

By: Senator(s) Jackson (32nd), Albritton, Brown, Browning, Butler, Chaney, Dearing, Doxey, Gollott, Jackson (11th), Morgan, Posey, Thames, Tollison, White, Burton, Carmichael, Horhn, Mettetal

To: Public Property

SENATE BILL NO. 2432  
(As Passed the Senate)

1 AN ACT TO AMEND SECTIONS 29-5-2, 29-5-81 AND 29-17-1,  
2 MISSISSIPPI CODE OF 1972, TO ADD THE BUILDING LOCATED AT 515 EAST  
3 AMITE STREET IN JACKSON, MISSISSIPPI, AND THE OLD FARMER'S MARKET  
4 PROPERTY IN JACKSON, MISSISSIPPI, TO THE CAPITOL COMPLEX AND  
5 AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ENFORCE  
6 LAWS ON SAID PROPERTY; TO AMEND SECTION 7, CHAPTER 504, LAWS OF  
7 2005, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION,  
8 IN ITS DISCRETION, TO LEASE THE PROPERTY AT THE OLD FARMER'S  
9 MARKET; TO CODIFY SECTION 3-3-15.1, MISSISSIPPI CODE OF 1972, TO  
10 DIRECT THE BUREAU OF CAPITOL FACILITIES TO DISPLAY THE POW/MIA  
11 FLAG AT THE NEW CAPITOL BUILDING ON CERTAIN DAYS RELATING TO THE  
12 RECOGNITION OF VETERANS; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Section 29-5-2, Mississippi Code of 1972, is  
15 amended as follows:

16 29-5-2. The duties of the Department of Finance and  
17 Administration shall be as follows:

18 (a) (i) To exercise general supervision and care over  
19 and keep in good condition the following state property located in  
20 the City of Jackson: the New State Capitol Building, the Woolfolk  
21 State Office Building, the Carroll Gartin Justice Building, the  
22 Walter Sillers Office Building, the War Veterans' Memorial  
23 Building, the Charlotte Capers Building, the William F. Winter  
24 Archives and History Building, the Ike Sanford Veterans Affairs  
25 Building, the Old State Capitol Building, the Governor's Mansion,  
26 the Heber Ladner Building, the Burroughs Building, the Robert E.  
27 Lee Office Building, the Robert E. Lee Parking Garage, the Manship  
28 House Restoration and Visitor Center, the State Records Center,  
29 the Robert G. Clark, Jr. Building, and all other properties  
30 acquired in the same transaction at the time of the purchase of  
31 the Robert E. Lee Hotel property from the First Federal Savings  
32 and Loan Association of Jackson, Mississippi, which properties are

33 more particularly described in a warranty deed heretofore executed  
34 and delivered on April 22, 1969, and filed for record in the  
35 Office of the Chancery Clerk of the First Judicial District of  
36 Hinds County, Mississippi, located in Jackson, Mississippi, on  
37 April 25, 1969, at 9:00 a.m., and recorded in Deed Book No. 1822,  
38 Page 136 et seq., \* \* \* the Central High Building, the 101 Capitol  
39 Centre, the state building located at 515 East Amite Street,  
40 Jackson, Mississippi, and the old Farmer's Market located at the  
41 corner of Woodrow Wilson Drive and West Street, Jackson,  
42 Mississippi.

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

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

50 (b) To assign suitable office space for the various  
51 state departments, officers and employees who are provided with an  
52 office in any of the buildings under the jurisdiction or control  
53 of the Department of Finance and Administration. However, the  
54 assignment of space in the New Capitol Building shall be  
55 designated by duly passed resolution of the combined Senate Rules  
56 Committee and the House Management Committee, meeting as a joint  
57 committee, approved by the Lieutenant Governor and Speaker of the  
58 House of Representatives. A majority vote of the members of the  
59 Senate Rules Committee and a majority vote of the members of the  
60 House Management Committee shall be required on all actions taken,  
61 resolutions or reports adopted, and all other matters considered  
62 by the full combined committee on occasions when the Senate Rules  
63 Committee and the House Management Committee shall meet as a full  
64 combined committee.

