

By: Representative Robinson (84th)

To: Public Property

HOUSE BILL NO. 694

1 AN ACT TO PROVIDE THAT THE LEGISLATURE SHALL EXERCISE
2 EXCLUSIVE MANAGEMENT AND CONTROL OVER THE NEW STATE CAPITOL AND
3 ITS GROUNDS; TO PROVIDE THAT THE LEGISLATURE SHALL HAVE
4 JURISDICTION TO ENFORCE THE STATE LAWS IN THE CAPITOL AND ON ITS
5 GROUNDS; TO AUTHORIZE THE LEGISLATURE TO ENTER INTO CONTRACTS FOR
6 MAINTENANCE, SECURITY AND OTHER SERVICES NECESSARY FOR THE CARE OF
7 THE NEW STATE CAPITOL AND ITS GROUNDS; TO AMEND SECTION 29-5-9,
8 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE LEGISLATURE TO EMPLOY
9 AN ELEVATOR OPERATOR FOR THE CAPITOL; TO AMEND SECTION 29-5-12,
10 MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE TO PROVIDE
11 FOR THE CARE AND LANDSCAPING OF THE CAPITOL GROUNDS; TO AMEND
12 SECTIONS 29-5-61 THROUGH 29-5-71, MISSISSIPPI CODE OF 1972, TO
13 PROVIDE THAT THE LEGISLATURE SHALL BE RESPONSIBLE FOR THE
14 SUPERVISION OF PARKING ON THE CAPITOL GROUNDS; TO AMEND SECTIONS
15 5-1-83, 29-5-2, 29-5-57, 29-5-59, 29-5-77 THROUGH 29-5-91, 29-5-95
16 AND 31-11-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND
17 FOR RELATED PURPOSES.

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

19 **SECTION 1.** (1) The Legislature shall exercise exclusive
20 management and control over the New State Capitol and its
21 appurtenant grounds. Acting through the House Management
22 Committee and the Senate Rules Committee, the Legislature shall
23 provide for the general supervision and care of the New State
24 Capitol and its grounds. A majority vote of the members of the
25 House Management Committee and a majority vote of the members of
26 the Senate Rules Committee shall be required on all managerial
27 decisions that affect the facilities or joint operations of the
28 New State Capitol and its grounds.

29 (2) The Legislature shall be responsible for the assignment
30 of office space in the New State Capitol, which action shall be by
31 duly passed resolution of the combined Senate Rules Committee and
32 the House Management Committee, meeting as a joint committee, and
33 approved by the Lieutenant Governor and Speaker of the House of
34 Representatives. A majority vote of the members of the Senate

35 Rules Committee and a majority vote of the members of the House
36 Management Committee shall be required on all actions taken,
37 resolutions or reports adopted, and all other matters considered
38 by the full combined committee on occasions when the Senate Rules
39 Committee and the House Management Committee shall meet as a full
40 combined committee.

41 (3) The Legislature shall have jurisdiction relative to the
42 enforcement of all laws of the State of Mississippi in the New
43 State Capitol and on its appurtenant grounds. Through persons
44 appointed by the House Management Committee and Senate Rules
45 Committee acting jointly, or through the Department of Public
46 Safety at the request of the Speaker of the House of
47 Representatives or the Lieutenant Governor, arrests may be made
48 for any violation of any law of the State of Mississippi in the
49 New State Capitol or on its grounds. The Legislature may provide
50 for the enforcement of Sections 29-5-59 through 29-5-65, 29-5-69
51 through 29-5-75 and 29-5-81 through 29-5-95.

52 When, in the opinion of the Speaker of the House of
53 Representatives or the Lieutenant Governor, it is readily apparent
54 that an emergency exists where the persons appointed by the
55 Legislature are unable to control a situation or to enforce the
56 laws, the Speaker of the House of Representatives or the
57 Lieutenant Governor may call upon the Department of Public Safety,
58 which shall have the power to arrest and detain persons for
59 violations of state laws occurring in the New State Capitol or on
60 its grounds.

