By: Representative Morris

To: Ways and Means

HOUSE BILL NO. 1217

AN ACT TO AMEND SECTIONS 1 THROUGH 24, CHAPTER 522, LAWS OF 2003, TO REVISE THE PURPOSES FOR WHICH GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED BY SUCH ACT MAY BE USED BY COMMUNITY AND JUNIOR COLLEGES; AND FOR RELATED PURPOSES.

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

SECTION 1. Sections 1 through 24, Chapter 522, Laws of 2003, are amended as follows:

Section 1. As used in Sections 1 through 24 of this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

Section 2. (1) (a) A special fund to be designated as the "2003 IHL and State Agencies Capital Improvements Fund" is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities for agencies or their successors as hereinafter described:

NAME	**PROJECT**	**AMOUNT ALLOCATED**
INSTITUTIONS OF HIGHER LEARNING		$ 63,760,000.00
Alcorn State University		$ 2,500,000.00
Complete renovation of the baseball field, to include dugouts, bleachers, concession stands, backstops and fencing	$ 500,000.00	
Repair and renovation of campus buildings and facilities and repair, renovation, replacement and improvement of campus infrastructure	$ 2,000,000.00	
Delta State University		$ 6,200,000.00
Repair, renovation, replacement and improvement of campus infrastructure, including repairs and renovations of the Chadwick-Dickson Building	$ 3,000,000.00	
Repair, renovation and restoration of the Cutrer House at the Clarksdale Center and repair, renovation and restoration of the Coahoma		

Community College - Delta
State University Education
Center .... $ 2,500,000.00

Purchase of two (2)
airplanes and three (3)
flight simulators for the
Gibson-Gunn Aviation
School .... $ 700,000.00

Jackson State University......................... $ 6,400,000.00

Acquisition of land adjacent
to campus in the surrounding
neighborhood .... $ 500,000.00

Parking construction, paving and
repair and renovation of campus
buildings and facilities ... $ 1,500,000.00

Acquisition and installation
of any equipment necessary
in establishing and maintaining
a digital transmission system
for TV23 .... $ 1,000,000.00

Construction of a new
baseball stadium and field
and related facilities ..... $ 1,500,000.00

Work necessary to correct
drainage problems on the
west side of the campus .... $ 400,000.00

Phase II of construction of
the Lynch Street Corridor
Project, including landscaping
and irrigation for the
project .... $ 1,500,000.00

Mississippi University for Women................. $ 4,500,000.00

Repair and renovation of

Martin Hall for purpose of housing the School of Nursing .... $ 4,500,000.00

Mississippi State University..................... $ 8,960,000.00

Phase I of repair and renovation of Colvard Student Union .... $ 8,000,000.00

Expansion of the North Mississippi Research and Extension Center .... $ 960,000.00

Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine............... $ 4,750,000.00

Phase I construction of a new building for the Department of Agricultural and Biological Engineering ..... $ 4,750,000.00

Mississippi Valley State University.............. $ 5,000,000.00

Repair and renovation of campus buildings and facilities and repair, renovation, replacement and improvement of campus infrastructure .... $ 4,000,000.00

Design through construction documents and Phase I of construction of a wellness center .... $ 1,000,000.00

University of Mississippi....................... $ 9,000,000.00

Renovation of Farley Hall ..... $ 5,000,000.00

Final phase of renovation of Bryant Hall .... $ 2,500,000.00

Final phase of relocation of the Physical Plant ...... $ 1,000,000.00

Repair and renovation of campus buildings and facilities and repair, renovation, replacement and improvement of campus infrastructure .... $ 500,000.00

University Medical Center......................... $ 4,000,000.00

Demolition of the Antonelli Building and construction, furnishing and equipping of a new teaching facility .... $ 4,000,000.00

University of Southern Mississippi................ $ 8,000,000.00

Repair and renovation of the Reed Green Multipurpose Facility .... $ 3,000,000.00

Completion of construction of the Polymer Institute Product Process Unit/Building to house donated equipment from industry .... $ 2,000,000.00

