

By: Senator(s) Harden

To: Finance

SENATE BILL NO. 2886

1 AN ACT TO AMEND SECTIONS 31-31-1, 31-31-3, 31-31-5, 31-31-7
 2 AND 31-31-9, MISSISSIPPI CODE OF 1972, TO GIVE THE MISSISSIPPI
 3 TELECOMMUNICATIONS CONFERENCE AND TRAINING CENTER COMMISSION
 4 JURISDICTION AND AUTHORITY OVER ALL MATTERS RELATING TO THE
 5 ESTABLISHMENT, DEVELOPMENT, CONSTRUCTION, FURNISHING, EQUIPPING,
 6 OPERATING AND PROMOTING OF A CONVENTION CENTER WITHIN THE CITY OF
 7 JACKSON; TO CHANGE THE NAME OF THE COMMISSION TO REFLECT SUCH
 8 JURISDICTION AND AUTHORITY; TO REVISE THE MEMBERSHIP OF THE
 9 COMMISSION; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 31-31-1, Mississippi Code of 1972, is
 12 amended as follows:

13 31-31-1. This chapter may be cited as the "Mississippi
 14 Telecommunication Conference and Training Center and Capital City
 15 Convention Center Act."

16 **SECTION 2.** Section 31-31-3, Mississippi Code of 1972, is
 17 amended as follows:

18 31-31-3. As used in this chapter:

19 (a) "Commission" means the Mississippi Telecommunication
 20 Conference and Training Center and Capital City Convention Center
 21 Commission.

22 (b) "Center" means the Capital City Convention Center.

23 (c) "Facility" means the Mississippi Telecommunication
 24 Conference and Training Center located in the City of Jackson,
 25 Mississippi.

26 (d) "Fund" means the Mississippi Telecommunication
 27 Conference and Training Center Fund.

28 (e) "Hotel" or "motel" means and includes a place of
 29 lodging that at any one time will accommodate transient guests on
 30 a daily or weekly basis and that is known to the trade as such.

31 Such terms shall not include a place of lodging with ten (10) or
32 less rental units.

33 **SECTION 3.** Section 31-31-5, Mississippi Code of 1972, is
34 amended as follows:

35 31-31-5. (1) There is hereby created a commission to be
36 known as the "Mississippi Telecommunication Conference and
37 Training Center and Capital City Convention Center Commission"
38 which shall consist of eleven (11) members * * *. From and after
39 July 1, 2006, the membership of the commission shall be as
40 follows:

41 (a) Two (2) hotel/motel members representing hotel or
42 motel properties located within the city limits of Jackson,
43 Mississippi, appointed by the mayor, from a list of four (4)
44 nominees submitted by the Central Mississippi Chapter of
45 Mississippi Lodging Association, for initial terms of one (1) and
46 three (3) years, respectively.

47 (b) Two (2) restaurant members representing restaurants
48 located within the city limits of Jackson appointed by the mayor,
49 from a list of four (4) nominees submitted by the Jackson Chapter
50 of the Mississippi Restaurant Association, for initial terms of
51 two (2) and four (4) years, respectively.

52 (c) Two (2) members representing the business community
53 in the City of Jackson appointed by the mayor, from a list of four
54 (4) nominees submitted by the Metro Jackson Chamber of Commerce
55 for initial terms of one (1) and five (5) years, respectively.
56 The members appointed pursuant to this paragraph shall be persons
57 who represent businesses located within the city limits of
58 Jackson, Mississippi.

59 (d) Two (2) members shall be appointed at large by the
60 mayor for initial terms of two (2) and three (3) years,
61 respectively. All appointments made by the mayor pursuant to this
62 paragraph shall be residents of the City of Jackson.

63 (e) Two (2) members shall be appointed at large by the
64 Governor for initial terms of two (2) and four (4) years,
65 respectfully. All appointments made by the Governor pursuant to
66 this paragraph shall be residents of the City of Jackson.

67 (f) The Executive Director of the Mississippi
68 Development Authority.

69 * * *

70 (2) The terms of all appointments made subsequent to the
71 initial appointment shall be made for five (5) years. Any vacancy
72 which may occur shall be filled in the same manner as the original
73 appointment and shall be made for the unexpired term. Each member
74 of the commission shall serve until his successor is appointed and
75 qualified.