61 (4) The Legislature may enter into contracts for building
62 maintenance, cleaning, security, printing of parking insignia,
63 posting of traffic signs and for such other services necessary in
64 the general supervision and care of the New State Capitol and its
65 grounds.

66 **SECTION 2.** Section 29-5-2, Mississippi Code of 1972, is
67 amended as follows:

68 29-5-2. The duties of the Department of Finance and
69 Administration shall be as follows:

70 (a) (i) To exercise general supervision and care over
71 and keep in good condition the following state property located in
72 the City of Jackson: * * * the Woolfolk State Office Building, the
73 Carroll Gartin Justice Building, the Walter Sillers Office
74 Building, the War Veterans' Memorial Building, the Charlotte
75 Capers Building, the William F. Winter Archives and History
76 Building, the Ike Sanford Veterans Affairs Building, the Old State
77 Capitol Building, the Governor's Mansion, the Heber Ladner
78 Building, the Burroughs Building, the Robert E. Lee Office
79 Building, the Robert E. Lee Parking Garage, the Manship House
80 Restoration and Visitor Center, the State Records Center, the
81 Robert G. Clark, Jr. Building, and all other properties acquired
82 in the same transaction at the time of the purchase of the Robert
83 E. Lee Hotel property from the First Federal Savings and Loan
84 Association of Jackson, Mississippi, which properties are more
85 particularly described in a warranty deed heretofore executed and
86 delivered on April 22, 1969, and filed for record in the Office of
87 the Chancery Clerk of the First Judicial District of Hinds County,
88 Mississippi, located in Jackson, Mississippi, on April 25, 1969,
89 at 9:00 a.m., and recorded in Deed Book No. 1822, page 136 et
90 seq., and the Central High Building and 101 Capitol Centre.

91 (ii) To exercise general supervision and care over
92 and keep in good condition the Dr. Eldon Langston Bolton Building
93 located in Biloxi, Mississippi.

94 (iii) To exercise general supervision and care
95 over and keep in good condition the State Service Center, located
96 at the intersection of State Highway 49 and John Merl Tatum
97 Industrial Drive in Hattiesburg, Mississippi.

98 (b) To assign suitable office space for the various
99 state departments, officers and employees who are provided with an

100 office in any of the buildings under the jurisdiction or control
101 of the Department of Finance and Administration. * * *

102 (c) To approve or disapprove with the concurrence of
103 the Public Procurement Review Board, any lease or rental
104 agreements by any state agency or department, including any state
105 agency financed entirely by federal and special funds, for space
106 outside the buildings under the jurisdiction of the Department of
107 Finance and Administration, including space necessary for parking
108 to be used by state employees who work in the Woolfolk Building,
109 the Carroll Gartin Justice Building or the Walter Sillers Office
110 Building. In no event shall any employee, officer, department,
111 federally funded agency or bureau of the state be authorized to
112 enter a lease or rental agreement without prior approval of the
113 Department of Finance and Administration and the Public
114 Procurement Review Board.

115 The Department of Finance and Administration is authorized to
116 use architects, engineers, building inspectors and other personnel
117 for the purpose of making inspections as may be deemed necessary
118 in carrying out its duties and maintaining the facilities.

119 The provisions of this paragraph (c) shall stand repealed on
120 July 1, 2006.

121 (d) To acquire by lease, lease-purchase agreement, or
122 otherwise, as provided in Section 27-104-107, and to assign
123 through the Office of General Services, by lease or sublease
124 agreement from the office, and with the concurrence of the Public
125 Procurement Review Board, to any state agency or department,
126 including any state agency financed entirely by federal and
127 special funds, appropriate office space in the buildings acquired.

