

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 1007

By Senator(s) Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

9 SECTION 1. (1) The Mississippi Veterans Memorial Stadium
10 Commission, in its discretion, is authorized to enter into one or
11 more lease agreements with one or more public or private entities
12 in regard to the granting of a property interest to such public or
13 private entities in all or any part of the real property located
14 in Hinds County, Mississippi, generally known as the "Mississippi
15 Veterans Memorial Stadium Property," being any property under the
16 jurisdiction of the Mississippi Veterans Memorial Stadium
17 Commission and any other state-owned property located in the area
18 bounded on the north by Taylor Street, on the west by North West
19 Street, on the south by Woodrow Wilson Avenue and on the east by
20 North State Street used as part of or in connection with
21 Mississippi Veterans Memorial Stadium, for the purpose of the
22 construction of improvements thereon.

23 (2) Any lease authorized in this section may be for such
24 consideration as determined appropriate by the Mississippi
25 Veterans Memorial Stadium Commission and may be for a primary term

26 not to exceed twenty-five (25) years and may be renewed for a term
27 not to exceed twenty-five (25) years.

28 (3) In and for the consideration to be provided under any
29 lease, the Mississippi Veterans Memorial Stadium Commission, in
30 its discretion, is authorized to, on such terms and conditions
31 determined to be appropriate by the Mississippi Veterans Memorial
32 Stadium Commission: (a) enter into agreements with any such
33 lessee or lessees (or any designee of any such lessee or lessees),
34 which agreements may extend over any period of time not exceeding
35 the term of such lease (including renewals and extensions)
36 permitting use of any property referred to in subsection (1) of
37 this section for parking, access and other uses in connection with
38 events in facilities constructed on property leased from the
39 Mississippi Veterans Memorial Stadium Commission; (b) grant, as
40 part of and for the term of any lease, to any lessee or lessees
41 (or any designee of any such lessee or lessees), one or more
42 easements with respect to all or any part of the property referred
43 to in subsection (1) of this section for vehicle and pedestrian
44 ingress and egress, for vehicle parking and for such other
45 purposes necessary and appropriate for the construction, operation
46 and use of the improvements; (c) enter into agreements with any
47 such lessee or lessees (or any designee of any such lessee or
48 lessees), which agreements may extend over any period of time not
49 exceeding the term of such lease (including renewals and
50 extensions), permitting use by such lessee or lessees (or any
51 designee of any such lessee or lessees) of Mississippi Veterans
52 Memorial Stadium for events; (d) enter into agreements with any
53 such lessee or lessees (or any designee of any such lessee or
54 lessees), which agreements may extend over any period of time not
55 exceeding the term of such lease (including renewals and

56 extensions), pursuant to which the state shall be obligated to
57 purchase improvements constructed on such property upon terms and
58 for a purchase price, not to exceed Twelve Million Dollars
59 (\$12,000,000.00), as set forth in or determined in accordance with
60 such agreement; and/or (e) enter into such other agreements with
61 any such lessee or lessees (or any designee of any such lessee or
62 lessees) or any other public or private entities, which agreements
63 may extend over any period of time not exceeding the term of such
64 lease (including renewals and extensions), relating to any such
65 lease and any improvements to be constructed on property leased
66 from the Mississippi Veterans Memorial Stadium Commission as the
67 Mississippi Veterans Memorial Stadium Commission shall determine
68 to be appropriate. However, the State of Mississippi shall not be
69 obligated to purchase any improvements constructed on property
70 leased under this section unless the construction of all such
71 improvements on the property is complete. The Department of
72 Finance and Administration, acting through the Bureau of Building,
73 Grounds and Real Property Management shall make the determination
74 regarding whether the construction of the improvements is
75 complete.

76 (4) Any public body shall be authorized to enter into: (a)
77 agreements (which may extend over any period of time) with the
78 Mississippi Veterans Memorial Stadium Commission, any public body,
79 any party leasing property from the Mississippi Veterans Memorial
80 Stadium Commission (or any designee or designees of any such
81 lessee), and/or any other party to provide or contribute funds in
82 connection with the construction, financing and/or operation of
83 any improvements constructed on property leased from the
84 Mississippi Veterans Memorial Stadium Commission, and any such
85 agreement or agreements and the obligations of any public body

86 thereunder shall not be included in computing amounts subject to
87 any debt limitations applicable to any such public body; and/or
88 (b) agreements (which may extend over any period of time) to lease
89 property from the Mississippi Veterans Memorial Stadium Commission
90 and to provide or contribute funds in connection with the
91 construction, financing and/or operation of any improvements
92 constructed on such property and to lease or sublease any such
93 property or improvements to public or private entities, and any
94 such agreement or agreements shall not be included in computing
95 amounts subject to any debt limitations applicable to any such
96 public body.

