

By: Representatives Howell, Smith (39th),
Morris, Read, Watson

To: Ways and Means

HOUSE BILL NO. 1788

1 AN ACT TO AUTHORIZE THE ISSUANCE OF \$10,000,000.00 IN STATE
2 GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI
3 RURAL IMPACT FUND; TO AUTHORIZE THE ISSUANCE OF \$10,000,000.00 IN
4 STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE SMALL
5 MUNICIPALITIES AND LIMITED POPULATION COUNTIES FUND; TO AMEND
6 SECTION 57-1-18, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A
7 PORTION OF THE PROCEEDS OF CERTAIN BONDS MAY BE UTILIZED BY THE
8 MISSISSIPPI DEVELOPMENT AUTHORITY TO REIMBURSE CERTAIN COSTS
9 RELATED TO THE ADMINISTRATION OF THE FUND AND TO LIMIT THE AMOUNT
10 OF GRANTS ISSUED TO A MUNICIPALITY OR COUNTY DURING ANY GRANT
11 PERIOD TO \$250,000.00; TO AUTHORIZE THE ISSUANCE OF \$1,000,000.00
12 IN STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE ACE
13 FUND; TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE
14 STATE OF MISSISSIPPI FOR THE PURPOSE OF PROVIDING FUNDS FOR THE
15 MISSISSIPPI LAND, WATER AND TIMBER RESOURCES FUND; TO AMEND
16 SECTION 69-46-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE
17 MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD MAY PROVIDE
18 LOAN GUARANTIES ON BEHALF OF PUBLIC AND PRIVATE ENTITIES IN ANY
19 MANNER THE BOARD DETERMINES APPROPRIATE FOR THE PURPOSES OF
20 CARRYING OUT THE PROVISIONS OF THE MISSISSIPPI LAND, WATER AND
21 TIMBER RESOURCES ACT; TO AMEND SECTION 69-46-7, MISSISSIPPI CODE
22 OF 1972, TO REQUIRE THE MISSISSIPPI LAND, WATER AND TIMBER
23 RESOURCES BOARD TO SET ASIDE \$800,000.00 OF THE MONIES IN THE
24 MISSISSIPPI LAND, WATER AND TIMBER RESOURCES FUND FOR THE PURPOSE
25 OF PROVIDING LOANS, GRANTS, CONTRACTS, LOAN GUARANTIES OR OTHER
26 FORMS OF ASSISTANCE TO ANY PRIVATE ENTITY ENGAGED IN THE
27 MANUFACTURE OF ENVIRONMENTALLY RESPONSIBLE PRODUCTS; TO AUTHORIZE
28 THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD TO PROVIDE
29 A PORTION OF THE MONIES IN THE MISSISSIPPI LAND, WATER AND TIMBER
30 RESOURCES FUND, WHICH ARE DERIVED FROM THE PROCEEDS OF BONDS
31 AUTHORIZED UNDER THIS ACT, TO THE MISSISSIPPI DEPARTMENT OF
32 AGRICULTURE AND COMMERCE, THE MISSISSIPPI DEVELOPMENT AUTHORITY
33 AND THE DEPARTMENT OF AUDIT TO DEFRAY COSTS INCURRED BY SUCH
34 ENTITIES IN ASSISTING THE BOARD IN CARRYING OUT THE PROVISIONS OF
35 THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES ACT; TO AUTHORIZE
36 THE ISSUANCE OF \$48,000,000.00 IN STATE GENERAL OBLIGATION BONDS
37 TO PROVIDE FUNDS FOR CAPITAL IMPROVEMENTS AT THE STATE-OWNED
38 SHIPYARD LOCATED IN JACKSON COUNTY, MISSISSIPPI; TO PROVIDE THAT
39 THE ISSUANCE OF SUCH BONDS SHALL BE CONDITIONED ON THE LESSEE
40 INCURRING A CERTAIN AMOUNT OF DEBT FOR CAPITAL IMPROVEMENTS,
41 CAPITAL INVESTMENTS OR CAPITAL UPGRADES TO SHIPYARDS IN
42 MISSISSIPPI OWNED OR LEASED BY SUCH LESSEE; AND FOR RELATED
43 PURPOSES.

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

45 **SECTION 1.** As used in Sections 1 through 16 of this act, the
46 following words shall have the meanings ascribed herein unless the
47 context clearly requires otherwise:

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

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

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

57 **SECTION 2.** (1) The Mississippi Development Authority, at
58 one time, or from time to time, may declare by resolution the
59 necessity for issuance of general obligation bonds of the State of
60 Mississippi to provide funds for the program authorized in Section
61 57-85-5. Upon the adoption of a resolution by the Mississippi
62 Development Authority, declaring the necessity for the issuance of
63 any part or all of the general obligation bonds authorized by this
64 section, the Mississippi Development Authority shall deliver a
65 certified copy of its resolution or resolutions to the commission.
66 Upon receipt of such resolution, the commission, in its
67 discretion, may act as the issuing agent, prescribe the form of
68 the bonds, advertise for and accept bids, issue and sell the bonds
69 so authorized to be sold and do any and all other things necessary
70 and advisable in connection with the issuance and sale of such
71 bonds. The total amount of bonds issued under Sections 1 through
72 16 of this act shall not exceed Ten Million Dollars
73 (\$10,000,000.00). No bonds authorized under Sections 1 through 16
74 of this act shall be issued after July 1, 2008.

75 (2) The proceeds of bonds issued pursuant to Sections 1
76 through 16 of this act shall be deposited into the Mississippi
77 Rural Impact Fund created pursuant to Section 57-85-5. Any
78 investment earnings on bonds issued pursuant to Sections 1 through
79 16 of this act shall be used to pay debt service on bonds issued

80 under Sections 1 through 16 of this act, in accordance with the
81 proceedings authorizing issuance of such bonds.

82 **SECTION 3.** The principal of and interest on the bonds
83 authorized under Sections 1 through 16 of this act shall be
84 payable in the manner provided in this section. Such bonds shall
85 bear such date or dates, be in such denomination or denominations,
86 bear interest at such rate or rates (not to exceed the limits set
87 forth in Section 75-17-101, Mississippi Code of 1972), be payable
88 at such place or places within or without the State of
89 Mississippi, shall mature absolutely at such time or times not to
90 exceed twenty-five (25) years from date of issue, be redeemable
91 before maturity at such time or times and upon such terms, with or
92 without premium, shall bear such registration privileges, and
93 shall be substantially in such form, all as shall be determined by
94 resolution of the commission.

95 **SECTION 4.** The bonds authorized by Sections 1 through 16 of
96 this act shall be signed by the chairman of the commission, or by
97 his facsimile signature, and the official seal of the commission
98 shall be affixed thereto, attested by the secretary of the
99 commission. The interest coupons, if any, to be attached to such
100 bonds may be executed by the facsimile signatures of such
101 officers. Whenever any such bonds shall have been signed by the
102 officials designated to sign the bonds who were in office at the
103 time of such signing but who may have ceased to be such officers
104 before the sale and delivery of such bonds, or who may not have
105 been in office on the date such bonds may bear, the signatures of
106 such officers upon such bonds and coupons shall nevertheless be
107 valid and sufficient for all purposes and have the same effect as
108 if the person so officially signing such bonds had remained in
109 office until their delivery to the purchaser, or had been in
110 office on the date such bonds may bear. However, notwithstanding
111 anything herein to the contrary, such bonds may be issued as
112 provided in the Registered Bond Act of the State of Mississippi.

113 **SECTION 5.** All bonds and interest coupons issued under the
114 provisions of Sections 1 through 16 of this act have all the
115 qualities and incidents of negotiable instruments under the
116 provisions of the Uniform Commercial Code, and in exercising the
117 powers granted by Sections 1 through 16 of this act, the
118 commission shall not be required to and need not comply with the
119 provisions of the Uniform Commercial Code.

120 **SECTION 6.** The commission shall act as the issuing agent for
121 the bonds authorized under Sections 1 through 16 of this act,
122 prescribe the form of the bonds, advertise for and accept bids,
123 issue and sell the bonds so authorized to be sold, pay all fees
124 and costs incurred in such issuance and sale, and do any and all
125 other things necessary and advisable in connection with the
126 issuance and sale of such bonds. The commission is authorized and
127 empowered to pay the costs that are incident to the sale, issuance
128 and delivery of the bonds authorized under Sections 1 through 16
129 of this act from the proceeds derived from the sale of such bonds.
130 The commission shall sell such bonds on sealed bids at public
131 sale, and for such price as it may determine to be for the best
132 interest of the State of Mississippi, but no such sale shall be
133 made at a price less than par plus accrued interest to the date of
134 delivery of the bonds to the purchaser. All interest accruing on
135 such bonds so issued shall be payable semiannually or annually;
136 however, the first interest payment may be for any period of not
137 more than one (1) year.

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

145 The commission, when issuing any bonds under the authority of
146 Sections 1 through 16 of this act, may provide that bonds, at the
147 option of the State of Mississippi, may be called in for payment
148 and redemption at the call price named therein and accrued
149 interest on such date or dates named therein.