128 **SECTION 3.** Section 29-5-9, Mississippi Code of 1972, is
129 amended as follows:

130 29-5-9. * * *

131 * * * The Senate Rules Committee and the House Management
132 Committee (or any successors having responsibility for the hiring

133 of legislative employees), acting jointly, may employ and
134 compensate a receptionist and an elevator operator for the New
135 State Capitol * * * and any assistants deemed necessary for such
136 receptionist. Compensation for the elevator operator and for the
137 receptionist and any assistants shall be paid out of funds
138 appropriated for joint legislative operations.

139 The receptionist shall operate an information desk, furnish
140 information to visitors; maintain a registration book for
141 visitors; distribute literature furnished by state agencies,
142 historical societies, pilgrimage clubs, private individuals or
143 organizations engaged in the manufacturing of products from
144 Mississippi resources; and conduct tours of the building. All
145 agencies of the State of Mississippi and others having literature
146 for distribution shall supply the New State Capitol * * *
147 receptionist with copies of such literature for distribution.

148 **SECTION 4.** Section 29-5-12, Mississippi Code of 1972, is
149 amended as follows:

150 29-5-12. The Legislature shall provide for reasonable
151 landscaping and care, including the maintenance of a water
152 sprinkling system, for the New State Capitol grounds.

153 **SECTION 5.** Section 29-5-57, Mississippi Code of 1972, is
154 amended as follows:

155 29-5-57. It shall be the duty of the Department of Finance
156 and Administration to supervise and regulate the parking of motor
157 vehicles at the facilities named in Section 29-5-2 except for the
158 New State Capitol, the State Board of Health Building and the
159 Governor's Mansion. The department shall make all necessary
160 regulations to ensure that parking space shall be available for
161 state officers and employees whose official duties require their
162 presence at such facilities and for business visitors, authorized
163 members of the press, tourists and other visitors who are in need
164 of parking space at any such building * * *.

165 **SECTION 6.** Section 29-5-59, Mississippi Code of 1972, is
166 amended as follows:

167 29-5-59. Except as otherwise provided in Section 29-5-61,
168 all parking * * * spaces adjacent to the south side of the New
169 State Capitol * * * between the east side of the south entrance to
170 the first floor and the east walkway, or President Street
171 entrance, shall be reserved for use of the Governor. In addition,
172 a parking space adjacent to the south side of the New State
173 Capitol, east of the south entrance to the first floor and in the
174 southernmost corner of that space under the portico, shall be
175 reserved for the Governor.

176 **SECTION 7.** Section 29-5-61, Mississippi Code of 1972, is
177 amended as follows:

178 29-5-61. The Legislature, acting through the combined Senate
179 Rules Committee and the House Management Committee meeting as a
180 joint committee, shall provide for the supervision and regulation
181 of the parking of motor vehicles on the grounds of the New State
182 Capitol. The Legislature may designate a number it deems
183 appropriate of parking spaces adjacent to the north side of the
184 New State Capitol * * * for the use of tourists, visitors and
185 those having temporary business to transact in the New State
186 Capitol. All parking spaces adjacent to the north side of the New
187 State Capitol * * * shall be and are * * * reserved for use by the
188 Lieutenant Governor, the Speaker of the House of Representatives,
189 the President Pro Tempore of the Senate, the Speaker Pro Tempore
190 of the House, officers of the Senate and House of Representatives,
191 and visitors, tourists and those persons having temporary business
192 to transact in the New State Capitol * * *. In addition, a
193 parking space adjacent to the south side of the New State Capitol,
194 east of the south entrance to the first floor and in the
195 northernmost corner of that space under the portico, shall be
196 reserved for use of the Lieutenant Governor; and a parking space
197 adjacent to the south side of the New State Capitol, west of the

198 south entrance to the first floor and in the southernmost corner
199 of that space under the portico, shall be reserved for the Speaker
200 of the House of Representatives. The * * * parking spaces
201 reserved for the named officials shall be plainly marked with
202 suitable signs or markers, designating which space is reserved for
203 such individual or officer. The spaces reserved for use in
204 parking for visitors, tourists and those having temporary business
205 to transact in said New State Capitol * * * shall be plainly
206 marked with suitable signs or markers showing that they are
207 reserved for visitors and with the notation thereon "two-hour
208 limit." The Legislature shall provide suitable signs and markers
209 to indicate those parking spaces which shall be available for the
210 convenience of tourists, visitors, and those having temporary
211 business to transact in the New State Capitol.