65           (c) To approve or disapprove with the concurrence of  
66 the Public Procurement Review Board, any lease or rental  
67 agreements by any state agency or department, including any state  
68 agency financed entirely by federal and special funds, for space  
69 outside the buildings under the jurisdiction of the Department of  
70 Finance and Administration, including space necessary for parking  
71 to be used by state employees who work in the Woolfolk Building,  
72 the Carroll Gartin Justice Building or the Walter Sillers Office  
73 Building. In no event shall any employee, officer, department,  
74 federally funded agency or bureau of the state be authorized to  
75 enter a lease or rental agreement without prior approval of the  
76 Department of Finance and Administration and the Public  
77 Procurement Review Board.

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

82           The provisions of this paragraph (c) shall stand repealed on  
83 July 1, 2006.

84           (d) To acquire by lease, lease-purchase agreement, or  
85 otherwise, as provided in Section 27-104-107, and to assign  
86 through the Office of General Services, by lease or sublease  
87 agreement from the office, and with the concurrence of the Public  
88 Procurement Review Board, to any state agency or department,  
89 including any state agency financed entirely by federal and  
90 special funds, appropriate office space in the buildings acquired.

91           **SECTION 2.** Section 29-5-81, Mississippi Code of 1972, is  
92 amended as follows:

93           29-5-81. Grounds of public buildings over which the  
94 Department of Finance and Administration has jurisdiction shall  
95 comprise the following:

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

97           New State Capitol: Bounded on the north by High Street, on  
98 the west by North West Street, on the south by Mississippi Street,  
99 and on the east by North President Street;

100           Governor's Mansion: Bounded on the north by Amite Street, on  
101 the west by North West Street, on the south by Capitol Street and  
102 on the east by North Congress Street;

103           Woolfolk State Office Building: Bounded on the north by High  
104 Street, on the west by Lamar Street, on the south by Hamilton  
105 Street and on the east by North West Street;

106           Old State Capitol and War Veterans' Memorial Building  
107 Complex: Bounded on the north by Amite Street, on the west by  
108 North State Street and South State Street, on the south by Pearl  
109 Street and on the east by property of the Gulf, Mobile and Ohio  
110 Railroad Company;

111           Carroll Gartin Justice Building and Walter Sillers Office  
112 Building Complex: Bounded on the north by George Street, on the  
113 west by North West Street, on the south by High Street and on the  
114 east by North President Street;

115           Heber Ladner Building: Bounded on the north by Mississippi  
116 Street, on the west by North Congress Street, on the south by the  
117 property of Galloway Methodist Church used as a parking lot and on  
118 the east by the property on which the Mississippi Farm Bureau  
119 Federation Building stands;

120           State Board of Health Building: Bounded on the north by  
121 Stadium Drive, on the west by the property of Mississippi Hospital  
122 and Medical Service, on the southwest by property on which is  
123 located a Standard Oil service station, on the southeast by  
124 property leased by the Mississippi Federation of Women's Clubs and  
125 on the east by North State Street;

126           Robert E. Lee Building and other properties acquired in the  
127 same transaction: Particularly described in warranty deed  
128 executed and delivered on April 22, 1969, and filed for record in  
129 the Office of the Chancery Clerk of the First Judicial District of

130 Hinds County, Mississippi, located in Jackson, Mississippi, on  
131 April 25, 1969, at 9:00 a.m., and recorded in Deed Book No. 1822,  
132 page 136 et seq.;

133 Charlotte Capers Building: Bounded on the north by the Old  
134 Capitol Building, on the west by South State Street, on the south  
135 by Pearl Street, and on the east by the Illinois Central Railroad  
136 tracks;

137 William F. Winter Archives and History Building: Bounded on  
138 the north by Mississippi Street, on the west by North Street, on  
139 the south by Amite Street, and on the east by Jefferson Street;

140 Mayfair Building: Bounded on the north by George Street, on  
141 the west by Northwest Street, on the south by Walter Sillers  
142 Office Building complex, and on the east by North President  
143 Street;

144 Court of Appeals Building: Bounded on the west by North  
145 State Street, on the north by George Street, on the east by North  
146 Street, and on the south by the building designated as 654 North  
147 State Street, including the parking area east of and adjacent to  
148 the 654 North State Street Building;

149 Central High Building;

150 101 Capitol Centre: Located at 101 West Capitol Street,  
151 Jackson, Mississippi;

