

By: Representatives Snowden, Young

To: Public Property

HOUSE BILL NO. 1442
(As Sent to Governor)

1 AN ACT TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION
2 3-3-49, MISSISSIPPI CODE OF 1972, DESIGNATING THE MISSISSIPPI
3 INDUSTRIAL HERITAGE MUSEUM, INCORPORATED AS THE STATE HISTORICAL
4 INDUSTRIAL MUSEUM; TO AMEND SECTIONS 39-23-3, 39-23-5 AND 39-23-7,
5 MISSISSIPPI CODE OF 1972, AND SECTION 20, CHAPTER 535, LAWS OF
6 1997, AS AMENDED, TO AUTHORIZE THE CONSTRUCTION, FURNISHING AND
7 EQUIPPING OF A CHILDREN'S MUSEUM AT A LOCATION IN HINDS COUNTY
8 SUBMITTED BY THE BOARD OF DIRECTORS OF THE MISSISSIPPI CHILDREN'S
9 MUSEUM TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND
10 APPROVED AS AN APPROPRIATE LOCATION BY THE DEPARTMENT OF FINANCE
11 AND ADMINISTRATION, AND TO AUTHORIZE THE USE OF THE PROCEEDS FROM
12 THE ISSUANCE OF CERTAIN STATE GENERAL OBLIGATION BONDS IN THE
13 CONSTRUCTION, FURNISHING AND EQUIPPING OF THE MUSEUM AT SUCH
14 LOCATION; AND FOR RELATED PURPOSES.

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

16 SECTION 1. The following shall be codified as Section
17 3-3-49, Mississippi Code of 1972:

18 3-3-49. The Mississippi Industrial Heritage Museum,
19 Incorporated, is designated as the state historical industrial
20 museum.

21 SECTION 2. Section 39-23-3, Mississippi Code of 1972, is
22 amended as follows:

23 39-23-3. The Mississippi Children's Museum may be located:

24 (a) At the old National Guard Armory located on the
25 Mississippi State Fairgrounds in Jackson, Mississippi, after the
26 repair, renovation, furnishing and equipping of such facility by
27 the Department of Finance and Administration as provided for in
28 Sections 16 through 33 of Chapter 535, Laws of 1997, as amended;

29 (b) In such structure and at such location as shall be
30 submitted by the Board of Directors of the Mississippi Children's
31 Museum, a Mississippi nonprofit corporation, to and approved as an
32 appropriate structure and location by the Department of Finance
33 and Administration, after the repair, renovation, furnishing and

34 equipping of such facility by the Department of Finance and
35 Administration as provided in Sections 16 through 33 of Chapter
36 535, Laws of 1997, as amended; or

37 (c) In the building, formerly known as the Mississippi
38 Museum of Natural Science, on land located adjacent to the State
39 Fairgrounds in the City of Jackson, County of Hinds, Mississippi,
40 described more specifically as follows:

41 Starting at the point of intersection of the
42 North line of Pearl Street and the West line of
43 Jefferson Street, run Northerly along the West
44 line of Jefferson Street a distance of 240 feet
45 to the point of beginning, an iron pin.
46 Continue Northerly along the West line of
47 Jefferson Street for a distance of 257.9 feet to
48 an iron pin; turn left through an angle of 89 degrees -
49 57 minutes - 14 seconds and run Westerly for a
50 distance of 278.9 feet to an iron pin on the east
51 right-of-way line of the G.M. & O. Railroad; turn
52 left through an angle of 79 degrees - 29 minutes -
53 30 seconds and run Southerly along the East right-of-way
54 of the G.M. & O. Railroad (Said line being a curve
55 to the left with a radius of 2814.93 feet, chord
56 definition) for a distance of 260.4 feet to an iron
57 pipe; turn left through an angle of 95 degrees - 12
58 minutes - 26 seconds and run Easterly and parallel
59 with the North line of this tract for a distance of
60 314.7 feet to the point of beginning.

61 (d) On certain real property owned by the State of
62 Mississippi and held by the Mississippi Department of Agriculture
63 and Commerce, more particularly described as follows:

64 39 acres lying in the northeast corner of the
65 intersection of Mississippi 25 and Interstate 55.

66 (e) At any location in Hinds County as shall be
67 submitted by the Board of Directors of the Mississippi Children's
68 Museum, a Mississippi nonprofit corporation, to the Department of
69 Finance and Administration and approved as an appropriate location
70 by the Department of Finance and Administration.

71 **SECTION 3.** Section 39-23-5, Mississippi Code of 1972, is
72 amended as follows:

73 39-23-5. (1) The Department of Finance and Administration
74 shall proceed with the repair, renovation, furnishing and
75 equipping of the old National Guard Armory on the Mississippi
76 State Fairgrounds, or another structure if approved by the
77 Department of Finance and Administration as provided in Section 17
78 of Chapter 589, Laws of 1999, for its use as a children's museum
79 as soon as practicable.

80 (2) The Department of Finance and Administration shall
81 proceed with the repair, renovation, furnishing and equipping of
82 the facility at the location described in Section 39-23-3(c) as
83 soon as practicable.

84 (3) The Department of Finance and Administration shall
85 proceed with the construction, furnishing and equipping of a
86 facility at the location described in Section 39-23-3(d), if the
87 location at such site is approved by the Board of Directors of the
88 Mississippi Children's Museum and the Department of Finance and
89 Administration, as soon as practicable.

90 (4) The Department of Finance and Administration shall
91 proceed with the construction, furnishing and equipping of a
92 facility at a location selected as provided in Section 39-23-3(e),
93 if the location is approved by the Board of Directors of the
94 Mississippi Children's Museum and the Department of Finance and
95 Administration, as soon as practicable.