150 **SECTION 7.** The bonds issued under the provisions of Sections
151 1 through 16 of this act are general obligations of the State of
152 Mississippi, and for the payment thereof the full faith and credit
153 of the State of Mississippi is irrevocably pledged. If the funds
154 appropriated by the Legislature are insufficient to pay the
155 principal of and the interest on such bonds as they become due,
156 then the deficiency shall be paid by the State Treasurer from any
157 funds in the State Treasury not otherwise appropriated. All such
158 bonds shall contain recitals on their faces substantially covering
159 the provisions of this section.

160 **SECTION 8.** Upon the issuance and sale of bonds under the
161 provisions of Sections 1 through 16 of this act, the commission
162 shall transfer the proceeds of any such sale or sales to the
163 Mississippi Rural Impact Fund created in Section 57-85-5. The
164 proceeds of such bonds shall be disbursed solely upon the order of
165 the Mississippi Development Authority under such restrictions, if
166 any, as may be contained in the resolution providing for the
167 issuance of the bonds.

168 **SECTION 9.** The bonds authorized under Sections 1 through 16
169 of this act may be issued without any other proceedings or the
170 happening of any other conditions or things other than those
171 proceedings, conditions and things which are specified or required
172 by Sections 1 through 16 of this act. Any resolution providing
173 for the issuance of bonds under the provisions of Sections 1
174 through 16 of this act shall become effective immediately upon its
175 adoption by the commission, and any such resolution may be adopted
176 at any regular or special meeting of the commission by a majority
177 of its members.

178 **SECTION 10.** The bonds authorized under the authority of
179 Sections 1 through 16 of this act may be validated in the Chancery
180 Court of the First Judicial District of Hinds County, Mississippi,
181 in the manner and with the force and effect provided by Chapter
182 13, Title 31, Mississippi Code of 1972, for the validation of
183 county, municipal, school district and other bonds. The notice to
184 taxpayers required by such statutes shall be published in a
185 newspaper published or having a general circulation in the City of
186 Jackson, Mississippi.

187 **SECTION 11.** Any holder of bonds issued under the provisions
188 of Sections 1 through 16 of this act or of any of the interest
189 coupons pertaining thereto may, either at law or in equity, by
190 suit, action, mandamus or other proceeding, protect and enforce
191 any and all rights granted under Sections 1 through 16 of this
192 act, or under such resolution, and may enforce and compel
193 performance of all duties required by Sections 1 through 16 of
194 this act to be performed, in order to provide for the payment of
195 bonds and interest thereon.

196 **SECTION 12.** All bonds issued under the provisions of
197 Sections 1 through 16 of this act shall be legal investments for
198 trustees and other fiduciaries, and for savings banks, trust
199 companies and insurance companies organized under the laws of the
200 State of Mississippi, and such bonds shall be legal securities
201 which may be deposited with and shall be received by all public
202 officers and bodies of this state and all municipalities and
203 political subdivisions for the purpose of securing the deposit of
204 public funds.

205 **SECTION 13.** Bonds issued under the provisions of Sections 1
206 through 16 of this act and income therefrom shall be exempt from
207 all taxation in the State of Mississippi.

208 **SECTION 14.** The proceeds of the bonds issued under Sections
209 1 through 16 of this act shall be used solely for the purposes

210 therein provided, including the costs incident to the issuance and
211 sale of such bonds.

212 **SECTION 15.** The State Treasurer is authorized, without
213 further process of law, to certify to the Department of Finance
214 and Administration the necessity for warrants, and the Department
215 of Finance and Administration is authorized and directed to issue
216 such warrants, in such amounts as may be necessary to pay when due
217 the principal of, premium, if any, and interest on, or the
218 accreted value of, all bonds issued under Sections 1 through 16 of
219 this act; and the State Treasurer shall forward the necessary
220 amount to the designated place or places of payment of such bonds
221 in ample time to discharge such bonds, or the interest thereon, on
222 the due dates thereof.

223 **SECTION 16.** Sections 1 through 16 of this act shall be
224 deemed to be full and complete authority for the exercise of the
225 powers therein granted, but Sections 1 through 16 of this act
226 shall not be deemed to repeal or to be in derogation of any
227 existing law of this state.

228 **SECTION 17.** As used in Sections 17 through 32 of this act,
229 the following words shall have the meanings ascribed herein unless
230 the context clearly requires otherwise:

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

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

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

240 **SECTION 18.** (1) The Mississippi Development Authority, at
241 one time, or from time to time, may declare by resolution the
242 necessity for issuance of general obligation bonds of the State of

243 Mississippi to provide funds for the grant program authorized in
244 Section 57-1-18. Upon the adoption of a resolution by the
245 Mississippi Development Authority, declaring the necessity for the
246 issuance of any part or all of the general obligation bonds
247 authorized by this section, the Mississippi Development Authority
248 shall deliver a certified copy of its resolution or resolutions to
249 the commission. Upon receipt of such resolution, the commission,
250 in its discretion, may act as the issuing agent, prescribe the
251 form of the bonds, advertise for and accept bids, issue and sell
252 the bonds so authorized to be sold and do any and all other things
253 necessary and advisable in connection with the issuance and sale
254 of such bonds. The total amount of bonds issued under Sections 17
255 through 32 of this act shall not exceed Ten Million Dollars
256 (\$10,000,000.00). No bonds authorized under Sections 17 through
257 32 of this act shall be issued after July 1, 2008.

258 (2) The proceeds of bonds issued pursuant to Sections 17
259 through 32 of this act shall be deposited into the Small
260 Municipalities and Limited Population Counties Fund created
261 pursuant to Section 57-1-18. Any investment earnings on bonds
262 issued pursuant to Sections 17 through 32 of this act shall be
263 used to pay debt service on bonds issued under Sections 17 through
264 32 of this act, in accordance with the proceedings authorizing
265 issuance of such bonds.

266 **SECTION 19.** The principal of and interest on the bonds
267 authorized under Sections 17 through 32 of this act shall be
268 payable in the manner provided in this section. Such bonds shall
269 bear such date or dates, be in such denomination or denominations,
270 bear interest at such rate or rates (not to exceed the limits set
271 forth in Section 75-17-101, Mississippi Code of 1972), be payable
272 at such place or places within or without the State of
273 Mississippi, shall mature absolutely at such time or times not to
274 exceed twenty-five (25) years from date of issue, be redeemable
275 before maturity at such time or times and upon such terms, with or

276 without premium, shall bear such registration privileges, and
277 shall be substantially in such form, all as shall be determined by
278 resolution of the commission.

279 **SECTION 20.** The bonds authorized by Sections 17 through 32
280 of this act shall be signed by the chairman of the commission, or
281 by his facsimile signature, and the official seal of the
282 commission shall be affixed thereto, attested by the secretary of
283 the commission. The interest coupons, if any, to be attached to
284 such bonds may be executed by the facsimile signatures of such
285 officers. Whenever any such bonds shall have been signed by the
286 officials designated to sign the bonds who were in office at the
287 time of such signing but who may have ceased to be such officers
288 before the sale and delivery of such bonds, or who may not have
289 been in office on the date such bonds may bear, the signatures of
290 such officers upon such bonds and coupons shall nevertheless be
291 valid and sufficient for all purposes and have the same effect as
292 if the person so officially signing such bonds had remained in
293 office until their delivery to the purchaser, or had been in
294 office on the date such bonds may bear. However, notwithstanding
295 anything herein to the contrary, such bonds may be issued as
296 provided in the Registered Bond Act of the State of Mississippi.

297 **SECTION 21.** All bonds and interest coupons issued under the
298 provisions of Sections 17 through 32 of this act have all the
299 qualities and incidents of negotiable instruments under the
300 provisions of the Uniform Commercial Code, and in exercising the
301 powers granted by Sections 17 through 32 of this act, the
302 commission shall not be required to and need not comply with the
303 provisions of the Uniform Commercial Code.

304 **SECTION 22.** The commission shall act as the issuing agent
305 for the bonds authorized under Sections 17 through 32 of this act,
306 prescribe the form of the bonds, advertise for and accept bids,
307 issue and sell the bonds so authorized to be sold, pay all fees
308 and costs incurred in such issuance and sale, and do any and all

309 other things necessary and advisable in connection with the
310 issuance and sale of such bonds. The commission is authorized and
311 empowered to pay the costs that are incident to the sale, issuance
312 and delivery of the bonds authorized under Sections 17 through 32
313 of this act from the proceeds derived from the sale of such bonds.
314 The commission shall sell such bonds on sealed bids at public
315 sale, and for such price as it may determine to be for the best
316 interest of the State of Mississippi, but no such sale shall be
317 made at a price less than par plus accrued interest to the date of
318 delivery of the bonds to the purchaser. All interest accruing on
319 such bonds so issued shall be payable semiannually or annually;
320 however, the first interest payment may be for any period of not
321 more than one (1) year.

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

329 The commission, when issuing any bonds under the authority of
330 Sections 17 through 32 of this act, may provide that bonds, at the
331 option of the State of Mississippi, may be called in for payment
332 and redemption at the call price named therein and accrued
333 interest on such date or dates named therein.

334 **SECTION 23.** The bonds issued under the provisions of
335 Sections 17 through 32 of this act are general obligations of the
336 State of Mississippi, and for the payment thereof the full faith
337 and credit of the State of Mississippi is irrevocably pledged. If
338 the funds appropriated by the Legislature are insufficient to pay
339 the principal of and the interest on such bonds as they become
340 due, then the deficiency shall be paid by the State Treasurer from
341 any funds in the State Treasury not otherwise appropriated. All

342 such bonds shall contain recitals on their faces substantially
343 covering the provisions of this section.