Repair and renovation of campus buildings, facilities and infrastructure .... $ 3,000,000.00

University of Southern Mississippi/ Gulf Coast Campus............................... $ 2,000,000.00

Design through construction documents and Phase I of construction of a nursing/allied health/science laboratory facility .... $ 2,000,000.00

University of Southern Mississippi/ Gulf Coast Research Laboratory.................. $ 750,000.00

Repair and renovation of campus

buildings and facilities and repair, renovation, replacement and improvement of campus infrastructure .... $ 750,000.00

University of Southern Mississippi/ Stennis Space Center........................... $ 1,000,000.00

Completion of expansion, furnishing and equipping of the High Performance Visualization Center .... $ 1,000,000.00

Education and Research Center..................... $ 700,000.00

Repair and renovation of buildings, facilities and infrastructure .... $ 700,000.00

STATE AGENCIES.................................. $ 55,434,000.00

Department of Human Services..................... $ 2,000,000.00

Renovation of cottages and construction of a visitors center and staff housing at Columbia and Oakley Training Schools .... $ 2,000,000.00

Department of Public Safety...................... $ 1,000,000.00

Construction of a vehicle maintenance facility .... $ 1,000,000.00

Department of Agriculture and Commerce............ $ 4,000,000.00

Repair, renovation, replacement, demolition, improvement and upgrade of facilities and infrastructure at the State Fairgrounds and construction of facilities necessary to relocate the retail portion of the Mississippi Farmers Central Market to the State Fairgrounds ... $ 4,000,000.00

Department of Education.......................... $ 2,984,000.00

Renovation, furnishing and equipping of Dobyns Hall at the Mississippi Schools for the Blind and Deaf ..... $ 1,984,000.00

Equipping, furnishing and other start-up costs for the Mississippi School for the Arts, including, but not limited to, computer equipment; visual art, music and theater supplies; cafeteria equipment and supplies; textbooks; classroom supplies; infirmary and residential life supplies .... $ 1,000,000.00

Department of Mental Health...................... $ 6,200,000.00

Completion of construction of mental health crisis intervention centers first authorized by Chapter 463, Laws of 1999 .... $ 2,400,000.00

Construction of a maintenance/warehouse building at the Mississippi State Hospital .... $ 1,400,000.00

Completion of furnishing and equipping of nursing home facilities at the East Mississippi State Hospital .... $ 1,000,000.00

Construction, furnishing and

equipping of two (2) intermediate care facilities for the mentally retarded (community group homes) .... $ 1,400,000.00

Department of Finance and Administration.......... $ 19,500,000.00

Completion of construction, equipping and furnishing of a justice facility to accommodate the Supreme Court, Court of Appeals and State Law Library $16,000,000.00

Acquisition of real property and improvements located thereon in the vicinity of the New Capitol for use as part of the Capitol Complex .... $ 1,000,000.00

To continue an ongoing program for repair and renovation of state-owned facilities necessary for compliance with the Americans with Disabilities Act ...... $ 1,000,000.00

To continue an ongoing program for repair and renovation of state institutions of higher learning necessary for compliance with the Americans with Disabilities Act .... $ 1,000,000.00

Development of requirements and Phase I of the implementation of a construction and property management information system .... $ 500,000.00

Department of Wildlife, Fisheries and Parks....... $ 750,000.00

Construction, furnishing and equipping of two (2) duplex cabins at Trace State Park and utility connections, road extensions and parking areas for such cabins .... $ 325,000.00

Construction, furnishing and equipping of two (2) duplex cabins at Lake Lowndes State Park and utility connections, road extensions and parking areas for such cabins ..... $ 325,000.00

A proposed plan which the Department of Wildlife, Fisheries and Parks shall provide not later than December 1, 2003, for an eighty- to one-hundred-fifty-acre general purpose lake located in, adjacent to or in close proximity to the Tuscumbia Wildlife Management Area located in Alcorn County, Mississippi. This plan shall consist of an exact location for the proposed lake with detailed property descriptions, preliminary plans and specifications for the lake and shall be made available not later than December 1, 2003 .... $ 100,000.00

