

By: Senator(s) Williams, Simmons (13th)

To: Universities and
Colleges; Energy

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2557

1 AN ACT TO AMEND SECTION 37-113-21, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER
3 LEARNING, UPON RECOMMENDATION OF THE DIRECTOR OF THE AGRICULTURAL
4 AND FORESTRY EXPERIMENTAL STATION AT THE MISSISSIPPI STATE
5 UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCE, TO ENTER INTO
6 CONTRACTS, LEASES AND OTHER ARRANGEMENTS FOR TERMS NOT TO EXCEED
7 THIRTY (30) YEARS, WITH THE OPTION FOR TWO TEN-YEAR LEASE
8 EXTENSIONS, WITH ANY PERSONS OR BUSINESS ENTITY FOR THE
9 DEVELOPMENT OF A SOLAR INSTALLATION AT ANY BRANCH RESEARCH STATION
10 OPERATED BY THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENTAL
11 STATION; TO SET CERTAIN LEASE REQUIREMENTS; TO PROVIDE THAT THE
12 STATE SHALL RETAIN ALL MINERAL RIGHTS TO THE REAL PROPERTY LEASED
13 UNDER THE ACT; TO PROVIDE CERTAIN CONTRACTUAL PROVISIONS THAT MUST
14 BE INCLUDED IN THE LEASE; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** Section 37-113-21, Mississippi Code of 1972, is
17 amended as follows:

18 37-113-21. (1) Agriculture is the primary industry of
19 Mississippi and it is to the interest of said state agriculture
20 that research in the fields of livestock products, pastures and
21 forage crops, poultry, herd and flock management, horticulture,
22 farm mechanization, soil conservation, forestry, disease and
23 insect and parasite control, the testing of plants and livestock
24 under different conditions, farm enterprises for different sized



25 farms under different soil and climatic conditions and market
26 locations, and other important phases of Mississippi's
27 agricultural economy, be expanded in the manner provided for in
28 this section.

29 (2) There is hereby authorized a branch experiment station
30 to be known as the Brown Loam Branch Experiment Station, which is
31 to be located on a part of that tract of land owned by the State
32 of Mississippi and formerly operated as the Oakley Penitentiary
33 and known as the Oakley Youth Development Center, same to be
34 selected in accordance with Laws, 1954, Chapter 159, Section 3,
35 and used as an agricultural experiment station. This property is
36 to be supplied with necessary buildings, equipment, and other
37 facilities; and title to such Oakley Penitentiary Farm, now known
38 as the Oakley Youth Development Center, is to be transferred to
39 the Board of Trustees of State Institutions of Higher Learning for
40 the use of the Mississippi Agricultural and Forestry Experimental
41 Station as the site of, and to be used for said Brown Loam Branch
42 Experiment Station in accordance with Laws, 1954, Chapter 159,
43 Section 3.

44 There is hereby authorized a branch experiment station to be
45 known as the Coastal Plain Branch Experiment Station to be located
46 on a suitable tract of approximately nine hundred (900) acres to
47 be purchased in the upper coastal plain or short leaf pine area of
48 east central Mississippi and to be supplied with necessary
49 buildings, equipment, and other facilities.



50 The enlargement of the Holly Springs Branch Experiment
51 Station, hereafter to be known as the North Mississippi Branch
52 Experiment Station, is hereby authorized, by the purchase of
53 approximately five hundred (500) acres of additional land adjacent
54 to or in the vicinity of either of the two (2) farms now operated
55 by said branch stations, and by the provision of the necessary
56 buildings, equipment, and other facilities, and the sale as,
57 hereinafter provided, of that farm of said branch station which is
58 not adjacent to the additional land to be purchased.

59 There is hereby authorized the reactivation of the former
60 McNeil Branch Experiment Station to be operated as a part of the
61 South Mississippi Branch Experiment Station at Poplarville, and to
62 be supplied with necessary buildings, equipment, and other
63 facilities.

64 There is hereby authorized a branch experiment station to be
65 known as the Black Belt Branch Experiment Station to be located on
66 a suitable tract of approximately six hundred forty (640) acres of
67 land to be purchased in Noxubee County, Mississippi, and to be
68 supplied with the necessary buildings, equipment, and other
69 facilities.

70 There is hereby authorized a branch experiment station to be
71 known as the Northeast Mississippi Branch Experiment Station to be
72 located on a suitable tract of approximately two hundred (200)
73 acres of land to be purchased in Lee County, Mississippi. Said
74 station shall be primarily devoted to the development of the dairy



75 industry and shall be supplied with necessary buildings,
76 equipment, and other facilities.