97 (5) The Mississippi Veterans Memorial Stadium Commission, in
98 its discretion, is authorized to enter into all other agreements
99 as may be necessary or appropriate in connection with any
100 financing by any lessee or lessees (or any designee of any such
101 lessee or lessees) of any improvements to be constructed on
102 property leased from the Mississippi Veterans Memorial Stadium
103 Commission.

104 (6) The provisions of any statutes establishing a role for
105 the Department of Finance and Administration and the State Bond
106 Commission in financing, construction and improvement of buildings
107 on the Mississippi Veterans Memorial Stadium property shall not
108 apply to the financing, refinancing, construction, repair or
109 improvement of any improvements on any property leased pursuant to
110 this act.

111 (7) Before entering into any lease or other agreement with
112 any private entity under this section, the Mississippi Veterans
113 Memorial Stadium Commission shall require such entity to enter
114 into a binding commitment providing that if the private entity
115 fails to complete the construction of all improvements commenced

116 by the entity on property leased under this section, such entity
117 shall reimburse the State of Mississippi for costs incurred by the
118 state relating to the improvements. The Department of Finance and
119 Administration, acting through the Bureau of Building, Grounds and
120 Real Property Management shall make the determination regarding
121 whether the construction of the improvements is complete.

122 (8) Any lease or other agreement entered into by the
123 Mississippi Veterans Memorial Stadium Commission under this
124 section shall not be valid unless approved by the Department of
125 Finance and Administration, the Public Procurement Review Board
126 and the Attorney General.

127 (9) The Mississippi Veterans Memorial Stadium Commission may
128 not enter into any lease or other agreement under this section
129 after October 1, 2001.

130 SECTION 2. Section 55-23-7, Mississippi Code of 1972, is
131 amended as follows:

132 55-23-7. Any construction, renovation, repair and
133 reconstruction to the facilities and property of the Mississippi
134 Veterans Memorial Stadium shall be carried on under the direction
135 of the commission, which is authorized to make and enter into such
136 contracts, agreements and undertakings as may be necessary to
137 effect this purpose. The commission may take any action
138 authorized in Section 1 of House Bill No. 1007, 2001 Regular
139 Session, relating to the facilities and property of the
140 Mississippi Veterans Memorial Stadium.

141 SECTION 3. Section 55-23-9, Mississippi Code of 1972, is
142 amended as follows:

143 55-23-9. The commission shall operate the Mississippi
144 Veterans Memorial Stadium and to that end may employ such agents
145 and employees as may be required in connection therewith. It may

146 enter into contracts for the use of the stadium, and fix the
147 amount of the compensation therefor, and collect the same when
148 due. The commission may take any action authorized in Section 1
149 of House Bill No. 1007, 2001 Regular Session, relating to the
150 Mississippi Veterans Memorial Stadium and the property described
151 in Section 1 of House Bill No. 1007, 2001 Regular Session.

152 All monies and revenues, including the amusement tax imposed
153 upon the sale of tickets for admission to the stadium, and all
154 monies arising from the use of stadium property, including that
155 realized from the sale of concessions, shall be paid by the
156 commission to the State Treasurer, to be placed to the credit of a
157 special fund to be known as the "Mississippi Veterans Memorial
158 Stadium Operating Fund" and any references in the laws to the
159 "Mississippi Memorial Stadium Fund" or the "Mississippi Veterans
160 Memorial Stadium Fund" shall mean the "Mississippi Veterans
161 Memorial Stadium Operating Fund" unless the context clearly
162 indicates otherwise. Any interest earned on amounts deposited in
163 the Mississippi Veterans Memorial Stadium Operating Fund shall be
164 credited to such special fund. Provided, however, that
165 twenty-five percent (25%) of all profits realized by the
166 commission from the sale of concessions at athletic events when
167 Jackson State University is the home team shall be deposited to
168 the credit of a special auxiliary fund and authorized for
169 expenditure by the Board of Trustees of State Institutions of
170 Higher Learning exclusively for the support of intercollegiate
171 athletics at such university. All expenses incident to the
172 operation and upkeep of the facilities and property managed by the
173 commission shall be paid out of the Mississippi Veterans Memorial
174 Stadium Operating Fund by warrants drawn by the Department of
175 Finance and Administration, which shall be issued on the

176 requisition of the commission.

177 All tickets sold to an event conducted in the Mississippi
178 Veterans Memorial Stadium shall have printed in an appropriate and
179 prominent place thereon the words A.C. "Butch" Lambert Field.