212 **SECTION 8.** Section 29-5-63, Mississippi Code of 1972, is
213 amended as follows:

214 29-5-63. All parking spaces on the north side of the New
215 State Capitol * * *, other than those adjacent to the north side
216 of said building, * * * shall be and are * * * reserved for use of
217 state officers, state employees and authorized members of the
218 press whose official duties require their presence in the New
219 State Capitol * * *.

220 Parking spaces not otherwise specifically designated may be
221 made available to other state officers and employees not domiciled
222 in the New State Capitol * * *, in the discretion of the
223 Legislature, acting through the combined Senate Rules Committee
224 and the House Management Committee meeting as a joint committee,
225 and under such regulations as may be prescribed therefor.

226 **SECTION 9.** Section 29-5-65, Mississippi Code of 1972, is
227 amended as follows:

228 29-5-65. * * * The Legislature, acting through the combined
229 Senate Rules Committee and the House Management Committee meeting
230 as a joint committee, shall designate and reserve sufficient

231 parking spaces around the New State Capitol * * * to accommodate
232 the members of the Legislature. The spaces * * * shall be
233 identified and marked with the name of each member of the
234 Legislature, and that space * * * shall be reserved for the
235 exclusive use of that legislator. The Legislature shall reserve
236 and allocate, among those spaces, an individual parking space for
237 use of any member of the Legislature who is physically
238 handicapped, so as to make his or her entrance to and exit from
239 the New State Capitol * * * as convenient as is reasonably
240 possible.

241 **SECTION 10.** Section 29-5-67, Mississippi Code of 1972, is
242 amended as follows:

243 29-5-67. (1) The Department of Finance and Administration
244 is directed to have prepared or to secure suitable insignia for
245 placing on automobiles so as to properly designate the automobiles
246 as belonging to or used by state officers and employees and
247 denoting in which building the officer or employee is
248 located * * * or such other identification as will aid in the
249 enforcement of Sections 29-5-57 through * * * 29-5-77. Such
250 insignia or other identification shall be issued once each year to
251 all state officers or state employees entitled thereto.

252 (2) * * * The * * * Legislature, acting through the combined
253 Senate Rules Committee and the House Management Committee meeting
254 as a joint committee, shall furnish its membership and staff with
255 distinctive insignia of appropriate design for their personal
256 automobiles, the expense to be paid out of the contingent fund of
257 each house.

258 **SECTION 11.** Section 29-5-69, Mississippi Code of 1972, is
259 amended as follows:

260 29-5-69. * * * All parking spaces adjacent to the New State
261 Capitol grounds on the west side of President Street, the south
262 side of High Street, the north side of Mississippi Street, and the
263 east side of West Street, shall be reserved for the use of

264 legislative employees. The Legislature, acting through the
265 combined Senate Rules Committee and the House Management Committee
266 meeting as a joint committee, shall place signs to that effect on
267 the described streets * * *.

268 All legislative employees * * * shall be provided with
269 distinctive stickers by the Legislature which shall be placed in a
270 prominent place on the rear of the automobile owned and regularly
271 used by that employee.

272 Any person without a sticker on his automobile who parks in
273 any space reserved in the first paragraph of this section shall be
274 guilty of a misdemeanor and * * * upon conviction, shall be fined
275 not to exceed Twenty-five Dollars (\$25.00).

