

By: Representative Dixon

To: Appropriations

HOUSE BILL NO. 1066

1 AN ACT TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972,
2 TO ELIMINATE OR LIMIT THE AMOUNT OF MATCHING FUNDS THAT MAY BE
3 REQUIRED FOR APPLICANTS FOR GRANTS FROM THE MISSISSIPPI COMMUNITY
4 HERITAGE PRESERVATION GRANT FUND; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 39-5-145, Mississippi Code of 1972, is
7 amended as follows:

8 39-5-145. (1) A special fund, to be designated the
9 "Mississippi Community Heritage Preservation Grant Fund," is
10 created within the State Treasury. The fund shall be maintained
11 by the State Treasurer as a separate and special fund, separate
12 and apart from the General Fund of the state. The fund shall
13 consist of any monies designated for deposit * * * in the fund
14 from any source, including proceeds of any state general
15 obligation bonds designated for deposit * * * in the fund.
16 Unexpended amounts remaining in the fund at the end of a fiscal
17 year shall not lapse into the State General Fund and any interest
18 earned or investment earnings on amounts in the fund shall be
19 deposited into the fund. The expenditure of monies deposited into



20 the fund shall be under the direction of the Department of Finance
21 and Administration, based upon recommendations of the Board of
22 Trustees of the Department of Archives and History, and such funds
23 shall be paid by the State Treasurer upon warrants issued by the
24 Department of Finance and Administration. Monies deposited into
25 such fund shall be allocated and disbursed according to the
26 provisions of this section. If any monies in the special fund are
27 derived from proceeds of state general obligation bonds and are
28 not used within four (4) years after the date such bond proceeds
29 are deposited into the special fund, then the Department of
30 Finance and Administration shall provide an accounting of such
31 unused monies to the State Bond Commission.

32 (2) Monies deposited into the fund shall be allocated and
33 disbursed as follows:

34 (a) (i) Thirty-seven Million Four Hundred Fifty
35 Thousand Dollars (\$37,450,000.00) shall be allocated and disbursed
36 as grants on a reimbursable basis through the Department of
37 Finance and Administration, based upon the recommendations of the
38 Board of Trustees of the Department of Archives and History, to
39 assist county governments, municipal governments, school districts
40 and nonprofit organizations that have obtained Section 501(c)(3)
41 tax-exempt status from the United States Internal Revenue Service
42 in helping pay the costs incurred in preserving, restoring,
43 rehabilitating, repairing or interpreting 1. historic county
44 courthouses, 2. historic school buildings, and/or 3. other



45 historic properties identified by certified local governments.
46 Where possible, expenditures from the fund shall be used to match
47 federal grants or other grants that may be accessed by the
48 Department of Archives and History, other state agencies, county
49 governments or municipal governments, school districts or
50 nonprofit organizations that have obtained Section 501(c)(3)
51 tax-exempt status from the United States Internal Revenue Service.
52 Any properties, except those described in paragraphs (b) and (d)
53 of this subsection, receiving monies pursuant to this section must
54 be designated as "Mississippi Landmark" properties prior to
55 selection as projects for funding under the provisions of this
56 section.

57 (ii) One Million Seven Hundred Fifty Thousand
58 Dollars (\$1,750,000.00) shall be allocated and disbursed as grants
59 through the Department of Finance and Administration, based upon
60 the recommendations of the Board of Trustees of the Department of
61 Archives and History, to assist county governments in helping pay
62 the costs of historically appropriate restoration, repair and
63 renovation of historically significant county courthouses. Grants
64 to individual courthouses under this paragraph (a)(ii) shall not
65 exceed Eight Hundred Seventy-five Thousand Dollars (\$875,000.00).

66 (b) Two Hundred Fifty Thousand Dollars (\$250,000.00)
67 shall be allocated and disbursed as grant funds to the Amory
68 Regional Museum in Amory, Mississippi, to pay the costs of capital
69 improvements, repair, renovation, furnishing and/or equipping of



70 the museum. The Department of Finance and Administration is
71 directed to transfer Two Hundred Fifty Thousand Dollars
72 (\$250,000.00) from the fund to the city on or before December 31,
73 2004, and the city shall place the funds into an escrow account.
74 The city may expend the funds from the account only in an amount
75 equal to matching funds that are provided from any source other
76 than the state for the project. As the funds are withdrawn from
77 the escrow account, the city shall certify to the Department of
78 Finance and Administration the amount of the funds that have been
79 withdrawn and that the funds withdrawn are in an amount equal to
80 matching funds required by this paragraph.