Mississippi Forestry Commission.................. $ 1,000,000.00

Repair, renovation of equipment

storage facilities and asbestos removal .... $ 500,000.00

Construction of facilities to produce containerized seedlings .... $ 500,000.00

State Veterans Affairs Board...................... $ 900,000.00

Repair and renovation of the state veterans homes ...... $ 900,000.00

Mississippi Library Commission.................... $ 3,500,000.00

Furnishing and equipping of the new Mississippi Library Commission Building and moving/relocation expenses and other necessary expenses associated with such facility .... $ 3,000,000.00

Acquiring and implementing a statewide, technology standards-compliant interlibrary loan/booksharing system .... $ 500,000.00

Mississippi National Guard........................ $ 1,900,000.00

Provide matching funds to the National Guard for construction of an armory in Kosciusko, Mississippi .... $ 1,400,000.00

Provide matching funds to the National Guard for armory maintenance and repair projects .... $ 500,000.00

Department of Archives and History................ $ 1,500,000.00

Finalization of architectural and exhibit design through construction documents and limited site preparation/ improvement for the new State Historical Museum authorized by Chapter 560, Laws of 1998 .... $ 1,500,000.00

Department of Information Technology Services..... $ 1,900,000.00

Phase I of installation of communications infrastructure and related equipment at the Capitol Complex, the Education and Research Center Campus and other state buildings and connections between such locations .... $ 1,900,000.00

Mississippi Veterinary Diagnostic Laboratory...... $ 6,000,000.00

Phase II of construction, furnishing and equipping of the Mississippi Veterinary Diagnostic Laboratory in Jackson ..... $ 6,000,000.00

State Fire Academy................................ $ 2,300,000.00

Construction, equipping and furnishing a new burn building with gas fire simulators and other related facilities at State Fire Academy in Rankin County .... $ 2,300,000.00

TOTAL.. $119,194,000.00

(2) (a) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under Sections 1 through 24 of this act are deposited

into the special fund, then the agency or institution of higher learning for which any unused monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under Sections 1 through 24 of this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(b) Monies in the special fund may be used to reimburse reasonable, actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in subsection (1) of this section. Reimbursement may be made only until such time as the project is completed. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable, actual and necessary costs for a project shall not exceed three percent (3%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and

Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(4) Any amounts allocated to an agency or institution of higher learning that are in excess of that needed to complete the projects at such agency or institution of higher learning that are described in subsection (1) of this section may be used for general repairs and renovations or previously authorized capital projects at the agency or institution of higher learning to which such amount is allocated.

(5) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is authorized to preplan or continue planning of the following projects:

(a) Continuation of preplanning of Phase I of repair and renovation or construction of dining facilities at Alcorn State University;

(b) Construction of a new men's dormitory at Alcorn State University;

(c) Renovation of Dansby Hall and Charles Moore Hall at Jackson State University;

(d) Renovation of Poindexter Hall at the Mississippi University for Women; and

(e) Relocation of State Records Center.

The projects authorized in this subsection shall be in addition to the projects authorized in subsection (1) of this section.

(6) The use of monies allocated to Delta State University under subsection (1) of this section for use at the Coahoma Community College - Delta State University Education Center shall be conditioned upon Coahoma County, Mississippi, providing

matching funds in an amount not less than the monies allocated to such center under subsection (1) of this section.

Section 3. (1) (a) A special fund to be designated as the "2003 Community and Junior Colleges Capital Improvements Fund" is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under Sections 1 through 24 of this act.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities<u>, equipping and furnishing facilities, including furniture and technology equipment and infrastructure,</u> and addition to or renovation of existing facilities for community and junior college campuses as recommended by the State Board for Community and Junior Colleges. The amount to be expended at each community and junior college is as follows:

Coahoma	$ 578,799.00
Copiah-Lincoln	683,117.00
East Central	614,715.00
East Mississippi	709,527.00
Hinds	1,341,127.00
Holmes	738,315.00
Itawamba	776,873.00
Jones	930,845.00
Meridian	710,056.00
Mississippi Delta	747,822.00
Mississippi Gulf Coast	1,185,439.00