276 Any person who is not a legislative employee and who has on
277 his automobile a Capitol parking sticker or any legislative
278 employee who gives his parking sticker to another person to use on
279 such person's car, shall be guilty of a misdemeanor and * * * upon
280 conviction, shall be fined One Hundred Dollars (\$100.00).

281 The security officers employed by the Legislature shall have
282 the authority and are directed to enforce the provisions of this
283 section.

284 **SECTION 12.** Section 29-5-71, Mississippi Code of 1972, is
285 amended as follows:

286 29-5-71. (1) The Department of Finance and Administration
287 is * * * directed to erect suitable signs or markers to indicate
288 the parking spaces reserved, in conformity with Sections 29-5-57,
289 through 29-5-67(1), 29-5-75 and 29-5-77.

290 (2) The Legislature, acting through the combined Senate
291 Rules Committee and the House Management Committee meeting as a
292 joint committee, shall provide for the erection of suitable signs
293 or markers to indicate the parking spaces reserved on the grounds
294 of the New State Capitol.

295 (3) The * * * Department of Transportation is * * * directed
296 to cooperate with the Department of Finance and Administration and

297 the Legislature in the painting or marking of * * * parking spaces
298 as * * * prescribed by the Department of Finance and
299 Administration and the Legislature.

300 **SECTION 13.** Section 29-5-77, Mississippi Code of 1972, is
301 amended as follows:

302 29-5-77. The Department of Finance and Administration shall
303 have jurisdiction relative to the enforcement of all laws of the
304 State of Mississippi on the properties set forth in Section
305 29-5-2, the Court of Appeals Building, the Mississippi Department
306 of Transportation Building and the Public Employees' Retirement
307 System Building. The Department of Finance and
308 Administration * * *, through any person or persons appointed by
309 such department, or through the Department of Public Safety when
310 requested by the Department of Finance and Administration, shall
311 make arrests for any violation of any law of the State of
312 Mississippi on those grounds of or within those properties. The
313 Department of Finance and Administration shall enforce the
314 provisions of Sections 29-5-57 through 29-5-67, 29-5-71 through
315 29-5-77, and 29-5-81 through 29-5-95, and prescribe such rules and
316 regulations as are necessary therefor.

317 When in the opinion of the Governor or, in his absence, the
318 Lieutenant Governor, it is readily apparent that an emergency
319 exists that the persons appointed by the Department of Finance and
320 Administration are unable to control in the accomplishment of the
321 provisions of Sections 29-5-57 through 29-5-67, 29-5-71 through
322 29-5-77, and 29-5-81 through 29-5-95 in regard to law enforcement,
323 then the Governor, or in his absence, the Lieutenant Governor, may
324 call upon the Department of Public Safety, members of which shall
325 have power to arrest and detain any persons violating the
326 provisions of those sections of law, until the person can be
327 brought before the proper authorities for trial.

328 Subject to the approval of the Board of Trustees of State
329 Institutions of Higher Learning, the Board of Trustees and the

330 Department of Finance and Administration shall be authorized to
331 enter into a contract for the Department of Finance and
332 Administration to supply the security personnel with jurisdiction
333 to enforce all laws of the State of Mississippi on the property of
334 the Board of Trustees located at the corner of Ridgewood Road and
335 Lakeland Drive in the City of Jackson.

336 The Department of Finance and Administration and the
337 Department of Agriculture are authorized to enter into a contract
338 for the Department of Finance and Administration to have
339 jurisdiction and enforce all laws of the State of Mississippi on
340 the property of the Department of Agriculture located at 121 North
341 Jefferson Street and the new Farmer's Market Building located at
342 the corner of High and Jefferson Streets in the City of Jackson,
343 Hinds County, Mississippi. It is the intent of the Legislature
344 that the Department of Finance and Administration will not post
345 any security personnel at such buildings, but will provide regular
346 vehicle patrols and responses to security system alarms.