81 (c) One Hundred Thousand Dollars (\$100,000.00) shall be
82 allocated and disbursed as grant funds to the Jacinto Foundation,
83 Inc., to pay the costs of capital improvements, repairing,
84 renovating, restoring, rehabilitating, preserving, furnishing
85 and/or equipping the courthouse and related facilities in Jacinto,
86 Mississippi, and to pay the costs of capital improvements,
87 repairing, renovating, restoring, rehabilitating, preserving,
88 furnishing and/or equipping other buildings and facilities near
89 the courthouse.

90 (d) Four Hundred Twenty-five Thousand Dollars
91 (\$425,000.00) shall be allocated and disbursed as grant funds to
92 the Oxford-Lafayette County Heritage Foundation to pay the costs
93 of capital improvements, repairing, renovating, restoring,



94 rehabilitating, preserving, furnishing, equipping and/or acquiring
95 the L.Q.C. Lamar Home in Oxford, Mississippi.

96 (e) Nine Hundred Seventy-five Thousand Dollars
97 (\$975,000.00) shall be allocated and disbursed as grant funds to
98 the City of Columbus, Mississippi, to assist in paying the costs
99 associated with repair, renovation and restoration of the Columbus
100 City Hall building and related facilities.

101 (f) One Million Dollars (\$1,000,000.00) shall be
102 allocated and disbursed as grant funds to the Town of Wesson,
103 Mississippi, to pay the costs of restoration and renovation of the
104 Old Wesson School.

105 (g) Two Hundred Fifty Thousand Dollars (\$250,000.00)
106 shall be allocated and disbursed as grant funds to the Town of
107 Shubuta, Mississippi, to assist in paying the costs associated
108 with construction, reconstruction, refurbishing, repair,
109 renovation and restoration of the Shubuta Town Hall building and
110 related facilities.

111 (h) Two Hundred Fifty Thousand Dollars (\$250,000.00)
112 shall be allocated and disbursed as grant funds to the City of
113 Okolona, Mississippi, to assist in paying costs associated with
114 the purchase, repair, renovation, furnishing and equipping of a
115 building and related facilities on Main Street in the City of
116 Okolona, for the purpose of establishing a welcome center in which
117 historical information relating to the City of Okolona will be
118 displayed, including, but not limited to, information relating to



119 the furniture, banking, retail and farming industries; education;
120 historical collections owned by individuals and organizations;
121 genealogy; Okolona College; and the Battle of Okolona and the War
122 Between the States.

123 (i) One Hundred Thousand Dollars (\$100,000.00) shall be
124 allocated and disbursed as grant funds to Tallahatchie County,
125 Mississippi, to assist in paying the costs associated with repair,
126 renovation and restoration of the Tallahatchie County Courthouse.

127 (j) Two Hundred Fifty Thousand Dollars (\$250,000.00)
128 shall be allocated and disbursed as grant funds to Wayne County,
129 Mississippi, to assist in paying the costs associated with repair,
130 renovation and restoration of the Wayne County Courthouse.

131 (k) Three Hundred Thousand Dollars (\$300,000.00) shall
132 be allocated and disbursed as grant funds to assist in paying the
133 cost of rehabilitation and restoration of Winterville Indian
134 Mounds in Washington County, Mississippi.

135 (l) Five Hundred Thousand Dollars (\$500,000.00) shall
136 be allocated and disbursed as grant funds to the City of
137 Kosciusko, to assist the City of Kosciusko, Mississippi, in paying
138 costs associated with (i) repair, renovation, furnishing,
139 equipping, additions to and expansion of the Kosciusko Natchez
140 Trace Visitor Center in the City of Kosciusko, Mississippi, and
141 (ii) repair, renovation, furnishing, equipping, additions to and
142 expansion of buildings and related facilities to house the



143 Mississippi Native American Museum in the City of Kosciusko,
144 Mississippi.

145 (m) One Hundred Thousand Dollars (\$100,000.00) shall be
146 allocated and disbursed as grant funds to Jefferson County,
147 Mississippi, to assist in paying costs associated with repair,
148 renovation, upgrades and improvements to the confederate cemetery
149 and related properties and facilities in the county.