180 SECTION 4. Section 55-23-11, Mississippi Code of 1972, is
181 amended as follows:

182 55-23-11. The commission shall promulgate rules and
183 regulations governing the use of the lands and facilities under
184 its supervision. The commission may take any action authorized in
185 Section 1 of House Bill No. 1007, 2001 Regular Session, relating
186 to the property described in such section.

187 SECTION 5. Section 55-23-15, Mississippi Code of 1972, is
188 amended as follows:

189 55-23-15. The Mississippi Veterans Memorial Stadium
190 Commission is hereby authorized to utilize certain state-owned
191 land in Hinds County bounded on the east by North State Street, on
192 the north by Taylor Street, on the west by North West Street, and
193 on the south by a street or driveway known as Stadium Drive as a
194 public parking facility establishing reasonable rules and
195 regulations connected with the operation of such a facility,
196 including fees for the privilege of parking. The parking
197 facilities shall not be extended any farther to the east than as
198 the facilities existed on January 1, 1996. Further, the portion
199 of the property described in this section, except the property
200 west of the stadium between the stadium and North West Street,
201 that was undeveloped as of January 1, 1996, shall remain
202 undeveloped unless the Legislature enacts legislation approving
203 the development of such property. The portion of the property
204 described in this section that is west of the stadium between the
205 stadium and North West Street may be developed to provide parking

206 facilities for the Mississippi Department of Transportation
207 offices located on North West Street. The Mississippi Veterans
208 Memorial Stadium Commission may take any action authorized in
209 Section 1 of House Bill No. 1007, 2001 Regular Session, relating
210 to the property described in such section.

211 SECTION 6. Section 55-23-21, Mississippi Code of 1972, is
212 amended as follows:

213 55-23-21. The Building Commission is hereby authorized and
214 empowered, in addition to all other powers and duties of such
215 commission, to enlarge and renovate the Mississippi Veterans
216 Memorial Stadium in order to provide for a modern stadium having a
217 seating capacity of approximately sixty-two thousand seven hundred
218 thirty-one (62,731) persons, such authority to be conditioned upon
219 a contribution by Hinds County, Mississippi, to the Building
220 Commission of a sum of One Million Dollars (\$1,000,000.00) for
221 such enlargement and renovation. The parking facilities shall not
222 be extended any farther to the east than as the facilities existed
223 on January 1, 1996. Further, the portion of the state-owned
224 property on which the stadium and parking facilities are located,
225 except the property west of the stadium between the stadium and
226 North West Street, that was undeveloped as of January 1, 1996,
227 shall remain undeveloped unless the Legislature enacts legislation
228 approving the development of such property. The portion of the
229 state-owned property on which the stadium is located that is west
230 of the stadium between the stadium and North West Street may be
231 developed to provide parking facilities for the Mississippi
232 Department of Transportation offices located on North West Street.
233 The Mississippi Veterans Memorial Stadium Commission may take any
234 action authorized in Section 1 of House Bill No. 1007, 2001
235 Regular Session, relating to the property described in such

236 section.

237 SECTION 7. Section 55-23-41, Mississippi Code of 1972, is
238 amended as follows:

239 55-23-41. The proceeds of the bonds authorized in Sections
240 55-23-21 through 55-23-43 and funds appropriated for the
241 enlargement and renovation of the Mississippi Veterans Memorial
242 Stadium, including the funds to be supplied by Hinds County and
243 also including funds from any and all other sources set aside for
244 such enlargement and renovation by the Building Commission shall
245 be used for the purpose of enlarging and renovating all physical
246 components which make up the Mississippi Veterans Memorial Stadium
247 and, except for the funds contributed by Hinds County, shall be
248 deposited in the Mississippi Memorial Stadium Construction Fund,
249 hereby created in the State Treasury. The funds contributed by
250 Hinds County shall be deposited as provided in Section 55-23-23.
251 To that end the commission is hereby authorized and empowered to
252 make and enter into such contracts and execute such instruments
253 containing such reasonably appropriate terms and conditions as, in
254 its discretion, it may deem necessary, proper or advisable for the
255 purpose of carrying out the terms of Sections 55-23-21 through
256 55-23-43, including the acceptance of that proportion of the cost
257 of improvements required by the terms of Sections 55-23-21 through
258 55-23-43 to be contributed by Hinds County. Any funds received by
259 the Mississippi Veterans Memorial Stadium Commission under Section
260 1 of House Bill No. 1007, 2001 Regular Session, may be used for
261 any purpose authorized in this section or Section 1 of House Bill
262 No. 1007, 2001 Regular Session, or both.