Northeast Mississippi	742,672.00
Northwest Mississippi	949,992.00
Pearl River	716,262.00
Southwest Mississippi	574,439.00
GRAND TOTAL	**$12,000,000.00**

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under Sections 1 through 24 of this act are deposited into the special fund, then the community college or junior college for which any such monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under Sections 1 through 24 of this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 4. (1) (a) A special fund to be designated as the "2003 Mississippi State-Owned Buildings and IHL Repair and Renovation Fund" is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of repair and renovation of state-owned buildings and facilities, and repair and renovation of state institutions of higher learning, including having environmental studies or other studies performed for the purpose of determining, assessing and/or correcting problems regarding black mold and other hazardous substances; however, Five Hundred Thousand Dollars ($500,000.00) shall be disbursed by the Department of Finance and Administration to pay the cost of repairs and renovations at the Mississippi School for the Deaf and the Mississippi School for the Blind.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under Sections 1 through 24 of this act are deposited into the special fund, then the Department of Finance and Administration shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under Sections 1 through 24 of this

act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 5. (1) (a) A special fund to be designated as the "2003 Ayers Settlement Agreement Capital Improvements Fund" is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(b) Monies deposited into the fund shall constitute Ayers bond revenues to be disbursed by the Department of Finance and Administration to pay the costs of capital improvements at Alcorn State University, Jackson State University and Mississippi Valley State University as recommended by the Board of Trustees of State Institutions of Higher Learning in order to comply with the Settlement Agreement in the case of Ayers v. Musgrove.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(4) It is the intent of the Legislature that not less than ten percent (10%) of the amounts authorized to be expended in this section shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals. The term "socially and economically disadvantaged individuals" shall have the meaning ascribed to such term under Section 8(d) of the Small Business Act (15 USCS, Section 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for the purposes of this subsection.

Section 6. (1) (a) A special fund to be designated as the "2003 Mississippi EDNET Fund" is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(b) Monies deposited into the fund shall be disbursed by the Department of Finance and Administration to the Mississippi

EDNET Institute, to pay the costs of engineering, procuring and installing equipment and facilities consisting of digital microwave interconnect and support equipment, digital video encoding and decoding equipment, digital ITFS transmission equipment, antennas and transmission lines and/or any equipment useful in establishing or maintaining a digital or analog transmission or origination system in order to complete the existing but incomplete EDNET ITFS statewide network.

(2) Amounts deposited into such special fund shall be disbursed to the Mississippi EDNET Institute to pay the costs of projects described in subsection (1) of this section.

(3) The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer to the Mississippi EDNET Institute upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 7. (1) (a) A special fund to be designated as the "2003 Chalmers Institute Repair and Renovation Fund" is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(b) Monies deposited into the fund shall be disbursed by the Department of Finance and Administration, to pay the costs of repairs and renovations of the Chalmers Institute in Holly Springs, Mississippi.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 8. (1) (a) A special fund to be designated as the "2003 Hillcrest Cemetery Repair Fund" is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(b) Monies deposited into the fund shall be disbursed by the Department of Finance and Administration to the City of Holly Springs, Mississippi, to pay the costs of repairs to the historical portion of the Hillcrest Cemetery.

(2) Amounts deposited into such special fund shall be disbursed by the Department of Finance and Administration to pay the costs of projects described in subsection (1) of this section.

(3) Such funds shall be paid by the State Treasurer to the City of Holly Springs, Mississippi, upon warrants issued by the

Department of Finance and Administration, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 9. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Sections 2, 3, 4, 6, 7 and 8 of this act. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. Except as otherwise provided in Section 10 of this act, the total amount of bonds issued under Sections 1 through 24 of this act shall not exceed One Hundred Thirty-nine Million Four Hundred Eighty-four Thousand Dollars ($139,484,000.00). No bonds shall be issued under this section after July 1, 2006.