150 (n) Monies in the Mississippi Community Heritage
151 Preservation Grant Fund which are derived from proceeds of state
152 general obligation bonds may be used to reimburse reasonable
153 actual and necessary costs incurred by the Mississippi Department
154 of Archives and History in providing assistance directly related
155 to a project described in paragraph (a) of this subsection for
156 which funding is provided under this section. Reimbursement may
157 be made only until such time as the project is completed. An
158 accounting of actual costs incurred for which reimbursement is
159 sought shall be maintained for each project by the Mississippi
160 Department of Archives and History. Reimbursement of reasonable
161 actual and necessary costs for a project shall not exceed three
162 percent (3%) of the proceeds of bonds issued for such project.
163 Monies authorized for a particular project may not be used to
164 reimburse administrative costs for unrelated projects.

165 (3) (a) The Board of Trustees of the Department of Archives
166 and History shall receive and consider proposals from county
167 governments, municipal governments, school districts and nonprofit



168 organizations that have obtained Section 501(c)(3) tax-exempt
169 status from the United States Internal Revenue Service for
170 projects associated with the preservation, restoration,
171 rehabilitation, repair or interpretation of (i) historic
172 courthouses, (ii) historic school buildings, and/or (iii) other
173 historic properties identified by certified local governments.
174 Proposals shall be submitted in accordance with the provisions of
175 procedures, criteria and standards developed by the board. The
176 board shall determine those projects to be funded and may require
177 matching funds from any applicant seeking assistance under this
178 section. However, no matching funds may be required from county
179 governments, nonprofit organizations that have obtained Section
180 501(c)(3) tax-exempt status from the United States Internal
181 Revenue Service, or municipal governments having a population of
182 less than five thousand (5,000) according to the most recent
183 federal decennial census. For municipal governments having a
184 population of five thousand (5,000) or more according to the most
185 recent federal decennial census, matching funds may be required in
186 an amount not exceeding the lesser of ten percent (10%) of the
187 cost of the project or Five Thousand Dollars (\$5,000.00). This
188 subsection shall not apply to projects described in subsection
189 (2)(a)(ii), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h)
190 and (2)(j) of this section.

191 (b) The Board of Trustees of the Department of Archives
192 and History shall receive and consider proposals from county



193 governments for projects associated with historically appropriate
194 restoration, repair and renovation of historically significant
195 county courthouses. Proposals shall be submitted in accordance
196 with the provisions of procedures, criteria and standards
197 developed by the board. The board shall determine those projects
198 to be funded, and * * * no matching funds shall be required from
199 any applicant seeking assistance under this section. This
200 subsection shall not apply to projects described in subsection
201 (2) (a) (i), (2) (b), (2) (c), (2) (d), (2) (e) and (2) (f) of this
202 section.

203 (4) The Department of Archives and History shall publicize
204 the Community Heritage Preservation Grant Program described in
205 this section on a statewide basis, including the publication of
206 the criteria and standards used by the department in selecting
207 projects for funding. The selection of a project for funding
208 under the provisions of this section shall be made solely upon the
209 deliberate consideration of each proposed project on its merits.
210 The board shall make every effort to award the grants in a manner
211 that will fairly distribute the funds in regard to the geography
212 and cultural diversity of the state. This subsection shall not
213 apply to projects described in subsection (2) (b), (2) (c), (2) (d),
214 (2) (e) and (2) (f) of this section.

215 (5) With regard to any project awarded funding under this
216 section, any consultant, planner, architect, engineer, exhibit
217 contracting firm, historic preservation specialist or other



218 professional hired by a grant recipient to work on any such
219 project shall be approved by the board before their employment by
220 the grant recipient.

221 (6) Plans and specifications for all projects initiated
222 under the provisions of this section shall be approved by the
223 board before the awarding of any contracts. The plans and
224 specifications for any work involving "Mississippi Landmark"
225 properties shall be developed in accordance with "The Secretary of
226 the Interior's Standards for the Treatment of Historic
227 Properties."

228 **SECTION 2.** This act shall take effect and be in force from
229 and after July 1, 2018.