263 SECTION 8. Section 55-23-43, Mississippi Code of 1972, is
264 amended as follows:

265 55-23-43. The Building Commission may employ competent

266 architects, engineers and other qualified agents to prepare plans,
267 specifications and such other data as may be necessary to enable
268 it to carry out the purposes of Sections 55-23-21 through 55-23-43
269 in a manner consistent with sound construction principles. When
270 the plans and specifications have been approved and accepted by
271 the Building Commission, contracts for the various phases of
272 construction shall then be let by the Building Commission in the
273 manner provided by law to competent and responsible firms or
274 individuals whose work shall proceed under the constant inspection
275 of a reliable and competent inspector to be furnished for that
276 purpose by the State Building Commission. All expenses incurred
277 in the enlargement and renovation under the provisions of Sections
278 55-23-21 through 55-23-43 shall be paid from the Mississippi
279 Memorial Stadium Construction Fund created herein. The
280 Mississippi Veterans Memorial Stadium Commission may take any
281 action authorized in Section 1 of House Bill No. 1007, 2001
282 Regular Session, relating to the property described in such
283 section.

284 SECTION 9. Section 55-23-45, Mississippi Code of 1972, is
285 amended as follows:

286 55-23-45. The Building Commission is hereby authorized and
287 empowered to repair and remodel the Mississippi Veterans Memorial
288 Stadium and, notwithstanding the seating capacity limitations set
289 out in Sections 55-23-21 through 55-23-43, to enlarge said stadium
290 as funds become available for said purpose. The parking
291 facilities shall not be extended any farther to the east than as
292 the facilities existed on January 1, 1996. Further, the portion
293 of the state-owned property on which the stadium and parking
294 facilities are located, except the property west of the stadium
295 between the stadium and North West Street, that was undeveloped as

296 of January 1, 1996, shall remain undeveloped unless the
297 Legislature enacts legislation approving the development of such
298 property. The portion of state-owned property on which the
299 stadium is located that is west of the stadium between the stadium
300 and North West Street may be developed to provide parking
301 facilities for the Mississippi Department of Transportation
302 offices located on North West Street. The Mississippi Veterans
303 Memorial Stadium Commission may take any action authorized in
304 Section 1 of _____, 2001 Regular Session, relating to the property
305 described in such section.

306 SECTION 10. Section 55-23-49, Mississippi Code of 1972, is
307 amended as follows:

308 55-23-49. The cost of repairing, remodeling and enlarging
309 the Mississippi Veterans Memorial Stadium shall be paid from any
310 funds appropriated by the Legislature for such purposes, or from
311 the sale of revenue bonds or general obligation bonds issued for
312 this purpose, as may be hereafter authorized by the Legislature.
313 The costs of construction of improvements made under Section 1 of
314 House Bill No. 1007, 2001 Regular Session, may be paid from any
315 funds provided under this section or Section 1 of House Bill No.
316 1007, 2001 Regular Session, or both.

317 SECTION 11. Section 19-9-5, Mississippi Code of 1972, is
318 amended as follows:

319 19-9-5. No county shall hereafter issue bonds secured by a
320 pledge of its full faith and credit for the purposes authorized by
321 law in an amount which, when added to the then outstanding bonds
322 of such county, shall exceed either (a) fifteen percent (15%) of
323 the assessed value of the taxable property within such county
324 according to the last completed assessment for taxation, or (b)
325 fifteen percent (15%) of the assessment upon which taxes were

326 levied for its fiscal year ending September 30, 1984, whichever is
327 greater.

328 However, any county in the state which shall have experienced
329 washed-out or collapsed bridges on the public roads of the county
330 for any cause or reason may hereafter issue bonds for bridge
331 purposes as now authorized by law in an amount which, when added
332 to the then outstanding general obligation bonds of such county,
333 shall not exceed either (a) twenty percent (20%) of the assessed
334 value of the taxable property within such county according to the
335 last completed assessment for taxation or (b) fifteen percent
336 (15%) of the assessment upon which taxes were levied for its
337 fiscal year ending September 30, 1984, whichever is greater.