344 **SECTION 24.** Upon the issuance and sale of bonds under the
345 provisions of Sections 17 through 32 of this act, the commission
346 shall transfer the proceeds of any such sale or sales to the Small
347 Municipalities and Limited Population Counties Fund created in
348 Section 57-1-18. The proceeds of such bonds shall be disbursed
349 solely upon the order of the Mississippi Development Authority
350 under such restrictions, if any, as may be contained in the
351 resolution providing for the issuance of the bonds.

352 **SECTION 25.** The bonds authorized under Sections 17 through
353 32 of this act may be issued without any other proceedings or the
354 happening of any other conditions or things other than those
355 proceedings, conditions and things which are specified or required
356 by Sections 17 through 32 of this act. Any resolution providing
357 for the issuance of bonds under the provisions of Sections 17
358 through 32 of this act shall become effective immediately upon its
359 adoption by the commission, and any such resolution may be adopted
360 at any regular or special meeting of the commission by a majority
361 of its members.

362 **SECTION 26.** The bonds authorized under the authority of
363 Sections 17 through 32 of this act may be validated in the
364 Chancery Court of the First Judicial District of Hinds County,
365 Mississippi, in the manner and with the force and effect provided
366 by Chapter 13, Title 31, Mississippi Code of 1972, for the
367 validation of county, municipal, school district and other bonds.
368 The notice to taxpayers required by such statutes shall be
369 published in a newspaper published or having a general circulation
370 in the City of Jackson, Mississippi.

371 **SECTION 27.** Any holder of bonds issued under the provisions
372 of Sections 17 through 32 of this act or of any of the interest
373 coupons pertaining thereto may, either at law or in equity, by
374 suit, action, mandamus or other proceeding, protect and enforce

375 any and all rights granted under Sections 17 through 32 of this
376 act, or under such resolution, and may enforce and compel
377 performance of all duties required by Sections 17 through 32 of
378 this act to be performed, in order to provide for the payment of
379 bonds and interest thereon.

380 **SECTION 28.** All bonds issued under the provisions of
381 Sections 17 through 32 of this act shall be legal investments for
382 trustees and other fiduciaries, and for savings banks, trust
383 companies and insurance companies organized under the laws of the
384 State of Mississippi, and such bonds shall be legal securities
385 which may be deposited with and shall be received by all public
386 officers and bodies of this state and all municipalities and
387 political subdivisions for the purpose of securing the deposit of
388 public funds.

389 **SECTION 29.** Bonds issued under the provisions of Sections 17
390 through 32 of this act and income therefrom shall be exempt from
391 all taxation in the State of Mississippi.

392 **SECTION 30.** The proceeds of the bonds issued under Sections
393 17 through 32 of this act shall be used solely for the purposes
394 therein provided, including the costs incident to the issuance and
395 sale of such bonds.

396 **SECTION 31.** The State Treasurer is authorized, without
397 further process of law, to certify to the Department of Finance
398 and Administration the necessity for warrants, and the Department
399 of Finance and Administration is authorized and directed to issue
400 such warrants, in such amounts as may be necessary to pay when due
401 the principal of, premium, if any, and interest on, or the
402 accreted value of, all bonds issued under Sections 17 through 32
403 of this act; and the State Treasurer shall forward the necessary
404 amount to the designated place or places of payment of such bonds
405 in ample time to discharge such bonds, or the interest thereon, on
406 the due dates thereof.

407 **SECTION 32.** Sections 17 through 32 of this act shall be
408 deemed to be full and complete authority for the exercise of the
409 powers therein granted, but Sections 17 through 32 of this act
410 shall not be deemed to repeal or to be in derogation of any
411 existing law of this state.

412 **SECTION 33.** Section 57-1-18, Mississippi Code of 1972, is
413 amended as follows:

414 57-1-18. (1) For the purposes of this section, the
415 following terms shall have the meanings ascribed in this section
416 unless the context clearly indicates otherwise:

417 (a) "Limited population county" means a county in the
418 State of Mississippi with a population of thirty thousand (30,000)
419 or less according to the most recent federal decennial census at
420 the time the county submits its application to the MDA under this
421 section.

422 (b) "MDA" means the Mississippi Development Authority.

423 (c) "Project" means highways, streets and other
424 roadways, bridges, sidewalks, utilities, airfields, airports,
425 acquisition of equipment, acquisition of real property,
426 development of real property, improvements to real property, and
427 any other project approved by the MDA.

428 (d) "Small municipality" means a municipality in the
429 State of Mississippi with a population of ten thousand (10,000) or
430 less according to the most recent federal decennial census at the
431 time the municipality submits its application to the MDA under
432 this section.

433 (2) (a) There is hereby created in the State Treasury a
434 special fund to be designated as the "Small Municipalities and
435 Limited Population Counties Fund," which shall consist of funds
436 appropriated or otherwise made available by the Legislature in any
437 manner and funds from any other source designated for deposit into
438 such fund. Unexpended amounts remaining in the fund at the end of
439 a fiscal year shall not lapse into the State General Fund, and any

440 investment earnings or interest earned on amounts in the fund
441 shall be deposited to the credit of the fund. Monies in the fund
442 shall be used to make grants to small municipalities and limited
443 population counties or natural gas districts created by law and
444 contained therein to assist in completing projects under this
445 section.

446 (b) Monies in the fund which are derived from proceeds
447 of bonds issued under Sections 1 through 16, Laws of 2002, Chapter
448 538, * * * Sections 1 through 16, Laws, 2003, Chapter 508, or
449 Sections 17 through 32 of House Bill No. 1791, 2004 Regular
450 Session, may be used to reimburse reasonable actual and necessary
451 costs incurred by the MDA in providing assistance related to a
452 project for which funding is provided under this section from the
453 use of proceeds of such bonds. An accounting of actual costs
454 incurred for which reimbursement is sought shall be maintained for
455 each project by the MDA. Reimbursement of reasonable actual and
456 necessary costs for a project shall not exceed three percent (3%)
457 of the proceeds of bonds issued for such project. Monies
458 authorized for a particular project may not be used to reimburse
459 administrative costs for unrelated projects. Reimbursements under
460 this subsection shall satisfy any applicable federal tax law
461 requirements.

462 (3) The MDA shall establish a grant program to make grants
463 to small municipalities and limited population counties from the
464 Small Municipalities and Limited Population Counties Fund. Grants
465 made under this section to a small municipality or a limited
466 population county shall not exceed Two Hundred Fifty Thousand
467 Dollars (\$250,000.00) during any grant period established by the
468 MDA. A small municipality or limited population county may apply
469 to the MDA for a grant under this section in the manner provided
470 for in this section.

471 (4) A small municipality or limited population county
472 desiring assistance under this section must submit an application

473 to the MDA. The application must include a description of the
474 project for which assistance is requested, the cost of the project
475 for which assistance is requested, the amount of assistance
476 requested and any other information required by the MDA.

477 (5) The MDA shall have all powers necessary to implement and
478 administer the program established under this section, and the
479 department shall promulgate rules and regulations, in accordance
480 with the Mississippi Administrative Procedures Law, necessary for
481 the implementation of this section.

482 (6) The MDA shall file an annual report with the Governor,
483 Secretary of the Senate and the Clerk of the House of
484 Representatives not later than December 1 of each year, describing
485 all assistance provided under this section.

486 **SECTION 34.** As used in Sections 34 through 49 of this act,
487 the following words shall have the meanings ascribed herein unless
488 the context clearly requires otherwise:

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

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

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

498 **SECTION 35.** (1) The Mississippi Development Authority, at
499 one time, or from time to time, may declare by resolution the
500 necessity for issuance of general obligation bonds of the State of
501 Mississippi to provide funds for the program authorized in Section
502 57-1-16. Upon the adoption of a resolution by the Mississippi
503 Development Authority, declaring the necessity for the issuance of
504 any part or all of the general obligation bonds authorized by this
505 section, the Mississippi Development Authority shall deliver a

506 certified copy of its resolution or resolutions to the commission.
507 Upon receipt of such resolution, the commission, in its
508 discretion, may act as the issuing agent, prescribe the form of
509 the bonds, advertise for and accept bids, issue and sell the bonds
510 so authorized to be sold and do any and all other things necessary
511 and advisable in connection with the issuance and sale of such
512 bonds. The total amount of bonds issued under Sections 34 through
513 49 of this act shall not exceed One Million Dollars
514 (\$1,000,000.00). No bonds authorized under Sections 34 through 49
515 of this act shall be issued after July 1, 2008.

516 (2) The proceeds of bonds issued pursuant to Sections 34
517 through 49 of this act shall be deposited into the ACE Fund
518 created pursuant to Section 57-1-16. Any investment earnings on
519 bonds issued pursuant to Sections 34 through 49 of this act shall
520 be used to pay debt service on bonds issued under Sections 34
521 through 49 of this act, in accordance with the proceedings
522 authorizing issuance of such bonds.

523 **SECTION 36.** The principal of and interest on the bonds
524 authorized under Sections 34 through 49 of this act shall be
525 payable in the manner provided in this section. Such bonds shall
526 bear such date or dates, be in such denomination or denominations,
527 bear interest at such rate or rates (not to exceed the limits set
528 forth in Section 75-17-101, Mississippi Code of 1972), be payable
529 at such place or places within or without the State of
530 Mississippi, shall mature absolutely at such time or times not to
531 exceed twenty-five (25) years from date of issue, be redeemable
532 before maturity at such time or times and upon such terms, with or
533 without premium, shall bear such registration privileges, and
534 shall be substantially in such form, all as shall be determined by
535 resolution of the commission.

