be deposited into such fund.

2256 (b) Monies deposited into the fund shall be disbursed,
2257 in the discretion of the Department of Finance and Administration,
2258 for the purpose of providing funds to the Mississippi Museum of
2259 Art to pay the costs of acquisition of land, planning, design and
2260 site preparation for a facility for the Mississippi Museum of Art
2261 in Jackson, Mississippi, and/or construction, repair and
2262 renovation, upgrading, furnishing, equipping, expansion or
2263 enhancement of buildings or facilities for the Mississippi Museum
2264 of Art in Jackson, Mississippi.

2265 (2) Amounts deposited into such special fund shall be
2266 disbursed to pay the costs of the projects described in subsection
2267 (1) of this section. Promptly after the commission has certified,
2268 by resolution duly adopted, that the projects described in

2269 subsection (1) of this section shall have been completed,
2270 abandoned, or cannot be completed in a timely fashion, any amounts
2271 remaining in such special fund shall be applied to pay debt
2272 service on the bonds issued under Sections 210 through 226 of this
2273 act, in accordance with the proceedings authorizing the issuance
2274 of such bonds and as directed by the commission.

2275 (3) The Department of Finance and Administration is
2276 expressly authorized and empowered to receive and expend any local
2277 or other source funds in connection with the expenditure of funds
2278 provided for in this section. The expenditure of monies deposited
2279 into the special fund shall be under the direction of the
2280 Department of Finance and Administration, and such funds shall be
2281 paid by the State Treasurer upon warrants issued by the Department
2282 of Finance and Administration.

2283 Section 212. (1) The Department of Finance and
2284 Administration, at one time, or from time to time, may declare by
2285 resolution the necessity for issuance of general obligation bonds
2286 of the State of Mississippi to provide funds for all costs
2287 incurred or to be incurred for the purposes described in Section
2288 211 of this act. Upon the adoption of a resolution by the
2289 Department of Finance and Administration, declaring the necessity
2290 for the issuance of any part or all of the general obligation
2291 bonds authorized by this section, the Department of Finance and
2292 Administration shall deliver a certified copy of its resolution or
2293 resolutions to the commission. Upon receipt of such resolution,
2294 the commission, in its discretion, may act as the issuing agent,
2295 prescribe the form of the bonds, advertise for and accept bids,
2296 issue and sell the bonds so authorized to be sold and do any and
2297 all other things necessary and advisable in connection with the
2298 issuance and sale of such bonds. The total amount of bonds issued
2299 under Sections 210 through 226 of this act shall not exceed Two
2300 Million Five Hundred Thousand Dollars (\$2,500,000.00).

2301 (2) The proceeds of bonds issued pursuant to Sections 210
2302 through 226 of this act shall be deposited into the special fund
2303 created pursuant to Section 211 of this act. Any investment
2304 earnings on bonds issued pursuant to Sections 210 through 226 of
2305 this act shall be used to pay debt service on bonds issued under
2306 Sections 210 through 226 of this act, in accordance with the
2307 proceedings authorizing issuance of such bonds.

2308 Section 213. The principal of and interest on the bonds
2309 authorized under Sections 210 through 226 of this act shall be
2310 payable in the manner provided in this section. Such bonds shall
2311 bear such date or dates, be in such denomination or denominations,
2312 bear interest at such rate or rates (not to exceed the limits set
2313 forth in Section 75-17-101, Mississippi Code of 1972), be payable
2314 at such place or places within or without the State of
2315 Mississippi, shall mature absolutely at such time or times not to
2316 exceed twenty-five (25) years from date of issue, be redeemable
2317 before maturity at such time or times and upon such terms, with or
2318 without premium, shall bear such registration privileges, and
2319 shall be substantially in such form, all as shall be determined by
2320 resolution of the commission.

2321 Section 214. The bonds authorized by Sections 210 through
2322 226 of this act shall be signed by the chairman of the commission,
2323 or by his facsimile signature, and the official seal of the
2324 commission shall be affixed thereto, attested by the secretary of
2325 the commission. The interest coupons, if any, to be attached to
2326 such bonds may be executed by the facsimile signatures of such
2327 officers. Whenever any such bonds shall have been signed by the
2328 officials designated to sign the bonds who were in office at the
2329 time of such signing but who may have ceased to be such officers
2330 before the sale and delivery of such bonds, or who may not have
2331 been in office on the date such bonds may bear, the signatures of
2332 such officers upon such bonds and coupons shall nevertheless be
2333 valid and sufficient for all purposes and have the same effect as

2334 if the person so officially signing such bonds had remained in
2335 office until their delivery to the purchaser, or had been in
2336 office on the date such bonds may bear. However, notwithstanding
2337 anything herein to the contrary, such bonds may be issued as
2338 provided in the Registered Bond Act of the State of Mississippi.