347 **SECTION 14.** Section 29-5-79, Mississippi Code of 1972, is
348 amended as follows:

349 29-5-79. * * * The Speaker of the House of Representatives
350 and the Lieutenant Governor may make such regulations as they may
351 deem necessary for preserving the peace and securing the New State
352 Capitol from defacement, and for the protection of the property
353 therein. The Lieutenant Governor or the Speaker of the House of
354 Representatives may request the assistance of the * * * Department
355 of Public Safety in order to preserve the peace at the New State
356 Capitol and secure the New State Capitol from defacement, and for
357 the protection of the property therein.

358 * * *

359 **SECTION 15.** Section 29-5-81, Mississippi Code of 1972, is
360 amended as follows:

361 29-5-81. (1) Grounds of public buildings over which the
362 Department of Finance and Administration has jurisdiction shall
363 comprise the following:

364 (a) In the City of Jackson, Mississippi:

365 * * *

366 Governor's Mansion: Bounded on the north by Amite Street, on
367 the west by North West Street, on the south by Capitol Street and
368 on the east by North Congress Street;

369 Woolfolk State Office Building: Bounded on the north by High
370 Street, on the west by Lamar Street, on the south by Hamilton
371 Street and on the east by North West Street;

372 Old State Capitol and War Veterans' Memorial Building
373 Complex: Bounded on the north by Amite Street, on the west by
374 North State Street and South State Street, on the south by Pearl
375 Street and on the east by property of the Gulf, Mobile and Ohio
376 Railroad Company;

377 Carroll Gartin Justice Building and Walter Sillers Office
378 Building Complex: Bounded on the north by George Street, on the
379 west by North West Street, on the south by High Street and on the
380 east by North President Street;

381 Heber Ladner Building: Bounded on the north by Mississippi
382 Street, on the west by North Congress Street, on the south by the
383 property of Galloway Methodist Church used as a parking lot and on
384 the east by the property on which the Mississippi Farm Bureau
385 Federation Building stands;

386 State Board of Health Building: Bounded on the north by
387 Stadium Drive, on the west by the property of Mississippi Hospital
388 and Medical Service, on the southwest by property on which is
389 located a Standard Oil service station, on the southeast by
390 property leased by the Mississippi Federation of Women's Clubs and
391 on the east by North State Street;

392 Robert E. Lee Building and other properties acquired in the
393 same transaction: Particularly described in warranty deed

394 executed and delivered on April 22, 1969, and filed for record in
395 the Office of the Chancery Clerk of the First Judicial District of
396 Hinds County, Mississippi, located in Jackson, Mississippi, on
397 April 25, 1969, at 9:00 a.m., and recorded in Deed Book No. 1822,
398 page 136 et seq.;

399 Charlotte Capers Building: Bounded on the north by the Old
400 Capitol Building, on the west by South State Street, on the south
401 by Pearl Street, and on the east by the Illinois Central Railroad
402 tracks;

403 William F. Winter Archives and History Building: Bounded on
404 the north by Mississippi Street, on the west by North Street, on
405 the south by Amite Street, and on the east by Jefferson Street.

406 Mayfair Building: Bounded on the north by George Street, on
407 the west by Northwest Street, on the south by Walter Sillers
408 Office Building complex, and on the east by North President
409 Street;

410 Court of Appeals Building: Bounded on the west by North
411 State Street, on the north by George Street, on the east by North
412 Street, and on the south by the building designated as 654 North
413 State Street, including the parking area east of and adjacent to
414 the 654 North State Street Building;

415 Central High Building;

416 101 Capitol Centre: Located at 101 West Capitol Street,
417 Jackson, Mississippi;

418 Robert G. Clark, Jr., Building: Located at 301 North Lamar
419 Street, Jackson, Mississippi.

420 (b) The Dr. Eldon Langston Bolton Building: Located in
421 the City of Biloxi, Mississippi.