536 **SECTION 37.** The bonds authorized by Sections 34 through 49
537 of this act shall be signed by the chairman of the commission, or
538 by his facsimile signature, and the official seal of the

539 commission shall be affixed thereto, attested by the secretary of
540 the commission. The interest coupons, if any, to be attached to
541 such bonds may be executed by the facsimile signatures of such
542 officers. Whenever any such bonds shall have been signed by the
543 officials designated to sign the bonds who were in office at the
544 time of such signing but who may have ceased to be such officers
545 before the sale and delivery of such bonds, or who may not have
546 been in office on the date such bonds may bear, the signatures of
547 such officers upon such bonds and coupons shall nevertheless be
548 valid and sufficient for all purposes and have the same effect as
549 if the person so officially signing such bonds had remained in
550 office until their delivery to the purchaser, or had been in
551 office on the date such bonds may bear. However, notwithstanding
552 anything herein to the contrary, such bonds may be issued as
553 provided in the Registered Bond Act of the State of Mississippi.

554 **SECTION 38.** All bonds and interest coupons issued under the
555 provisions of Sections 34 through 49 of this act have all the
556 qualities and incidents of negotiable instruments under the
557 provisions of the Uniform Commercial Code, and in exercising the
558 powers granted by Sections 34 through 49 of this act, the
559 commission shall not be required to and need not comply with the
560 provisions of the Uniform Commercial Code.

561 **SECTION 39.** The commission shall act as the issuing agent
562 for the bonds authorized under Sections 34 through 49 of this
563 act, prescribe the form of the bonds, advertise for and accept
564 bids, issue and sell the bonds so authorized to be sold, pay all
565 fees and costs incurred in such issuance and sale, and do any and
566 all other things necessary and advisable in connection with the
567 issuance and sale of such bonds. The commission is authorized and
568 empowered to pay the costs that are incident to the sale, issuance
569 and delivery of the bonds authorized under Sections 34 through 49
570 of this act from the proceeds derived from the sale of such bonds.
571 The commission shall sell such bonds on sealed bids at public

572 sale, and for such price as it may determine to be for the best
573 interest of the State of Mississippi, but no such sale shall be
574 made at a price less than par plus accrued interest to the date of
575 delivery of the bonds to the purchaser. All interest accruing on
576 such bonds so issued shall be payable semiannually or annually;
577 however, the first interest payment may be for any period of not
578 more than one (1) year.

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

586 The commission, when issuing any bonds under the authority of
587 Sections 34 through 49 of this act, may provide that bonds, at the
588 option of the State of Mississippi, may be called in for payment
589 and redemption at the call price named therein and accrued
590 interest on such date or dates named therein.

591 **SECTION 40.** The bonds issued under the provisions of
592 Sections 34 through 49 of this act are general obligations of the
593 State of Mississippi, and for the payment thereof the full faith
594 and credit of the State of Mississippi is irrevocably pledged. If
595 the funds appropriated by the Legislature are insufficient to pay
596 the principal of and the interest on such bonds as they become
597 due, then the deficiency shall be paid by the State Treasurer from
598 any funds in the State Treasury not otherwise appropriated. All
599 such bonds shall contain recitals on their faces substantially
600 covering the provisions of this section.

601 **SECTION 41.** Upon the issuance and sale of bonds under the
602 provisions of Sections 34 through 49 of this act, the commission
603 shall transfer the proceeds of any such sale or sales to the ACE
604 Fund created in Section 57-1-16. The proceeds of such bonds shall

605 be disbursed solely upon the order of the Mississippi Development
606 Authority under such restrictions, if any, as may be contained in
607 the resolution providing for the issuance of the bonds.

608 **SECTION 42.** The bonds authorized under Sections 34 through
609 49 of this act may be issued without any other proceedings or the
610 happening of any other conditions or things other than those
611 proceedings, conditions and things which are specified or required
612 by Sections 34 through 49 of this act. Any resolution providing
613 for the issuance of bonds under the provisions of Sections 34
614 through 49 of this act shall become effective immediately upon its
615 adoption by the commission, and any such resolution may be adopted
616 at any regular or special meeting of the commission by a majority
617 of its members.

618 **SECTION 43.** The bonds authorized under the authority of
619 Sections 34 through 49 of this act may be validated in the
620 Chancery Court of the First Judicial District of Hinds County,
621 Mississippi, in the manner and with the force and effect provided
622 by Chapter 13, Title 31, Mississippi Code of 1972, for the
623 validation of county, municipal, school district and other bonds.
624 The notice to taxpayers required by such statutes shall be
625 published in a newspaper published or having a general circulation
626 in the City of Jackson, Mississippi.

627 **SECTION 44.** Any holder of bonds issued under the provisions
628 of Sections 34 through 49 of this act or of any of the interest
629 coupons pertaining thereto may, either at law or in equity, by
630 suit, action, mandamus or other proceeding, protect and enforce
631 any and all rights granted under Sections 34 through 49 of this
632 act, or under such resolution, and may enforce and compel
633 performance of all duties required by Sections 34 through 49 of
634 this act to be performed, in order to provide for the payment of
635 bonds and interest thereon.

636 **SECTION 45.** All bonds issued under the provisions of
637 Sections 34 through 49 of this act shall be legal investments for

638 trustees and other fiduciaries, and for savings banks, trust
639 companies and insurance companies organized under the laws of the
640 State of Mississippi, and such bonds shall be legal securities
641 which may be deposited with and shall be received by all public
642 officers and bodies of this state and all municipalities and
643 political subdivisions for the purpose of securing the deposit of
644 public funds.

645 **SECTION 46.** Bonds issued under the provisions of Sections 34
646 through 49 of this act and income therefrom shall be exempt from
647 all taxation in the State of Mississippi.

648 **SECTION 47.** The proceeds of the bonds issued under Sections
649 34 through 49 of this act shall be used solely for the purposes
650 therein provided, including the costs incident to the issuance and
651 sale of such bonds.

652 **SECTION 48.** The State Treasurer is authorized, without
653 further process of law, to certify to the Department of Finance
654 and Administration the necessity for warrants, and the Department
655 of Finance and Administration is authorized and directed to issue
656 such warrants, in such amounts as may be necessary to pay when due
657 the principal of, premium, if any, and interest on, or the
658 accreted value of, all bonds issued under Sections 34 through 49
659 of this act; and the State Treasurer shall forward the necessary
660 amount to the designated place or places of payment of such bonds
661 in ample time to discharge such bonds, or the interest thereon, on
662 the due dates thereof.

663 **SECTION 49.** Sections 34 through 49 of this act shall be
664 deemed to be full and complete authority for the exercise of the
665 powers therein granted, but Sections 34 through 49 of this act
666 shall not be deemed to repeal or to be in derogation of any
667 existing law of this state.

668 **SECTION 50.** As used in Sections 50 through 65 of this act,
669 the following words shall have the meanings ascribed herein unless
670 the context clearly requires otherwise:

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

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

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

680 **SECTION 51.** (1) The commission, at one time, or from time
681 to time, may declare by resolution the necessity for issuance of
682 general obligation bonds of the State of Mississippi to provide
683 funds for the Mississippi Land, Water and Timber Resources Fund
684 created in Section 69-46-7, Mississippi Code of 1972. Upon the
685 adoption of a resolution by the Mississippi Land, Water and Timber
686 Resources Board, declaring the necessity for the issuance of any
687 part or all of the general obligation bonds authorized by this
688 section, the Mississippi Land, Water and Timber Resources Board
689 shall deliver a certified copy of its resolution or resolutions to
690 the commission. Upon receipt of such resolution, the commission,
691 in its discretion, may act as the issuing agent, prescribe the
692 form of the bonds, advertise for and accept bids, issue and sell
693 the bonds so authorized to be sold and do any and all other things
694 necessary and advisable in connection with the issuance and sale
695 of such bonds. The total amount of bonds issued under Sections 50
696 through 65 of this act shall not exceed Ten Million Dollars
697 (\$10,000,000.00). No bonds shall be issued under Sections 50
698 through 65 of this act after July 1, 2008.

699 (2) The proceeds of bonds issued pursuant to Sections 50
700 through 65 of this act shall be deposited into the Mississippi
701 Land, Water and Timber Resources Fund created pursuant to Section
702 69-46-7. Any investment earnings on bonds issued pursuant to
703 Sections 50 through 65 of this act shall be used to pay debt

704 service on bonds issued under Sections 50 through 65 of this act,
705 in accordance with the proceedings authorizing issuance of such
706 bonds.

707 **SECTION 52.** The principal of and interest on the bonds
708 authorized under Sections 50 through 65 of this act shall be
709 payable in the manner provided in this section. Such bonds shall
710 bear such date or dates, be in such denomination or denominations,
711 bear interest at such rate or rates (not to exceed the limits set
712 forth in Section 75-17-101, Mississippi Code of 1972), be payable
713 at such place or places within or without the State of
714 Mississippi, shall mature absolutely at such time or times not to
715 exceed twenty-five (25) years from date of issue, be redeemable
716 before maturity at such time or times and upon such terms, with or
717 without premium, shall bear such registration privileges, and
718 shall be substantially in such form, all as shall be determined by
719 resolution of the commission.