2339 Section 215. All bonds and interest coupons issued under the
2340 provisions of Sections 210 through 226 of this act have all the
2341 qualities and incidents of negotiable instruments under the
2342 provisions of the Uniform Commercial Code, and in exercising the
2343 powers granted by Sections 210 through 226 of this act, the
2344 commission shall not be required to and need not comply with the
2345 provisions of the Uniform Commercial Code.

2346 Section 216. The commission shall act as the issuing agent
2347 for the bonds authorized under Sections 210 through 226 of this
2348 act, prescribe the form of the bonds, advertise for and accept
2349 bids, issue and sell the bonds so authorized to be sold, pay all
2350 fees and costs incurred in such issuance and sale, and do any and
2351 all other things necessary and advisable in connection with the
2352 issuance and sale of such bonds. The commission is authorized and
2353 empowered to pay the costs that are incident to the sale, issuance
2354 and delivery of the bonds authorized under Sections 210 through
2355 226 of this act from the proceeds derived from the sale of such
2356 bonds. The commission shall sell such bonds on sealed bids at
2357 public sale, and for such price as it may determine to be for the
2358 best interest of the State of Mississippi, but no such sale shall
2359 be made at a price less than par plus accrued interest to the date
2360 of delivery of the bonds to the purchaser. All interest accruing
2361 on such bonds so issued shall be payable semiannually or annually;
2362 however, the first interest payment may be for any period of not
2363 more than one (1) year.

2364 Notice of the sale of any such bonds shall be published at
2365 least one (1) time, not less than ten (10) days before the date of
2366 sale, and shall be so published in one or more newspapers

2367 published or having a general circulation in the City of Jackson,
2368 Mississippi, and in one or more other newspapers or financial
2369 journals with a national circulation, to be selected by the
2370 commission.

2371 The commission, when issuing any bonds under the authority of
2372 Sections 210 through 226 of this act, may provide that bonds, at
2373 the option of the State of Mississippi, may be called in for
2374 payment and redemption at the call price named therein and accrued
2375 interest on such date or dates named therein.

2376 Section 217. The bonds issued under the provisions of
2377 Sections 210 through 226 of this act are general obligations of
2378 the State of Mississippi, and for the payment thereof the full
2379 faith and credit of the State of Mississippi is irrevocably
2380 pledged. If the funds appropriated by the Legislature are
2381 insufficient to pay the principal of and the interest on such
2382 bonds as they become due, then the deficiency shall be paid by the
2383 State Treasurer from any funds in the State Treasury not otherwise
2384 appropriated. All such bonds shall contain recitals on their
2385 faces substantially covering the provisions of this section.

2386 Section 218. Upon the issuance and sale of bonds under the
2387 provisions of Sections 210 through 226 of this act, the commission
2388 shall transfer the proceeds of any such sale or sales to the
2389 special fund created in Section 211 of this act. The proceeds of
2390 such bonds shall be disbursed solely upon the order of the
2391 Department of Finance and Administration under such restrictions,
2392 if any, as may be contained in the resolution providing for the
2393 issuance of the bonds.

2394 Section 219. The bonds authorized under Sections 210 through
2395 226 of this act may be issued without any other proceedings or the
2396 happening of any other conditions or things other than those
2397 proceedings, conditions and things which are specified or required
2398 by Sections 210 through 226 of this act. Any resolution providing
2399 for the issuance of bonds under the provisions of Sections 210

2400 through 226 of this act shall become effective immediately upon
2401 its adoption by the commission, and any such resolution may be
2402 adopted at any regular or special meeting of the commission by a
2403 majority of its members.

2404 Section 220. The bonds authorized under the authority of
2405 Sections 210 through 226 of this act may be validated in the
2406 Chancery Court of the First Judicial District of Hinds County,
2407 Mississippi, in the manner and with the force and effect provided
2408 by Chapter 13, Title 31, Mississippi Code of 1972, for the
2409 validation of county, municipal, school district and other bonds.
2410 The notice to taxpayers required by such statutes shall be
2411 published in a newspaper published or having a general circulation
2412 in the City of Jackson, Mississippi.