77 There is hereby authorized the expansion of the office and
78 laboratory building at the Delta Branch Experiment Station at
79 Stoneville and of the office and laboratory and dwellings for
80 station workers at the Truck Crops Branch Experiment Station at
81 Crystal Springs.

82 (3) The governing authorities of any municipality, town, or
83 county in the state may, in their discretion, donate land, money
84 or other property to the Board of Trustees of State Institutions
85 of Higher Learning in furtherance of the purposes of this section.

86 For the purpose of securing funds to carry out this
87 subsection, the governing authorities of such municipality, town,
88 or county are hereby authorized and empowered, in their
89 discretion, to issue bonds or negotiate notes for the purpose of
90 acquiring by purchase, gift, or lease real estate for the purpose
91 herein authorized. Such issuance of bonds or notes shall be
92 issued in an amount not to exceed the limitation now or hereafter
93 imposed by law on counties, municipalities and towns, and shall be
94 issued in all respects including interest rate, maturities and
95 other details as is now or may hereafter be provided by general
96 law regulating the issuance of * * * bonds or notes by the
97 governing authorities of such municipality, town, or county.

98 (4) Any person, firm or corporation may contribute or donate
99 real or other property to the Board of Trustees of State



100 Institutions of Higher Learning in furtherance of the purpose of
101 this section.

102 (5) The Board of Trustees of State Institutions of Higher
103 Learning is hereby authorized, upon recommendation of the Director
104 of the Agricultural and Forestry Experimental Station at the
105 Mississippi State University of Agriculture and Applied Science,
106 which recommendation is approved by and transmitted to said board
107 by the president of said university, to carry out the provisions
108 of this section with particular reference to the establishment,
109 reactivation, expansion, and the discontinuance of branch stations
110 as herein provided, to receive and accept title to any land or
111 property or money herein authorized, to buy or sell and dispose of
112 any real or personal property herein authorized, to make available
113 for carrying into effect the provisions of this section all money
114 received from such sale or sales, and to do any and all things
115 necessary to effectuate the purposes of this section. One-half
116 (1/2) interest in and to all oil, gas and other minerals shall be
117 retained under any lands sold hereunder.

118 (6) A gift of One Hundred Thousand Dollars (\$100,000.00),
119 authorized by the general education board of the Rockefeller
120 Foundation for the development of agricultural research, with
121 particular reference to expanding the branch experiment stations
122 and conditioned upon a general program of expansion substantially,
123 as herein provided, is hereby accepted. The Director of the
124 Agricultural and Forestry Experimental Station at the Mississippi



125 State University of Agriculture and Applied Science is authorized
126 and instructed to control and expend such fund in the same manner
127 as other funds appropriated to carry out the provisions of this
128 section.

129 (7) The experiment station in Clay County, Mississippi,
130 shall not be affected by this section.

131 (8) The Board of Trustees of State Institutions of Higher
132 Learning is hereby authorized, upon recommendation of the Director
133 of the Agricultural and Forestry Experimental Station at the
134 Mississippi State University of Agriculture and Applied Science,
135 which recommendation is approved by and transmitted to said board
136 by the president of said university, to enter into contracts,
137 leases and other arrangements for terms not to exceed thirty (30)
138 years, with the option for two (2) ten-year lease extensions, with
139 any persons or business entity for the development of a solar
140 installation at any branch research station operated by the
141 Mississippi Agricultural and Forestry Experimental Station.

142 (9) If all or any portion of the property described in
143 subsection (8) of this section is leased, Mississippi State
144 University of Agriculture and Applied Sciences, with the approval
145 of the Board of Trustees of State Institutions of Higher Learning,
146 is authorized to negotiate all aspects of any lease or sublease
147 and any terms and ancillary agreements pertaining to any lease or
148 sublease as may be reasonably necessary to effectuate the intent
149 and purposes of subsection (8) of this section and to ensure a



150 fair and equitable return to the state. All proceeds derived or
151 received from the agreements and leases entered into under
152 subsection (8) of this section shall be deposited into a special
153 fund and expended only for the use and benefit of Mississippi
154 State University. At the end of the lease term provided in
155 subsection (8) of this section, the property leased under the
156 authority provided herein shall revert to Mississippi State
157 University. The State of Mississippi shall retain all mineral
158 rights to the real property leased under subsection (8) of this
159 section.

160 (10) The lease provided for in subsection (8) of this
161 section shall include a provision that requires that at the
162 expiration or termination of the lease, and/or abandonment of the
163 project, as applicable, the lessee shall:

164 (a) Remove all leasehold improvements from the
165 property; and

166 (b) Be obligated to pay all costs to return the
167 property to its same or similar condition at the time of lease
168 execution.

169 **SECTION 2.** This act shall take effect and be in force from
170 and after July 1, 2024.