720 **SECTION 53.** The bonds authorized by Sections 50 through 65
721 of this act shall be signed by the chairman of the commission, or
722 by his facsimile signature, and the official seal of the
723 commission shall be affixed thereto, attested by the secretary of
724 the commission. The interest coupons, if any, to be attached to
725 such bonds may be executed by the facsimile signatures of such
726 officers. Whenever any such bonds shall have been signed by the
727 officials designated to sign the bonds who were in office at the
728 time of such signing but who may have ceased to be such officers
729 before the sale and delivery of such bonds, or who may not have
730 been in office on the date such bonds may bear, the signatures of
731 such officers upon such bonds and coupons shall nevertheless be
732 valid and sufficient for all purposes and have the same effect as
733 if the person so officially signing such bonds had remained in
734 office until their delivery to the purchaser, or had been in
735 office on the date such bonds may bear. However, notwithstanding

736 anything herein to the contrary, such bonds may be issued as
737 provided in the Registered Bond Act of the State of Mississippi.

738 **SECTION 54.** All bonds and interest coupons issued under the
739 provisions of Sections 50 through 65 of this act have all the
740 qualities and incidents of negotiable instruments under the
741 provisions of the Uniform Commercial Code, and in exercising the
742 powers granted by Sections 50 through 65 of this act, the
743 commission shall not be required to and need not comply with the
744 provisions of the Uniform Commercial Code.

745 **SECTION 55.** The commission shall act as the issuing agent
746 for the bonds authorized under Sections 50 through 65 of this act,
747 prescribe the form of the bonds, advertise for and accept bids,
748 issue and sell the bonds so authorized to be sold, pay all fees
749 and costs incurred in such issuance and sale, and do any and all
750 other things necessary and advisable in connection with the
751 issuance and sale of such bonds. The commission is authorized and
752 empowered to pay the costs that are incident to the sale, issuance
753 and delivery of the bonds authorized under Sections 50 through 65
754 of this act from the proceeds derived from the sale of such bonds.
755 The commission shall sell such bonds on sealed bids at public
756 sale, and for such price as it may determine to be for the best
757 interest of the State of Mississippi, but no such sale shall be
758 made at a price less than par plus accrued interest to the date of
759 delivery of the bonds to the purchaser. All interest accruing on
760 such bonds so issued shall be payable semiannually or annually;
761 however, the first interest payment may be for any period of not
762 more than one (1) year.

763 Notice of the sale of any such bonds shall be published at
764 least one time, not less than ten (10) days before the date of
765 sale, and shall be so published in one or more newspapers
766 published or having a general circulation in the City of Jackson,
767 Mississippi, and in one or more other newspapers or financial

768 journals with a national circulation, to be selected by the
769 commission.

770 The commission, when issuing any bonds under the authority of
771 Sections 50 through 65 of this act, may provide that bonds, at the
772 option of the State of Mississippi, may be called in for payment
773 and redemption at the call price named therein and accrued
774 interest on such date or dates named therein.

775 **SECTION 56.** The bonds issued under the provisions of
776 Sections 50 through 65 of this act are general obligations of the
777 State of Mississippi, and for the payment thereof the full faith
778 and credit of the State of Mississippi is irrevocably pledged. If
779 the funds appropriated by the Legislature are insufficient to pay
780 the principal of and the interest on such bonds as they become
781 due, then the deficiency shall be paid by the State Treasurer from
782 any funds in the State Treasury not otherwise appropriated. All
783 such bonds shall contain recitals on their faces substantially
784 covering the provisions of this section.

785 **SECTION 57.** Upon the issuance and sale of bonds under the
786 provisions of Sections 50 through 65 of this act, the commission
787 shall transfer the proceeds of any such sale or sales to the
788 Mississippi Land, Water and Timber Resources Fund created in
789 Section 69-46-7, Mississippi Code of 1972.

790 **SECTION 58.** The bonds authorized under Sections 50 through
791 65 of this act may be issued without any other proceedings or the
792 happening of any other conditions or things other than those
793 proceedings, conditions and things which are specified or required
794 by Sections 50 through 65 of this act. Any resolution providing
795 for the issuance of bonds under the provisions of Sections 50
796 through 65 of this act shall become effective immediately upon its
797 adoption by the commission, and any such resolution may be adopted
798 at any regular or special meeting of the commission by a majority
799 of its members.

800 **SECTION 59.** The bonds authorized under the authority of
801 Sections 50 through 65 of this act may be validated in the
802 Chancery Court of the First Judicial District of Hinds County,
803 Mississippi, in the manner and with the force and effect provided
804 by Chapter 13, Title 31, Mississippi Code of 1972, for the
805 validation of county, municipal, school district and other bonds.
806 The notice to taxpayers required by such statutes shall be
807 published in a newspaper published or having a general circulation
808 in the City of Jackson, Mississippi.

809 **SECTION 60.** Any holder of bonds issued under the provisions
810 of Sections 50 through 65 of this act or of any of the interest
811 coupons pertaining thereto may, either at law or in equity, by
812 suit, action, mandamus or other proceeding, protect and enforce
813 any and all rights granted under Sections 50 through 65 of this
814 act, or under such resolution, and may enforce and compel
815 performance of all duties required by Sections 50 through 65 of
816 this act to be performed, in order to provide for the payment of
817 bonds and interest thereon.

818 **SECTION 61.** All bonds issued under the provisions of
819 Sections 50 through 65 of this act shall be legal investments for
820 trustees and other fiduciaries, and for savings banks, trust
821 companies and insurance companies organized under the laws of the
822 State of Mississippi, and such bonds shall be legal securities
823 which may be deposited with and shall be received by all public
824 officers and bodies of this state and all municipalities and
825 political subdivisions for the purpose of securing the deposit of
826 public funds.

827 **SECTION 62.** Bonds issued under the provisions of Sections 50
828 through 65 of this act and income therefrom shall be exempt from
829 all taxation in the State of Mississippi.

830 **SECTION 63.** The proceeds of the bonds issued under Sections
831 50 through 65 of this act shall be used solely for the purposes

832 herein provided, including the costs incident to the issuance and
833 sale of such bonds.

834 **SECTION 64.** The State Treasurer is authorized, without
835 further process of law, to certify to the Department of Finance
836 and Administration the necessity for warrants, and the Department
837 of Finance and Administration is authorized and directed to issue
838 such warrants, in such amounts as may be necessary to pay when due
839 the principal of, premium, if any, and interest on, or the
840 accreted value of, all bonds issued under Sections 50 through 65
841 of this act; and the State Treasurer shall forward the necessary
842 amount to the designated place or places of payment of such bonds
843 in ample time to discharge such bonds, or the interest thereon, on
844 the due dates thereof.

845 **SECTION 65.** Sections 50 through 65 of this act shall be
846 deemed to be full and complete authority for the exercise of the
847 powers herein granted, but Sections 50 through 65 of this act
848 shall not be deemed to repeal or to be in derogation of any
849 existing law of this state.

850 **SECTION 66.** Section 69-46-5, Mississippi Code of 1972, is
851 amended as follows:

852 69-46-5. The board shall have the following powers and
853 duties:

854 (a) To develop marketing plans and opportunities for
855 independent farmers in Mississippi;

856 (b) To encourage the commercialization of new
857 agricultural technology businesses;

858 (c) To initiate the development of processing
859 facilities for Mississippi agricultural commodities;

860 (d) To initiate the development of Mississippi
861 wholesale distribution businesses for agricultural inputs and
862 products;

863 (e) To promote the development of institutional and
864 specialty markets for Mississippi agriculture products;

865 (f) To encourage additional research for new
866 agricultural product development;

867 (g) To develop a working relationship with the state
868 offices of the United States Department of Agriculture as may be
869 appropriate for the promotion and development of agriculture in
870 Mississippi;

871 (h) To promote the rural quality of life in Mississippi
872 through such programs as 4-H, Future Farmers of America and
873 agricultural education;

874 (i) To encourage, promote and initiate the development
875 of alternative energy strategies, applied research technologies
876 and commercialization enterprises that focus on Mississippi
877 natural resources, including, but not limited to, agriculture,
878 timber and poultry products and byproducts;

879 (j) To file an annual report with the Governor,
880 Secretary of the Senate and the Clerk of the House of
881 Representatives not later than December 1 of each year, with
882 recommendations for any legislation necessary to accomplish the
883 purposes of the Mississippi Land, Water and Timber Resources Act;

884 (k) The board may promulgate and enforce rules and
885 regulations, in accordance with the Mississippi Administrative
886 Procedures Law, as may be necessary to carry out the provisions of
887 the Mississippi Land, Water and Timber Resources Act;

888 (l) To expend funds out of the Mississippi Land, Water
889 and Timber Resources Fund to carry out its powers and duties under
890 the Mississippi Land, Water and Timber Resources Act;

891 (m) The board may provide funds to public entities and
892 private entities through loans, grants, contracts and any other
893 manner the board determines appropriate for the purposes of
894 carrying out the provisions of the Mississippi Land, Water and
895 Timber Resources Act. The board also may provide loan guaranties
896 on behalf of public entities and private entities in any manner
897 the board determines appropriate for the purposes of carrying out

898 the provisions of the Mississippi Land, Water and Timber Resources
899 Act.