2413 Section 221. Any holder of bonds issued under the provisions
2414 of Sections 210 through 226 of this act or of any of the interest
2415 coupons pertaining thereto may, either at law or in equity, by
2416 suit, action, mandamus or other proceeding, protect and enforce
2417 any and all rights granted under Sections 210 through 226 of this
2418 act, or under such resolution, and may enforce and compel
2419 performance of all duties required by Sections 210 through 226 of
2420 this act to be performed, in order to provide for the payment of
2421 bonds and interest thereon.

2422 Section 222. All bonds issued under the provisions of
2423 Sections 210 through 226 of this act shall be legal investments
2424 for trustees and other fiduciaries, and for savings banks, trust
2425 companies and insurance companies organized under the laws of the
2426 State of Mississippi, and such bonds shall be legal securities
2427 which may be deposited with and shall be received by all public
2428 officers and bodies of this state and all municipalities and
2429 political subdivisions for the purpose of securing the deposit of
2430 public funds.

2431 Section 223. Bonds issued under the provisions of Sections
2432 210 through 226 of this act and income therefrom shall be exempt
2433 from all taxation in the State of Mississippi.

2434 Section 224. The proceeds of the bonds issued under Sections
2435 210 through 226 of this act shall be used solely for the purposes
2436 therein provided, including the costs incident to the issuance and
2437 sale of such bonds.

2438 Section 225. The State Treasurer is authorized, without
2439 further process of law, to certify to the Department of Finance
2440 and Administration the necessity for warrants, and the Department
2441 of Finance and Administration is authorized and directed to issue
2442 such warrants, in such amounts as may be necessary to pay when due
2443 the principal of, premium, if any, and interest on, or the
2444 accreted value of, all bonds issued under Sections 210 through 226
2445 of this act; and the State Treasurer shall forward the necessary
2446 amount to the designated place or places of payment of such bonds
2447 in ample time to discharge such bonds, or the interest thereon, on
2448 the due dates thereof.

2449 Section 226. Sections 210 through 226 of this act shall be
2450 deemed to be full and complete authority for the exercise of the
2451 powers therein granted, but Sections 210 through 226 of this act
2452 shall not be deemed to repeal or to be in derogation of any
2453 existing law of this state.

2454 **SECTION 10.** (1) As used in this section, the following
2455 words shall have the meanings ascribed herein unless the context
2456 clearly requires otherwise:

2457 (a) "Accreted value" of any bond means, as of any date
2458 of computation, an amount equal to the sum of (i) the stated
2459 initial value of such bond, plus (ii) the interest accrued thereon
2460 from the issue date to the date of computation at the rate,
2461 compounded semiannually, that is necessary to produce the
2462 approximate yield to maturity shown for bonds of the same
2463 maturity.

2464 (b) "State" means the State of Mississippi.

2465 (c) "Commission" means the State Bond Commission.

2466 (2) (a) (i) A special fund, to be designated as the "2006
2467 New State Records Center Improvements Fund," is created within the
2468 State Treasury. The fund shall be maintained by the State
2469 Treasurer as a separate and special fund, separate and apart from
2470 the General Fund of the state. Unexpended amounts remaining in
2471 the fund at the end of a fiscal year shall not lapse into the
2472 State General Fund, and any interest earned or investment earnings
2473 on amounts in the fund shall be deposited into such fund.

2474 (ii) Monies deposited into the fund shall be
2475 disbursed, in the discretion of the Department of Finance and
2476 Administration, to pay the costs of repair, renovation, furnishing
2477 and equipping of a building and facilities for a new State Records
2478 Center at the old Farmers' Market location in Jackson,
2479 Mississippi, and expenses related to moving records to the new
2480 center.

2481 (b) Amounts deposited into such special fund shall be
2482 disbursed to pay the costs of the project(s) described in
2483 paragraph (a) of this subsection. Promptly after the commission
2484 has certified, by resolution duly adopted, that the project(s)
2485 described in paragraph (a) of this subsection shall have been
2486 completed, abandoned, or cannot be completed in a timely fashion,
2487 any amounts remaining in such special fund shall be applied to pay
2488 debt service on the bonds issued under this section, in accordance
2489 with the proceedings authorizing the issuance of such bonds and as
2490 directed by the commission.

2491 (c) The Department of Finance and Administration,
2492 acting through the Bureau of Building, Grounds and Real Property
2493 Management, is expressly authorized and empowered to receive and
2494 expend any local or other source funds in connection with the
2495 expenditure of funds provided for in this subsection. The
2496 expenditure of monies deposited into the special fund shall be

2497 under the direction of the Department of Finance and
2498 Administration, and such funds shall be paid by the State
2499 Treasurer upon warrants issued by such department, which warrants
2500 shall be issued upon requisitions signed by the Executive Director
2501 of the Department of Finance and Administration, or his designee.