(2) The proceeds of the bonds issued pursuant to Sections 1 through 24 of this act shall be deposited into the following special funds in not more than the following amounts:

(a) The 2003 IHL Capital and State Agencies Improvements Fund created pursuant to Section 2 of this act.. $119,194,000.00.

(b) The 2003 Community and Junior College Capital Improvements Fund created pursuant to Section 3 of this act.. $ 12,000,000.00.

(c) The 2003 Mississippi State-Owned Buildings and IHL Repair and Renovation Fund created pursuant to Section 4 of this act.................................... $ 3,000,000.00.

(d) The 2003 Mississippi EDNET Fund created pursuant to Section 6 of this act........................... $ 900,000.00.

(e) The 2003 Chalmers Institute Repair and Renovation Fund created pursuant to Section 7 of this act... $ 90,000.00.

(f) The 2003 Hillcrest Cemetery Fund created pursuant to Section 8 of this act........................ $ 300,000.00.

(g) The Rural Fire Truck Fund created pursuant to Section 17-23-1 for the rural fire truck acquisition assistance program.. $ 4,000,000.00.

(3) Any investment earnings on amounts deposited into the special funds created in Sections 2, 3, 4, 6, 7 and 8 of this act shall be used to pay debt service on bonds issued under Sections 1 through 24 of this act, in accordance with the proceedings authorizing issuance of such bonds.

Section 10. (1) The United States District Court for the Northern District of Mississippi having approved the Settlement Agreement in the case of Ayers v. Musgrove and on notification that such agreement has become final and effective according to its terms, including, but not limited to, the exhaustion of all rights to appeal, the commission, at one time, or from time to time, shall declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes describe in Section 5 of this act. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued pursuant to this section shall not exceed Fifteen Million Dollars ($15,000,000.00).

(2) The proceeds of the bonds issued pursuant to this section shall be deposited into the special fund created in Section 6 of this act. Any investment earnings on amount deposited into the special fund created in Section 5 of this act shall be used to pay debt service on bonds issued under Sections 1 through 24 of this act, in accordance with the proceedings authorizing the issuance of such bonds.

Section 11. The principal of and interest on the bonds authorized under Sections 1 through 24 of this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

Section 12. The bonds authorized by Sections 1 through 24 of this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 13. All bonds and interest coupons issued under the provisions of Sections 1 through 24 of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by Sections 1 through 24 of this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 14. The commission shall act as the issuing agent for the bonds authorized under Sections 1 through 24 of this act, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under Sections 1 through 24 of this act from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale, and for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to the date of delivery of the bonds to the purchaser. All interest accruing on such bonds so issued shall be payable semiannually or annually;

however, the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, and in one or more other newspapers or financial journals with a national circulation, to be selected by the commission.

The commission, when issuing any bonds under the authority of Sections 1 through 24 of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 15. The bonds issued under the provisions of Sections 1 through 24 of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 16. Upon the issuance and sale of bonds under the provisions of Sections 1 through 24 of this act, the commission shall transfer the proceeds of any such sale or sales to the special funds created in Sections 2, 3, 4, 5, 6, 7 and 8 of this act in the amounts provided for in Sections 9(2) and 10 of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 17. The bonds authorized under Sections 1 through 24 of this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by Sections 1 through 24 of this act. Any resolution providing for the issuance of bonds under the provisions of Sections 1 through 24 of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

Section 18. The bonds authorized under the authority of Sections 1 through 24 of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 19. Any holder of bonds issued under the provisions of Sections 1 through 24 of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under Sections 1 through 24 of this act, or under such resolution, and may enforce and compel performance of all duties required by Sections 1 through 24 of this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 20. All bonds issued under the provisions of Sections 1 through 24 of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 21. Bonds issued under the provisions of Sections 1 through 24 of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 22. The proceeds of the bonds issued under Sections 1 through 24 of this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 23. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under Sections 1 through 24 of this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

Section 24. Sections 1 through 24 of this act shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. This act shall take effect and be in force from and after its passage.

ST: Bonds; revise purposes for which allocations may be used by community and junior colleges.