900 **SECTION 67.** Section 69-46-7, Mississippi Code of 1972, is
901 amended as follows:

902 69-46-7. (1) (a) The Mississippi Land, Water and Timber
903 Resources Board may accept and expend funds appropriated or
904 otherwise made available by the Legislature and funds from any
905 other source in order to carry out the provisions of the
906 Mississippi Land, Water and Timber Resources Act. Such funds
907 shall be deposited into a special fund hereby established in the
908 State Treasury, to be known as the "Mississippi Land, Water and
909 Timber Resources Fund." Unexpended amounts derived from bond
910 proceeds or private funds, or both, remaining in the fund at the
911 end of a fiscal year shall not lapse into the State General Fund,
912 and any investment earnings or interest earned on such amounts in
913 the fund shall be deposited to the credit of the fund. All other
914 unexpended amounts remaining in the fund at the end of a fiscal
915 year shall lapse into the State General Fund. The board may
916 provide to the Mississippi Department of Agriculture and Commerce
917 not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), in
918 the aggregate, of monies in the fund, that are derived from
919 proceeds of bonds issued under Sections 50 through 65 of Laws,
920 2001, Chapter 538, and/or Sections 50 through 65 of Laws, 2002,
921 Chapter 542, for the purpose of providing additional funds to
922 defray costs incurred by the department in assisting the board in
923 carrying out the provisions of the Mississippi Land, Water and
924 Timber Resources Act. However, the Mississippi Department of
925 Agriculture and Commerce may not use any portion of such funds for
926 the purpose of hiring any person as an employee as defined in
927 Section 25-3-91(c). The Mississippi Department of Agriculture may
928 escalate its budget and expend such funds, when provided by the
929 board, in accordance with rules and regulations of the Department
930 of Finance and Administration in a manner consistent with the

931 escalation of federal funds. The board may provide to the
932 Mississippi Development Authority not more than Two Hundred Fifty
933 Thousand Dollars (\$250,000.00), in the aggregate, of monies in the
934 fund that are derived from proceeds of bonds issued under Sections
935 50 through 65 of Laws, 2001, Chapter 538, and/or Sections 50
936 through 65 of Laws, 2002, Chapter 542, for the purpose of
937 providing additional funds to defray costs incurred by the
938 Mississippi Development Authority in assisting the board in
939 carrying out the provisions of the Mississippi Land, Water and
940 Timber Resources Act. However, the Mississippi Development
941 Authority may not use any portion of such funds for the purpose of
942 hiring any person as an employee as defined in Section 25-3-91(c).
943 The Mississippi Development Authority may escalate its budget and
944 expend such funds, when provided by the board, in accordance with
945 rules and regulations of the Department of Finance and
946 Administration in a manner consistent with the escalation of
947 federal funds.

948 (b) (i) The Mississippi Land, Water and Timber
949 Resources Board may provide to the Mississippi Department of
950 Agriculture and Commerce not more than One Hundred Twenty-five
951 Thousand Dollars (\$125,000.00), in the aggregate, of monies in the
952 fund, that are derived from proceeds of bonds issued under
953 Sections 50 through 65 of Laws, 2003, Chapter 505, for the purpose
954 of providing additional funds to defray costs incurred by the
955 department in assisting the board in carrying out the provisions
956 of the Mississippi Land, Water and Timber Resources Act. However,
957 the Mississippi Department of Agriculture and Commerce may not use
958 any portion of such funds for the purpose of hiring any person as
959 an employee as defined in Section 25-3-91(c). The Mississippi
960 Department of Agriculture and Commerce may escalate its budget and
961 expend such funds, when provided by the board, in accordance with
962 rules and regulations of the Department of Finance and

963 Administration in a manner consistent with the escalation of
964 federal funds.

965 (ii) The Mississippi Land, Water and Timber
966 Resources Board may provide to the Mississippi Development
967 Authority not more than One Hundred Twenty-five Thousand Dollars
968 (\$125,000.00), in the aggregate, of monies in the fund, that are
969 derived from proceeds of bonds issued under Sections 50 through 65
970 of Laws, 2003, Chapter 505, for the purpose of providing
971 additional funds to defray costs incurred by the Mississippi
972 Development Authority in assisting the board in carrying out the
973 provisions of the Mississippi Land, Water and Timber Resources
974 Act. However, the Mississippi Development Authority may not use
975 any portion of such funds for the purpose of hiring any person as
976 an employee as defined in Section 25-3-91(c). The Mississippi
977 Development Authority may escalate its budget and expend such
978 funds, when provided by the board, in accordance with rules and
979 regulations of the Department of Finance and Administration in a
980 manner consistent with the escalation of federal funds.

981 (iii) The Mississippi Land, Water and Timber
982 Resources Board may provide to the Department of Audit not more
983 than Fifty Thousand Dollars (\$50,000.00), in the aggregate, of
984 monies in the fund, that are derived from proceeds of bonds issued
985 under Sections 50 through 65 of Laws, 2003, Chapter 505, for the
986 purpose of providing additional funds to defray costs incurred by
987 the department in assisting the board in carrying out the
988 provisions of the Mississippi Land, Water and Timber Resources
989 Act. However, the Department of Audit may not use any portion of
990 such funds for the purpose of hiring any person as an employee as
991 defined in Section 25-3-91(c). The Department of Audit may
992 escalate its budget and expend such funds, when provided by the
993 board, in accordance with rules and regulations of the Department
994 of Finance and Administration in a manner consistent with the
995 escalation of federal funds.

996 (c) (i) The Mississippi Land, Water and Timber
997 Resources Board may provide to the Mississippi Department of
998 Agriculture and Commerce not more than Two Hundred Fifty Thousand
999 Dollars (\$250,000.00), in the aggregate, of monies in the fund,
1000 that are derived from proceeds of bonds issued under Sections 50
1001 through 65 of House Bill No. 1791, 2004 Regular Session, for the
1002 purpose of providing additional funds to defray costs incurred by
1003 the department in assisting the board in carrying out the
1004 provisions of the Mississippi Land, Water and Timber Resources
1005 Act. However, the Mississippi Department of Agriculture and
1006 Commerce may not use any portion of such funds for the purpose of
1007 hiring any person as an employee as defined in Section 25-3-91(c).
1008 The Mississippi Department of Agriculture and Commerce may
1009 escalate its budget and expend such funds, when provided by the
1010 board, in accordance with rules and regulations of the Department
1011 of Finance and Administration in a manner consistent with the
1012 escalation of federal funds.

1013 (ii) The Mississippi Land, Water and Timber
1014 Resources Board may provide to the Mississippi Development
1015 Authority not more than One Hundred Twenty-five Thousand Dollars
1016 (\$125,000.00), in the aggregate, of monies in the fund, that are
1017 derived from proceeds of bonds issued under Sections 50 through 65
1018 of House Bill No. 1791, 2004 Regular Session, for the purpose of
1019 providing additional funds to defray costs incurred by the
1020 Mississippi Development Authority in assisting the board in
1021 carrying out the provisions of the Mississippi Land, Water and
1022 Timber Resources Act. However, the Mississippi Development
1023 Authority may not use any portion of such funds for the purpose of
1024 hiring any person as an employee as defined in Section 25-3-91(c).
1025 The Mississippi Development Authority may escalate its budget and
1026 expend such funds, when provided by the board, in accordance with
1027 rules and regulations of the Department of Finance and

1028 Administration in a manner consistent with the escalation of
1029 federal funds.

1030 (iii) The Mississippi Land, Water and Timber
1031 Resources Board may provide to the Department of Audit not more
1032 than Fifty Thousand Dollars (\$50,000.00), in the aggregate, of
1033 monies in the fund, that are derived from proceeds of bonds issued
1034 under Sections 50 through 65 of House Bill No. 1791, 2004 Regular
1035 Session, for the purpose of providing additional funds to defray
1036 costs incurred by the department in assisting the board in
1037 carrying out the provisions of the Mississippi Land, Water and
1038 Timber Resources Act. However, the Department of Audit may not
1039 use any portion of such funds for the purpose of hiring any person
1040 as an employee as defined in Section 25-3-91(c). The Department
1041 of Audit may escalate its budget and expend such funds, when
1042 provided by the board, in accordance with rules and regulations of
1043 the Department of Finance and Administration in a manner
1044 consistent with the escalation of federal funds.

1045 (2) The Mississippi Land, Water and Timber Resources Board
1046 shall set aside One Million Dollars (\$1,000,000.00) of the monies
1047 in the Mississippi Land, Water and Timber Resources Fund, that are
1048 derived from proceeds of bonds issued under Sections 50 through 65
1049 of Laws, 2003, Chapter 505, for the purpose of providing funds to
1050 the Mississippi Department of Agriculture and Commerce for use in
1051 making payments to ethanol producers under Section 69-51-5 during
1052 the state fiscal year beginning July 1, 2003, and ending June 30,
1053 2004. Any monies set aside which are not used for such purposes
1054 during the fiscal year shall no longer be set aside for such
1055 purposes after the end of the fiscal year. In addition, if the
1056 Commissioner of Agriculture and Commerce determines during such
1057 fiscal year that no ethanol producer will be eligible for such
1058 payments during the fiscal year, the commissioner shall inform the
1059 board of his determination and the monies set aside shall no
1060 longer be set aside for such purposes. The Mississippi Department

1061 of Agriculture and Commerce may escalate its budget and expend
1062 funds, when provided by the board under this subsection (2), in
1063 accordance with rules and regulations of the Department of Finance
1064 and Administration in a manner consistent with the escalation of
1065 federal funds.