2502 (3) (a) The commission, at one time, or from time to time,
2503 may declare by resolution the necessity for issuance of general
2504 obligation bonds of the State of Mississippi to provide funds for
2505 all costs incurred or to be incurred for the purposes described in
2506 this section. Upon the adoption of a resolution by the Department
2507 of Finance and Administration, declaring the necessity for the
2508 issuance of any part or all of the general obligation bonds
2509 authorized by this section, the Department of Finance and
2510 Administration shall deliver a certified copy of its resolution or
2511 resolutions to the commission. Upon receipt of such resolution,
2512 the commission, in its discretion, may act as the issuing agent,
2513 prescribe the form of the bonds, advertise for and accept bids,
2514 issue and sell the bonds so authorized to be sold and do any and
2515 all other things necessary and advisable in connection with the
2516 issuance and sale of such bonds. The total amount of bonds issued
2517 under this section shall not exceed One Million Seven Hundred
2518 Thirty-six Thousand Dollars (\$1,736,000.00). No bonds shall be
2519 issued under this section after July 1, 2010.

2520 (b) Any investment earnings on amounts deposited into
2521 the special fund created in subsection (2) of this section shall
2522 be used to pay debt service on bonds issued under this section, in
2523 accordance with the proceedings authorizing issuance of such
2524 bonds.

2525 (4) The principal of and interest on the bonds authorized
2526 under this section shall be payable in the manner provided in this
2527 subsection. Such bonds shall bear such date or dates, be in such
2528 denomination or denominations, bear interest at such rate or rates
2529 (not to exceed the limits set forth in Section 75-17-101,

2530 Mississippi Code of 1972), be payable at such place or places
2531 within or without the State of Mississippi, shall mature
2532 absolutely at such time or times not to exceed twenty-five (25)
2533 years from date of issue, be redeemable before maturity at such
2534 time or times and upon such terms, with or without premium, shall
2535 bear such registration privileges, and shall be substantially in
2536 such form, all as shall be determined by resolution of the
2537 commission.

2538 (5) The bonds authorized by this section shall be signed by
2539 the chairman of the commission, or by his facsimile signature, and
2540 the official seal of the commission shall be affixed thereto,
2541 attested by the secretary of the commission. The interest
2542 coupons, if any, to be attached to such bonds may be executed by
2543 the facsimile signatures of such officers. Whenever any such
2544 bonds shall have been signed by the officials designated to sign
2545 the bonds who were in office at the time of such signing but who
2546 may have ceased to be such officers before the sale and delivery
2547 of such bonds, or who may not have been in office on the date such
2548 bonds may bear, the signatures of such officers upon such bonds
2549 and coupons shall nevertheless be valid and sufficient for all
2550 purposes and have the same effect as if the person so officially
2551 signing such bonds had remained in office until their delivery to
2552 the purchaser, or had been in office on the date such bonds may
2553 bear. However, notwithstanding anything herein to the contrary,
2554 such bonds may be issued as provided in the Registered Bond Act of
2555 the State of Mississippi.

2556 (6) All bonds and interest coupons issued under the
2557 provisions of this section have all the qualities and incidents of
2558 negotiable instruments under the provisions of the Uniform
2559 Commercial Code, and in exercising the powers granted by this
2560 section, the commission shall not be required to and need not
2561 comply with the provisions of the Uniform Commercial Code.

2562 (7) The commission shall act as the issuing agent for the
2563 bonds authorized under this section, prescribe the form of the
2564 bonds, advertise for and accept bids, issue and sell the bonds so
2565 authorized to be sold, pay all fees and costs incurred in such
2566 issuance and sale, and do any and all other things necessary and
2567 advisable in connection with the issuance and sale of such bonds.
2568 The commission is authorized and empowered to pay the costs that
2569 are incident to the sale, issuance and delivery of the bonds
2570 authorized under this section from the proceeds derived from the
2571 sale of such bonds. The commission shall sell such bonds on
2572 sealed bids at public sale, and for such price as it may determine
2573 to be for the best interest of the State of Mississippi, but no
2574 such sale shall be made at a price less than par plus accrued
2575 interest to the date of delivery of the bonds to the purchaser.
2576 All interest accruing on such bonds so issued shall be payable
2577 semiannually or annually; however, the first interest payment may
2578 be for any period of not more than one (1) year.