96 **SECTION 4.** Section 39-23-7, Mississippi Code of 1972, is
97 amended as follows:

98 39-23-7. (1) If the old National Guard Armory is repaired,
99 renovated, furnished and equipped as provided for in Sections
100 39-23-1 through 39-23-7 and Sections 20 through 33 of Chapter 535,
101 Laws of 1997, as amended, the Mississippi Fair Commission shall
102 lease the facility for a period not exceeding twenty (20) years to
103 a nonprofit corporation whose primary purpose for incorporation is
104 the support and improvement of a children's museum in Mississippi.
105 The benefit to Mississippi from the operation of such lease shall
106 be considered as sufficient consideration. The lease shall be
107 executed for a nominal fee and it shall be presumed that such
108 lease shall not amount to a donation of state property.

109 (2) If the facility at the location described in Section
110 39-23-3(c) is repaired, renovated, furnished and equipped as
111 provided for in Sections 39-23-1 through 39-23-7 and Sections 20
112 through 33 of Chapter 535, Laws of 1997, as amended, the
113 Department of Finance and Administration shall lease the facility
114 for a period not exceeding twenty (20) years to a nonprofit
115 corporation whose primary purpose for incorporation is the support
116 and improvement of a children's museum in Mississippi. The
117 benefit to Mississippi from the operation of such lease shall be
118 considered as sufficient consideration. The lease shall be
119 executed for a nominal fee and it shall be presumed that such
120 lease shall not amount to a donation of state property.

121 (3) If the facility at the location described in Section
122 39-23-3(d) is constructed, furnished and equipped as provided for
123 in Sections 39-23-1 through 39-23-7 and Sections 20 through 33 of
124 Chapter 535, Laws of 1997, as amended, the Department of Finance
125 and Administration shall lease the facility for a period not
126 exceeding twenty (20) years to a nonprofit corporation whose
127 primary purpose for incorporation is the support and improvement
128 of a children's museum in Mississippi. The benefit to Mississippi
129 from the operation of such lease shall be considered a sufficient
130 consideration. The lease shall be executed for a nominal fee and

131 it shall be presumed that such lease shall not amount to a
132 donation of state property.

133 (4) If the facility at a location selected as provided in
134 Section 39-23-3(e) is constructed, furnished and equipped as
135 provided for in Sections 39-23-1 through 39-23-7 and Sections 20
136 through 33 of Chapter 535, Laws of 1997, as amended, the
137 Department of Finance and Administration shall lease the facility
138 for a period not exceeding twenty (20) years to a nonprofit
139 corporation whose primary purpose for incorporation is the support
140 and improvement of a children's museum in Mississippi. The
141 benefit to Mississippi from the operation of such lease shall be
142 considered a sufficient consideration. The lease shall be
143 executed for a nominal fee and it shall be presumed that such
144 lease shall not amount to a donation of state property.

145 **SECTION 5.** Section 20, Chapter 535, Laws of 1997, as amended
146 by Section 137, Chapter 589, Laws of 1999, as amended by Section
147 64, Chapter 600, Laws of 2001, is amended as follows:

148 Section 20. (1) Upon the receipt of matching funds or
149 verification that the matching funds described in this subsection
150 are forthcoming, the Department of Finance and Administration, at
151 one time, or from time to time, may declare by resolution the
152 necessity for issuance of general obligation bonds of the State of
153 Mississippi in an amount not to exceed Two Million Dollars
154 (\$2,000,000.00) to provide funds for the: (a) repair, renovation,
155 remodeling, equipping, furnishing, adding to or improving the old
156 National Guard Armory on the State Fairgrounds in Jackson,
157 Mississippi, or another structure if approved by the Department of
158 Finance and Administration as provided in Section 17 of this act,
159 for use as a children's museum as authorized under Sections 16
160 through 33 of this act; (b) repair, renovation, furnishing and
161 equipping of the facility at the location described in Section
162 39-23-3(c); * * * (c) construction, furnishing and equipping of a
163 facility at the location described in Section 39-23-3(d); or (d)

164 construction, furnishing and equipping of a facility at a location
165 selected as provided in Section 39-23-3(e). The issuance of the
166 bonds described in this subsection and the allocation of such
167 funds are conditioned upon the private sector or local or federal
168 government providing Two Million Dollars (\$2,000,000.00) to match
169 the funds provided under this section. The matching funds
170 required pursuant to this subsection may be provided in the form
171 of cash or in-kind contributions or any combination of cash or
172 in-kind contributions. In-kind contributions shall include, but
173 not be limited to, the value of exhibits that are contributed to
174 the children's museum authorized under Sections 16 through 33 of
175 this act.

176 (2) Upon the adoption of a resolution by the Department of
177 Finance and Administration, declaring the necessity for the
178 issuance of any part or all of the general obligation bonds
179 authorized by this section, the department shall deliver a
180 certified copy of its resolution or resolutions to the State Bond
181 Commission. Upon receipt of such resolution, the State Bond
182 Commission, in its discretion, may act as the issuing agent,
183 prescribe the form of the bonds, advertise for and accept bids,
184 issue and sell the bonds so authorized to be sold, and do any and
185 all other things necessary and advisable in connection with the
186 issuance and sale of such bonds. The amount of bonds issued under
187 Sections 16 through 33 of this act shall not exceed Two Million
188 Dollars (\$2,000,000.00).

189 **SECTION 6.** This act shall take effect and be in force from
190 and after July 1, 2004.