76 * * *

77 (3) The members of the commission shall serve without
78 compensation except that members shall be paid their actual and
79 necessary expenses in connection with the performance of their
80 duties as members of the commission including mileage, as
81 authorized in Section 25-3-41 and each member who is not a state
82 employee or a public official shall be paid a per diem as
83 authorized in Section 25-3-69. Expenses, mileage and per diem
84 allowance shall be paid out of the Mississippi Telecommunication
85 Conference and Training Center and Capital City Convention Center
86 Fund.

87 (4) The commission shall elect from its membership a
88 chairman, who shall preside over meetings, and a vice chairman,
89 who shall preside in the absence of the chairman. A majority of
90 the members of the commission shall constitute a quorum for the
91 transaction of any and all business of the commission.

92 (5) The commission shall appoint a director who shall be
93 responsible for conducting the day to day business of the
94 commission.

95 **SECTION 4.** Section 31-31-7, Mississippi Code of 1972, is
96 amended as follows:

97 31-31-7. (1) The commission shall have the following
98 powers:

99 (a) To sue and be sued in its own name;

100 (b) To maintain offices at such places as it may
101 designate;

102 (c) To establish, construct, enlarge, improve,
103 maintain, equip, operate and regulate the facility and other
104 property incidental thereto, including any additional property or
105 facilities considered by the commission to promote the business,
106 usage or economic viability of the facility;

107 (d) To grant to others the privilege to operate for
108 profit concessions, leases and franchises, including but not
109 limited to, the furnishing of food and banquet services,
110 management services, and other services necessary to the operation
111 of the facility and the center and such concessions, leases and
112 franchises shall be exclusive or limited;

113 (e) To determine fees, rates and charges for the use of
114 facility and center;

115 (f) To apply for and accept gifts, or grants of money
116 or gifts, grants or loans of other property or other financial
117 assistance from any source;

118 (g) To borrow funds needed to carry out the purposes of
119 this chapter; * * * however, * * * such debt may be secured only
120 by the revenues generated by the facility and center, funds
121 generated by the tax levied pursuant to Section 31-31-11 and the
122 proceeds of any bonds issued pursuant to this chapter;

123 (h) To appoint, employ or engage such officers,
124 employees, architects, engineers, attorneys, accountants,
125 financial advisors, investment bankers and other advisors,
126 consultants, and agents as may be necessary or appropriate;

127 (i) To make, assume and enter into all contracts,
128 leases and arrangements necessary or incidental to the exercise
129 for its powers, including contracts for management, operation or
130 marketing of all or any part of the facility and center;

131 (j) To adopt, amend and repeal rules and regulations
132 for the use, maintenance and operation of the facility and center
133 and governing the conduct of persons and organizations using the
134 facility and center and to enforce such rules and regulations; and

135 (k) To do all things necessary or convenient to the
136 purposes of this chapter.

137 (2) The commission shall have jurisdiction and authority
138 over all matters relating to the establishment, development,
139 construction, furnishing, equipping, operating and promoting of a
140 convention center within the City of Jackson to be connected to
141 the Mississippi Telecommunication Conference and Training Center
142 located in the City of Jackson.

143 **SECTION 5.** Section 31-31-9, Mississippi Code of 1972, is
144 amended as follows:

145 31-31-9. All monies and revenues collected by the commission
146 from fees, rates and charges for the use of the facility and
147 convention center shall be paid by the commission to the State
148 Treasurer, to be deposited to the credit of a special fund to be
149 known as the "Mississippi Telecommunication Conference and
150 Training Center and Capital City Convention Center Fund." Money
151 in the fund at the end of a fiscal year shall not lapse into the
152 General Fund and interest earned on any amounts deposited into the
153 fund shall be credited to the special fund. Except as otherwise
154 provided in Section 31-31-11, all expenses incident to the
155 operation and upkeep of the facility shall be paid out of the
156 fund.

157 **SECTION 6.** This act shall take effect and be in force from
158 and after July 1, 2006, if Senate Bill No. _____, 2006 Regular
159 Session, becomes law.