2579 Notice of the sale of any such bonds shall be published at
2580 least one time, not less than ten (10) days before the date of
2581 sale, and shall be so published in one or more newspapers
2582 published or having a general circulation in the City of Jackson,
2583 Mississippi, and in one or more other newspapers or financial
2584 journals with a national circulation, to be selected by the
2585 commission.

2586 The commission, when issuing any bonds under the authority of
2587 this section, may provide that bonds, at the option of the State
2588 of Mississippi, may be called in for payment and redemption at the
2589 call price named therein and accrued interest on such date or
2590 dates named therein.

2591 (8) The bonds issued under the provisions of this section
2592 are general obligations of the State of Mississippi, and for the
2593 payment thereof the full faith and credit of the State of
2594 Mississippi is irrevocably pledged. If the funds appropriated by

2595 the Legislature are insufficient to pay the principal of and the
2596 interest on such bonds as they become due, then the deficiency
2597 shall be paid by the State Treasurer from any funds in the State
2598 Treasury not otherwise appropriated. All such bonds shall contain
2599 recitals on their faces substantially covering the provisions of
2600 this subsection.

2601 (9) Upon the issuance and sale of bonds under the provisions
2602 of this section, the commission shall transfer the proceeds of any
2603 such sale or sales to the special fund created in subsection (2)
2604 of this section. The proceeds of such bonds shall be disbursed
2605 solely upon the order of the Department of Finance and
2606 Administration under such restrictions, if any, as may be
2607 contained in the resolution providing for the issuance of the
2608 bonds.

2609 (10) The bonds authorized under this section may be issued
2610 without any other proceedings or the happening of any other
2611 conditions or things other than those proceedings, conditions and
2612 things which are specified or required by this section. Any
2613 resolution providing for the issuance of bonds under the
2614 provisions of this section shall become effective immediately upon
2615 its adoption by the commission, and any such resolution may be
2616 adopted at any regular or special meeting of the commission by a
2617 majority of its members.

2618 (11) The bonds authorized under the authority of this
2619 section may be validated in the Chancery Court of the First
2620 Judicial District of Hinds County, Mississippi, in the manner and
2621 with the force and effect provided by Chapter 13, Title 31,
2622 Mississippi Code of 1972, for the validation of county, municipal,
2623 school district and other bonds. The notice to taxpayers required
2624 by such statutes shall be published in a newspaper published or
2625 having a general circulation in the City of Jackson, Mississippi.

2626 (12) Any holder of bonds issued under the provisions of this
2627 section or of any of the interest coupons pertaining thereto may,

2628 either at law or in equity, by suit, action, mandamus or other
2629 proceeding, protect and enforce any and all rights granted under
2630 this section, or under such resolution, and may enforce and compel
2631 performance of all duties required by this section to be
2632 performed, in order to provide for the payment of bonds and
2633 interest thereon.

2634 (13) All bonds issued under the provisions of this section
2635 shall be legal investments for trustees and other fiduciaries, and
2636 for savings banks, trust companies and insurance companies
2637 organized under the laws of the State of Mississippi, and such
2638 bonds shall be legal securities which may be deposited with and
2639 shall be received by all public officers and bodies of this state
2640 and all municipalities and political subdivisions for the purpose
2641 of securing the deposit of public funds.

2642 (14) Bonds issued under the provisions of this section and
2643 income therefrom shall be exempt from all taxation in the State of
2644 Mississippi.

2645 (15) The proceeds of the bonds issued under this section
2646 shall be used solely for the purposes herein provided, including
2647 the costs incident to the issuance and sale of such bonds.

2648 (16) The State Treasurer is authorized, without further
2649 process of law, to certify to the Department of Finance and
2650 Administration the necessity for warrants, and the Department of
2651 Finance and Administration is authorized and directed to issue
2652 such warrants, in such amounts as may be necessary to pay when due
2653 the principal of, premium, if any, and interest on, or the
2654 accreted value of, all bonds issued under this section; and the
2655 State Treasurer shall forward the necessary amount to the
2656 designated place or places of payment of such bonds in ample time
2657 to discharge such bonds, or the interest thereon, on the due dates
2658 thereof.

2659 (17) This section shall be deemed to be full and complete
2660 authority for the exercise of the powers herein granted, but this

2661 section shall not be deemed to repeal or to be in derogation of
2662 any existing law of this state.

2663 **SECTION 11.** This act shall take effect and be in force from
2664 and after July 1, 2006.