152 Robert G. Clark, Jr. Building: Located at 301 North Lamar  
153 Street, Jackson, Mississippi;

154 The state building located at 515 East Amite Street, Jackson,  
155 Mississippi;

156 The old Farmer's Market located at the corner of Woodrow  
157 Wilson Drive and West Street, Jackson, Mississippi.

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

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

163           **SECTION 3.** Section 29-17-1, Mississippi Code of 1972, is  
164 amended as follows:

165           29-17-1. As used in this chapter, the following words shall  
166 have the meanings ascribed herein unless the context clearly  
167 requires otherwise:

168           (a) "Public facility" shall mean any building or other  
169 facility owned by the State of Mississippi, or by any agency,  
170 department or political subdivision of the State of Mississippi,  
171 which is occupied, used or under the control of the State of  
172 Mississippi, or any agency or department of the State of  
173 Mississippi, or any junior college district of the State of  
174 Mississippi, or the Board of Trustees of State Institutions of  
175 Higher Learning of the State of Mississippi, or any institution  
176 under the jurisdiction of the Board of Trustees of State  
177 Institutions of Higher Learning of the State of Mississippi.

178           (b) "Capitol complex" shall include the following state  
179 property located in Jackson, Mississippi: the New State Capitol  
180 Building, the Woolfolk State Office Building, the Carroll Gartin  
181 Justice Building, the Walter Sillers Office Building, the War  
182 Veterans' Memorial Building, the Charlotte Capers Building, the  
183 William F. Winter Archives and History Building, the Ike Sanford  
184 Veterans Affairs Building, the Old State Capitol Building, the  
185 Governor's Mansion, the Heber Ladner Building, the Burroughs  
186 Building, the Robert E. Lee Hotel Property, the Central High  
187 Legislative Services Building, the Robert G. Clark, Jr. Building,  
188 the state building located at 515 East Amite Street, Jackson,  
189 Mississippi, the old Farmer's Market located at the corner of  
190 Woodrow Wilson Drive and West Street, Jackson, Mississippi, or any  
191 other properties which may come under the supervision of the  
192 Department of Finance and Administration and are deemed to be in  
193 the Capitol Complex.

194           **SECTION 4.** Section 7, Chapter 504, Laws of 2005, is amended  
195 as follows:

196 Section 7. The Department of Finance and Administration  
197 may \* \* \* lease \* \* \* the property at the old Farmer's Market  
198 located at the corner of Woodrow Wilson Drive and West Street.

199 **SECTION 5.** The following provision shall be codified as  
200 Section 3-3-15.1, Mississippi Code of 1972:

201 3-3-15.1. (1) In order to commemorate the 50th anniversary  
202 of the Korean Conflict, the Legislature enacts this Section  
203 3-3-15.1 as the symbol of the nation's and the state's commitment  
204 to achieving the fullest possible accounting for Mississippians  
205 who have been or in the future may become prisoners of war,  
206 missing in action or otherwise unaccounted for as a result of  
207 hostile action.

208 (2) As used in this Section 3-3-15.1, the term "POW/MIA  
209 Flag" means the National League of Families POW/MIA flag  
210 recognized officially and designated by Section 2 of Public Law  
211 101-355 (36 USC 189).

212 (3) The Bureau of Capitol Facilities shall display the  
213 POW/MIA flag in a prominent place at the New Capitol Building on  
214 the following days:

- 215 (a) Armed Forces Day, the third Saturday in May;
- 216 (b) Memorial Day, the last Monday in May;
- 217 (c) Flag Day, June 14;
- 218 (d) Independence Day, July 4;
- 219 (e) National POW/MIA Recognition Day; and
- 220 (f) Veterans Day, November 11.

221 (4) Such display shall serve as the symbol of the nation's  
222 and the state's concern and commitment to achieving the fullest  
223 possible accounting of Americans and Mississippians who, having  
224 been prisoners of war or missing in action, still remain  
225 unaccounted for.

226 (5) This section shall not be construed or applied so as to  
227 either require or prohibit the display of the POW/MIA flag by any  
228 county, municipality or public school district in Mississippi.

229           **SECTION 6.** This act shall take effect and be in force from  
230 and after its passage.