338 Provided further, in computing such indebtedness, there may
339 be deducted all bonds or other evidences of indebtedness
340 heretofore or hereafter issued, for the construction of hospitals,
341 ports or other capital improvements which are payable primarily
342 from the net revenue to be generated from such hospital, port or
343 other capital improvement, which revenue shall be pledged to the
344 retirement of such bonds or other evidences of indebtedness,
345 together with the full faith and credit of the county. However,
346 in no case shall any county contract any indebtedness payable in
347 whole or in part from proceeds of ad valorem taxes which, when
348 added to all of the outstanding general obligation indebtedness,
349 both bonded and floating, shall exceed either (a) twenty percent
350 (20%) of the assessed value of all taxable property within such
351 county according to the last completed assessment for taxation, or
352 (b) fifteen percent (15%) of the assessment upon which taxes were
353 levied for its fiscal year ending September 30, 1984, whichever is
354 greater. Nothing herein contained shall be construed to apply to
355 contract obligations in any form heretofore or hereafter incurred

356 by any county which are subject to annual appropriations therefor,
357 or to bonds heretofore or hereafter issued by any county for
358 school purposes, or to bonds issued by any county under the
359 provisions of Sections 57-1-1 through 57-1-51, or to any
360 indebtedness incurred under Section 1 of House Bill No. 1007, 2001
361 Regular Session.

362 SECTION 12. Section 21-33-303, Mississippi Code of 1972, is
363 amended as follows:

364 21-33-303. No municipality shall hereafter issue bonds
365 secured by a pledge of its full faith and credit for the purposes
366 authorized by law in an amount which, when added to the then
367 outstanding bonded indebtedness of such municipality, shall exceed
368 either (a) fifteen percent (15%) of the assessed value of the
369 taxable property within such municipality, according to the last
370 completed assessment for taxation, or (b) ten percent (10%) of the
371 assessment upon which taxes were levied for its fiscal year ending
372 September 30, 1984, whichever is greater. In computing such
373 indebtedness, there may be deducted all bonds or other evidences
374 of indebtedness, heretofore or hereafter issued, for school,
375 water, sewerage systems, gas, and light and power purposes and for
376 the construction of special improvements primarily chargeable to
377 the property benefited, or for the purpose of paying the
378 municipality's proportion of any betterment program, a portion of
379 which is primarily chargeable to the property benefited. However,
380 in no case shall any municipality contract any indebtedness which,
381 when added to all of the outstanding general obligation
382 indebtedness, both bonded and floating, shall exceed either (a)
383 twenty percent (20%) of the assessed value of all taxable property
384 within such municipality according to the last completed
385 assessment for taxation or (b) fifteen percent (15%) of the

386 assessment upon which taxes were levied for its fiscal year ending
387 September 30, 1984, whichever is greater. Nothing herein
388 contained shall be construed to apply to contract obligations in
389 any form heretofore or hereafter incurred by any municipality
390 which are subject to annual appropriations therefor, or to bonds
391 heretofore issued by any municipality for school purposes, or to
392 contract obligations in any form heretofore or hereafter incurred
393 by any municipality which are payable exclusively from the
394 revenues of any municipally-owned utility, or to bonds issued by
395 any municipality under the provisions of Sections 57-1-1 through
396 57-1-51, or to any special assessment improvement bonds issued by
397 any municipality under the provisions of Sections 21-41-1 through
398 21-41-53, or to any indebtedness incurred under Section 1 of House
399 Bill No. 1007, 2001 Regular Session.

400 All bonds issued prior to July 1, 1990, pursuant to this
401 chapter by any municipality for the purpose of the constructing,
402 replacing, renovating or improving wastewater collection and
403 treatment facilities in order to comply with an administrative
404 order of the Mississippi Department of Natural Resources issued
405 pursuant to the Federal Water Pollution Control Act and amendments
406 thereto, are hereby exempt from the limitation imposed by this
407 section if the governing body of the municipality adopts an order,
408 resolution or ordinance to the effect that the rates paid by the
409 users of such facilities shall be increased to the extent
410 necessary to provide sufficient funds for the payment of the
411 principal of and interest on such bonds as each respectively
412 becomes due and payable as well as the necessary expenses in
413 connection with the operation and maintenance of such facilities.

414 SECTION 13. This act shall take effect and be in force from
415 and after July 1, 2001, and shall stand repealed from and after

416 June 30, 2001.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AUTHORIZE THE MISSISSIPPI VETERANS MEMORIAL STADIUM
2 COMMISSION TO LEASE CERTAIN STATE-OWNED REAL PROPERTY FOR THE
3 PURPOSE OF THE CONSTRUCTION OF IMPROVEMENTS THEREON AND TO ENTER
4 INTO RELATED AGREEMENTS; TO AMEND SECTIONS 55-23-7, 55-23-9,
5 55-23-11, 55-23-15, 55-23-21, 55-23-41, 55-23-43, 55-23-45,
6 55-23-49, 19-9-5 AND 21-33-303, MISSISSIPPI CODE OF 1972, IN
7 CONFORMITY THERETO; AND FOR RELATED PURPOSES.