

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

To: Universities and
Colleges; Energy

SENATE BILL NO. 2557
(As Passed the Senate)

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 OR THE DEAN OF THE
6 COLLEGE OF AGRICULTURE AND APPLIED SCIENCES AT ALCORN STATE
7 UNIVERSITY, TO ENTER INTO CONTRACTS, LEASES AND OTHER ARRANGEMENTS
8 FOR TERMS NOT TO EXCEED 30 YEARS, WITH THE OPTION FOR TWO TEN-YEAR
9 LEASE EXTENSIONS, WITH ANY PERSONS OR BUSINESS ENTITY FOR THE
10 DEVELOPMENT OF A SOLAR INSTALLATION AT ANY BRANCH RESEARCH STATION
11 OPERATED BY THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENTAL
12 STATION OR THE ALCORN STATE UNIVERSITY COLLEGE OF AGRICULTURE
13 EXTENSION AND RESEARCH CENTERS, AS APPLICABLE; TO SET CERTAIN
14 LEASE REQUIREMENTS; TO PROVIDE THAT THE STATE SHALL RETAIN ALL
15 MINERAL RIGHTS TO THE REAL PROPERTY LEASED UNDER THE ACT; TO
16 PROVIDE CERTAIN CONTRACTUAL PROVISIONS THAT MUST BE INCLUDED IN
17 THE LEASE; AND FOR RELATED PURPOSES.

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

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

21 37-113-21. (1) Agriculture is the primary industry of
22 Mississippi and it is to the interest of said state agriculture
23 that research in the fields of livestock products, pastures and
24 forage crops, poultry, herd and flock management, horticulture,
25 farm mechanization, soil conservation, forestry, disease and



26 insect and parasite control, the testing of plants and livestock
27 under different conditions, farm enterprises for different sized
28 farms under different soil and climatic conditions and market
29 locations, and other important phases of Mississippi's
30 agricultural economy, be expanded in the manner provided for in
31 this section.

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

47 There is hereby authorized a branch experiment station to be
48 known as the Coastal Plain Branch Experiment Station to be located
49 on a suitable tract of approximately nine hundred (900) acres to
50 be purchased in the upper coastal plain or short leaf pine area of



51 east central Mississippi and to be supplied with necessary
52 buildings, equipment, and other facilities.

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

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

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

73 There is hereby authorized a branch experiment station to be
74 known as the Northeast Mississippi Branch Experiment Station to be
75 located on a suitable tract of approximately two hundred (200)



76 acres of land to be purchased in Lee County, Mississippi. Said
77 station shall be primarily devoted to the development of the dairy
78 industry and shall be supplied with necessary buildings,
79 equipment, and other facilities.

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

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

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



101 (4) Any person, firm or corporation may contribute or donate
102 real or other property to the Board of Trustees of State
103 Institutions of Higher Learning in furtherance of the purpose of
104 this section.

105 (5) The Board of Trustees of State Institutions of Higher
106 Learning is hereby authorized, upon recommendation of the Director
107 of the Agricultural and Forestry Experimental Station at the
108 Mississippi State University of Agriculture and Applied Science,
109 which recommendation is approved by and transmitted to said board
110 by the president of said university, to carry out the provisions
111 of this section with particular reference to the establishment,
112 reactivation, expansion, and the discontinuance of branch stations
113 as herein provided, to receive and accept title to any land or
114 property or money herein authorized, to buy or sell and dispose of
115 any real or personal property herein authorized, to make available
116 for carrying into effect the provisions of this section all money
117 received from such sale or sales, and to do any and all things
118 necessary to effectuate the purposes of this section. One-half
119 (1/2) interest in and to all oil, gas and other minerals shall be
120 retained under any lands sold hereunder.

121 (6) A gift of One Hundred Thousand Dollars (\$100,000.00),
122 authorized by the general education board of the Rockefeller
123 Foundation for the development of agricultural research, with
124 particular reference to expanding the branch experiment stations
125 and conditioned upon a general program of expansion substantially,



126 as herein provided, is hereby accepted. The Director of the
127 Agricultural and Forestry Experimental Station at the Mississippi
128 State University of Agriculture and Applied Science is authorized
129 and instructed to control and expend such fund in the same manner
130 as other funds appropriated to carry out the provisions of this
131 section.

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

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

148 (9) If all or any portion of the property described in
149 subsection (8) of this section is leased, Mississippi State
150 University of Agriculture and Applied Sciences or Alcorn State



151 University, with the approval of the Board of Trustees of State
152 Institutions of Higher Learning, is authorized to negotiate all
153 aspects of any lease or sublease and any terms and ancillary
154 agreements pertaining to any lease or sublease as may be
155 reasonably necessary to effectuate the intent and purposes of
156 subsection (8) of this section and to ensure a fair and equitable
157 return to the state. All proceeds derived or received from the
158 agreements and leases entered into under subsection (8) of this
159 section shall be deposited into a special fund to be expended only
160 for the use and benefit of Mississippi State University or into a
161 special fund to be expended only for the use and benefit of Alcorn
162 State University, respectively. At the end of the lease term
163 provided in subsection (8) of this section, the property leased
164 under the authority provided herein shall revert to Mississippi
165 State University or Alcorn State University, respectively. The
166 State of Mississippi shall retain all mineral rights to the real
167 property leased under subsection (8) of this section.

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

172 (a) Remove all leasehold improvements from the
173 property; and



174 (b) Be obligated to pay all costs to return the
175 property to its same or similar condition at the time of lease
176 execution.

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