1066 (3) The Mississippi Land, Water and Timber Resources Board
1067 shall set aside Eight Hundred Thousand Dollars (\$800,000.00) of
1068 the monies in the Mississippi Land, Water and Timber Resources
1069 Fund, that are derived from proceeds of bonds issued under
1070 Sections 50 through 65 of House Bill No. 1791, 2004 Regular
1071 Session, for the purpose of providing any form of assistance
1072 described in Section 69-46-5(m) to any private entity engaged in
1073 the manufacturing of environmentally responsible products. For
1074 the purposes of this subsection (3), the term "environmentally
1075 responsible products" means products or services that have been
1076 verified by an independent third party to cause less toxic
1077 pollution and waste, to conserve resources and habitats, and to
1078 minimize global warming and ozone depletion.

1079 (4) In anticipation of the issuance of bonds authorized for
1080 the purpose of providing funds for the Mississippi Land, Water and
1081 Timber Resources Fund, the State Bond Commission is authorized to
1082 negotiate and enter into any purchase, loan, credit or other
1083 agreement with any bank, trust company or other lending
1084 institution or to issue and sell interim notes for the purpose of
1085 carrying out the provisions of the Mississippi Land, Water and
1086 Timber Resources Act. All borrowings made under this subsection
1087 (3) shall be evidenced by notes of the State of Mississippi, which
1088 shall be issued from time to time, for such amounts, in such form
1089 and in such denomination and subject to such terms and conditions
1090 of sale and issuance, prepayment or redemption and maturity, rate
1091 or rates of interest not to exceed the maximum rate authorized for
1092 bonds in Section 75-17-101, and time of payment of interest as the
1093 State Bond Commission shall agree to in such agreement. Such

1094 notes shall constitute general obligations of the State of
1095 Mississippi, and shall be backed by the full faith and credit of
1096 the state. Such notes may also be issued for the purpose of
1097 refunding previously issued notes. No note shall mature more than
1098 three (3) years following the date of its issuance. The State
1099 Bond Commission is authorized to provide for the compensation of
1100 any purchaser of the notes by payment of a fixed fee or commission
1101 and for all other costs and expenses of issuance and service,
1102 including paying agent costs. Such costs and expenses may be paid
1103 from the proceeds of the notes. Borrowings made under the
1104 provisions of this subsection (3) shall not exceed the aggregate
1105 sum of Five Million Dollars (\$5,000,000.00) outstanding at any one
1106 time.

1107 **SECTION 68.** As used in Sections 68 through 86 of this act,
1108 the following words shall have the meanings ascribed herein unless
1109 the context clearly requires otherwise:

1110 (a) "Accreted value" of any bond means, as of any date
1111 of computation, an amount equal to the sum of (i) the stated
1112 initial value of such bond, plus (ii) the interest accrued thereon
1113 from the issue date to the date of computation at the rate,
1114 compounded semiannually, that is necessary to produce the
1115 approximate yield to maturity shown for bonds of the same
1116 maturity.

1117 (b) "Commission" means the State Bond Commission.

1118 (c) "State shipyard" means the shipyard property owned
1119 by the state and located in Jackson County, Mississippi.

1120 (d) "State" means the State of Mississippi.

1121 (e) "Authority" means the Mississippi Development
1122 Authority.

1123 **SECTION 69.** (1) The authority may use the proceeds from
1124 general obligation bonds issued under Sections 68 through 86 of
1125 this act for the purpose of such capital improvements at the state

1126 shipyard as it considers necessary to modernize the facility and
1127 keep it competitive with other shipyards.

1128 (2) The authority, in its discretion, may set aside for
1129 minority businesses not more than twenty percent (20%) of its
1130 contracts for making such capital improvements at the state
1131 shipyard. For the purposes of this subsection (2), the term
1132 "minority business" means a business which is owned by a majority
1133 of persons who are United States citizens or permanent resident
1134 aliens (as defined by the Immigration and Naturalization Service)
1135 of the United States, and who are Asian, Black, Hispanic or Native
1136 American, according to the following definitions:

1137 (a) "Asian" means persons having origins in any of the
1138 original people of the Far East, Southeast Asia, the Indian
1139 subcontinent, or the Pacific Islands.

1140 (b) "Black" means persons having origins in any black
1141 racial group of Africa.

1142 (c) "Hispanic" means persons of Spanish or Portuguese
1143 culture with origins in Mexico, South or Central America, or the
1144 Caribbean Islands, regardless of race.

1145 (d) "Native American" means persons having origins in
1146 any of the original people of North America, including American
1147 Indians, Eskimos and Aleuts.

1148 **SECTION 70.** (1) (a) A special fund, to be designated as
1149 the "2004 State Shipyard Improvement Fund," is created within the
1150 State Treasury. The fund shall be maintained by the State
1151 Treasurer as a separate and special fund, separate and apart from
1152 the General Fund of the state. Unexpended amounts remaining in
1153 the fund at the end of a fiscal year shall not lapse into the
1154 State General Fund, and any interest earned or investment earnings
1155 on amounts in the fund shall be deposited into such fund.

1156 (b) Monies deposited into the fund shall be disbursed,
1157 in the discretion of the authority, to pay the costs incurred by

1158 the authority in making capital improvements to the state
1159 shipyard.

1160 (c) Monies in the special fund may be used to reimburse
1161 reasonable actual and necessary costs incurred by the authority in
1162 providing assistance related to a project for which funding is
1163 provided under Sections 68 through 86 of this act. The authority
1164 shall maintain an accounting of actual costs incurred for each
1165 project for which reimbursements are sought. Reimbursements under
1166 this paragraph (c) shall not exceed Three Hundred Thousand Dollars
1167 (\$300,000.00) in the aggregate. Reimbursements under this
1168 paragraph (c) shall satisfy any applicable federal tax law
1169 requirements.

1170 (d) Monies in the special fund may be used to reimburse
1171 reasonable actual and necessary costs incurred by the Department
1172 of Audit in providing services related to a project for which
1173 funding is provided under Sections 68 through 86 of this act. The
1174 Department of Audit shall maintain an accounting of actual costs
1175 incurred for each project for which reimbursements are sought.
1176 The Department of Audit may escalate its budget and expend such
1177 funds in accordance with rules and regulations of the Department
1178 of Finance and Administration in a manner consistent with the
1179 escalation of federal funds. Reimbursements under this paragraph
1180 (d) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in
1181 the aggregate. Reimbursements under this paragraph (d) shall
1182 satisfy any applicable federal tax law requirements.

1183 (2) Amounts deposited into such special fund shall be
1184 disbursed to pay the costs of the projects described in subsection
1185 (1) of this section. If any monies in the special fund are not
1186 used within four (4) years after the date the proceeds of the
1187 bonds authorized under Sections 68 through 86 of this act are
1188 deposited into such fund, then the authority shall provide an
1189 accounting of such unused monies to the commission. Promptly
1190 after the commission has certified, by resolution duly adopted,

1191 that the projects described in subsection (1) of this section
1192 shall have been completed, abandoned, or cannot be completed in a
1193 timely fashion, any amounts remaining in such special fund shall
1194 be applied to pay debt service on the bonds issued under Sections
1195 68 through 86 of this act, in accordance with the proceedings
1196 authorizing the issuance of such bonds and as directed by the
1197 commission. Before monies in the special fund may be used for the
1198 projects described in subsection (1) of this section, the
1199 authority shall require that the lessee of the shipyard enter into
1200 binding commitments regarding at least the following: (a) that
1201 such lessee shall create a certain minimum number of jobs over a
1202 certain period of time as determined by the authority (which jobs
1203 must be held by persons eligible for employment in the United
1204 States under applicable state and federal law) and (b) that if
1205 such lessee fails to satisfy any such commitments, the lessee must
1206 repay an amount equal to all or a portion of the funds provided by
1207 the state under Sections 68 through 86 of this act as determined
1208 by the authority.

1209 **SECTION 71.** (1) The commission, at one time, or from time
1210 to time, may declare by resolution the necessity for issuance of
1211 general obligation bonds of the State of Mississippi to provide
1212 funds for all costs incurred or to be incurred for the purposes
1213 described in Section 70 of this act. No bonds shall be issued
1214 under Sections 68 through 86 of this act until the authority is
1215 provided proof that the lessee of the shipyard has incurred debt
1216 or has otherwise irrevocably dedicated funds or a combination of
1217 debt and funds in the amount of not less than Ninety-six Million
1218 Dollars (\$96,000,000.00) used by the lessee in calendar year 2003,
1219 or thereafter, for capital improvements, capital investments or
1220 capital upgrades at shipyards in Mississippi owned or leased by
1221 the lessee. The debt or dedication of funds or combination of
1222 debt and funds required of the lessee under this section shall be
1223 in addition to any debt or funds required of the lessee under

1224 Section 4 of Chapter 501, Laws of 2003. Upon the adoption of a
1225 resolution by the authority, declaring that the lessee has
1226 incurred the required amount of debt and/or irrevocable dedication
1227 of funds and declaring the necessity for the issuance of any part
1228 or all of the general obligation bonds authorized by this section,
1229 the authority shall deliver a certified copy of its resolution or
1230 resolutions to the commission. Upon receipt of such resolution,
1231 the commission, in its discretion, may act as the issuing agent,
1232 prescribe the form of the bonds, advertise for and accept bids,
1233 issue and sell the bonds so authorized to be sold and do any and
1234 all other things necessary and advisable in connection with the
1235 issuance and sale of such bonds. The total amount of bonds issued
1236 under Sections 68 through 86 of this act shall not exceed
1237 Forty-eight Million Dollars (\$48,000,000.00). No bonds shall be
1238 issued under Sections 68 through 86 of this act after July 1,
1239 2007.

1240 (2) Any investment earnings on amounts deposited into the
1241 special fund created in Section 70 of this act shall be used to
1242 pay debt service on bonds issued under Sections 68 through 86 of
1243 this act, in accordance with the proceedings authorizing issuance
1244 of such bonds.

1245 **SECTION 72.** The principal of and interest on the bonds
1246 authorized under Sections 68 through 86 of this act shall be
1247 payable in the manner provided in this section. Such bonds shall
1248 bear such date or dates, be in such denomination or denominations,
1249 bear interest at such rate or rates (not to exceed the limits set
1250 forth in Section 75-17-101, Mississippi Code of 1972), be payable
1251 at such place or places within or without the State of
1252 Mississippi, shall mature absolutely at such time or times not to
1253 exceed twenty (20) years from date of issue, be redeemable before
1254 maturity at such time or times and upon such terms, with or
1255 without premium, shall bear such registration privileges, and

1256 shall be substantially in such form, all as shall be determined by
1257 resolution of the commission.

1258 **SECTION 73.** The bonds authorized by Sections 68 through 86
1259 of this act shall be signed by the chairman of the commission, or
1260 by his facsimile signature, and the official seal of the
1261 commission shall be affixed thereto, attested by the secretary of
1262 the commission. The interest coupons, if any, to be attached to
1263 such bonds may be executed by the facsimile signatures of such
1264 officers. Whenever any such bonds shall have been signed by the
1265 officials designated to sign the bonds who were in office at the
1266 time of such signing but who may have ceased to be such officers
1267 before the sale and delivery of such bonds, or who may not have
1268 been in office on the date such bonds may bear, the signatures of
1269 such officers upon such bonds and coupons shall nevertheless be
1270 valid and sufficient for all purposes and have the same effect as
1271 if the person so officially signing such bonds had remained in
1272 office until their delivery to the purchaser, or had been in
1273 office on the date such bonds may bear. However, notwithstanding
1274 anything herein to the contrary, such bonds may be issued as
1275 provided in the Registered Bond Act of the State of Mississippi.

1276 **SECTION 74.** All bonds and interest coupons issued under the
1277 provisions of Sections 68 through 86 of this act have all the
1278 qualities and incidents of negotiable instruments under the
1279 provisions of the Uniform Commercial Code, and in exercising the
1280 powers granted by Sections 68 through 86 of this act, the
1281 commission shall not be required to and need not comply with the
1282 provisions of the Uniform Commercial Code.

1283 **SECTION 75.** The commission shall act as the issuing agent
1284 for the bonds authorized under Sections 68 through 86 of this act,
1285 prescribe the form of the bonds, advertise for and accept bids,
1286 issue and sell the bonds so authorized to be sold, pay all fees
1287 and costs incurred in such issuance and sale, and do any and all
1288 other things necessary and advisable in connection with the

1289 issuance and sale of such bonds. The commission is authorized and
1290 empowered to pay the costs that are incident to the sale, issuance
1291 and delivery of the bonds authorized under Sections 68 through 86
1292 of this act from the proceeds derived from the sale of such bonds.
1293 The commission shall sell such bonds on sealed bids at public
1294 sale, and for such price as it may determine to be for the best
1295 interest of the State of Mississippi, but no such sale shall be
1296 made at a price less than par plus accrued interest to the date of
1297 delivery of the bonds to the purchaser. All interest accruing on
1298 such bonds so issued shall be payable semiannually or annually;
1299 however, the first interest payment may be for any period of not
1300 more than one (1) year.

1301 Notice of the sale of any such bonds shall be published at
1302 least one time, not less than ten (10) days before the date of
1303 sale, and shall be so published in one or more newspapers
1304 published or having a general circulation in the City of Jackson,
1305 Mississippi, and in one or more other newspapers or financial
1306 journals with a national circulation, to be selected by the
1307 commission.

1308 The commission, when issuing any bonds under the authority of
1309 Sections 68 through 86 of this act, may provide that bonds, at the
1310 option of the State of Mississippi, may be called in for payment
1311 and redemption at the call price named therein and accrued
1312 interest on such date or dates named therein.

1313 **SECTION 76.** The bonds issued under the provisions of
1314 Sections 68 through 86 of this act are general obligations of the
1315 State of Mississippi, and for the payment thereof the full faith
1316 and credit of the State of Mississippi is irrevocably pledged. If
1317 the funds appropriated by the Legislature for such purposes are
1318 insufficient to pay the principal of and the interest on such
1319 bonds as they become due, then the deficiency shall be paid by the
1320 State Treasurer from any funds in the State Treasury not otherwise

1321 appropriated. All such bonds shall contain recitals on their
1322 faces substantially covering the provisions of this section.

1323 **SECTION 77.** Upon the issuance and sale of bonds under the
1324 provisions of Sections 68 through 86 of this act, the commission
1325 shall transfer the proceeds of any such sale or sales to the
1326 special fund created in Section 70 of this act. The proceeds of
1327 such bonds shall be disbursed solely upon the order of the
1328 authority under such restrictions, if any, as may be contained in
1329 the resolution providing for the issuance of the bonds.

1330 **SECTION 78.** The bonds authorized under Sections 68 through
1331 86 of this act may be issued without any other proceedings or the
1332 happening of any other conditions or things other than those
1333 proceedings, conditions and things which are specified or required
1334 by Sections 68 through 86 of this act. Any resolution providing
1335 for the issuance of bonds under the provisions of Sections 68
1336 through 86 of this act shall become effective immediately upon its
1337 adoption by the commission, and any such resolution may be adopted
1338 at any regular or special meeting of the commission by a majority
1339 of its members.

1340 **SECTION 79.** The bonds authorized under the authority of
1341 Sections 68 through 86 of this act may be validated in the
1342 Chancery Court of the First Judicial District of Hinds County,
1343 Mississippi, in the manner and with the force and effect provided
1344 by Chapter 13, Title 31, Mississippi Code of 1972, for the
1345 validation of county, municipal, school district and other bonds.
1346 The notice to taxpayers required by such statutes shall be
1347 published in a newspaper published or having a general circulation
1348 in the City of Jackson, Mississippi.

1349 **SECTION 80.** Any holder of bonds issued under the provisions
1350 of Sections 68 through 86 of this act or of any of the interest
1351 coupons pertaining thereto may, either at law or in equity, by
1352 suit, action, mandamus or other proceeding, protect and enforce
1353 any and all rights granted under Sections 68 through 86 of this

1354 act, or under such resolution, and may enforce and compel
1355 performance of all duties required by Sections 68 through 86 of
1356 this act to be performed, in order to provide for the payment of
1357 bonds and interest thereon.

1358 **SECTION 81.** All bonds issued under the provisions of
1359 Sections 68 through 86 of this act shall be legal investments for
1360 trustees and other fiduciaries, and for savings banks, trust
1361 companies and insurance companies organized under the laws of the
1362 State of Mississippi, and such bonds shall be legal securities
1363 which may be deposited with and shall be received by all public
1364 officers and bodies of this state and all municipalities and
1365 political subdivisions for the purpose of securing the deposit of
1366 public funds.

1367 **SECTION 82.** Bonds issued under the provisions of Sections 68
1368 through 86 of this act and income therefrom shall be exempt from
1369 all taxation in the State of Mississippi.

1370 **SECTION 83.** The proceeds of the bonds issued under Sections
1371 68 through 86 of this act shall be used solely for the purposes
1372 provided in this act, including the costs incident to the issuance
1373 and sale of such bonds.

1374 **SECTION 84.** The State Treasurer is authorized, without
1375 further process of law, to certify to the Department of Finance
1376 and Administration the necessity for warrants, and the Department
1377 of Finance and Administration is authorized and directed to issue
1378 such warrants, in such amounts as may be necessary to pay when due
1379 the principal of, premium, if any, and interest on, or the
1380 accreted value of, all bonds issued under Sections 68 through 86
1381 of this act; and the State Treasurer shall forward the necessary
1382 amount to the designated place or places of payment of such bonds
1383 in ample time to discharge such bonds, or the interest thereon, on
1384 the due dates thereof.

1385 **SECTION 85.** All improvements made to the state shipyard with
1386 the proceeds of bonds issued pursuant to Sections 68 through 86 of

1387 this act shall, as state-owned property, be exempt from ad valorem
1388 taxation, except ad valorem taxation for school district purposes.

1389 **SECTION 86.** Sections 68 through 86 of this act shall be
1390 deemed to be full and complete authority for the exercise of the
1391 powers herein granted, but Sections 68 through 86 of this act
1392 shall not be deemed to repeal or to be in derogation of any
1393 existing law of this state.

1394 **SECTION 87.** This act shall take effect and be in force from
1395 and after its passage.