422 (c) The State Service Center: Located at the
423 intersection of U.S. Highway 49 and John Merl Tatum Industrial
424 Drive in the City of Hattiesburg, Mississippi.

425 (2) The Legislature shall have jurisdiction over the New
426 State Capitol, which is bounded on the north by High Street, on

427 the west by North West Street, on the south by Mississippi Street,
428 and on the east by North President Street.

429 **SECTION 16.** Section 29-5-83, Mississippi Code of 1972, is
430 amended as follows:

431 29-5-83. Public travel in and occupancy of the grounds * * *
432 described in Section 29-5-81 shall be restricted to the roads,
433 walks and places prepared for that purpose by paving or otherwise.
434 It is forbidden to occupy the roads, walks or places in such
435 grounds in such manner as to obstruct or hinder their proper use.

436 **SECTION 17.** Section 29-5-85, Mississippi Code of 1972, is
437 amended as follows:

438 29-5-85. It is forbidden to offer or expose any article for
439 sale in or on the grounds described in Section 29-5-81, except as
440 may be permitted by the Department of Finance and Administration
441 or the Legislature, as the case may be; to display any sign,
442 placard, or other form of advertisement therein; or to solicit
443 fares, alms, subscriptions, or contributions therein.

444 **SECTION 18.** Section 29-5-87, Mississippi Code of 1972, is
445 amended as follows:

446 29-5-87. It is forbidden to step or climb upon, remove, or
447 in any way injure any statue, seat, wall, fountain, or other
448 erection or architectural feature, or any tree, shrub, plant, or
449 turf in or on the grounds described in Section 29-5-81.

450 **SECTION 19.** Section 29-5-89, Mississippi Code of 1972, is
451 amended as follows:

452 29-5-89. It is forbidden to discharge any firearm, firework
453 or explosive, set fire to any combustible, make any harangue or
454 oration, or utter loud, threatening, or abusive language in or on
455 the grounds described in Section 29-5-81.

456 **SECTION 20.** Section 29-5-91, Mississippi Code of 1972, is
457 amended as follows:

458 29-5-91. It is forbidden to parade, stand, or move in
459 processions or assemblages in or on the grounds described in

460 Section 29-5-81, or to display therein any flag, banner, or device
461 designed or adapted to bring into public notice any party,
462 organization, or movement, except as * * * provided in Section
463 29-5-95.

464 **SECTION 21.** Section 29-5-95, Mississippi Code of 1972, is
465 amended as follows:

466 29-5-95. On certain occasions of state interest, the
467 Legislature may suspend so much of the prohibitions contained in
468 Sections 29-5-83 through 29-5-91 as would prevent the use of the
469 roads and walks of the New State Capitol grounds by processions or
470 assemblages, and the use upon them of suitable decorations, music,
471 addresses or ceremonies, provided that responsible officers shall
472 have been appointed and arrangements determined which are
473 adequate * * * for the maintenance of suitable order and decorum
474 in the proceedings, and for guarding the properties and grounds
475 from injury.

476 **SECTION 22.** Section 5-1-83, Mississippi Code of 1972, is
477 amended as follows:

478 5-1-83. The Legislature may make such alterations and
479 provide such furnishings for the post office room as in its
480 judgment may seem proper, to fit it for the convenience and
481 necessary requirements of Sections 5-1-79 and 5-1-81.

482 **SECTION 23.** Section 31-11-27, Mississippi Code of 1972, is
483 amended as follows:

484 31-11-27. (1) (a) The Department of Finance and
485 Administration shall conduct a detailed study of the building and
486 other capital needs at each state institution and at each junior
487 college immediately prior to September first in each year. This
488 study shall include, but shall not be limited to, the following
489 matters: (i) an inventory of every state building and other
490 capital facility which is the property of the State of
491 Mississippi; (ii) the location, date of construction or
492 acquisition, the purpose for which used, outstanding indebtedness

493 against such facility, if any, and cost of repairs for the
494 preceding fiscal year; (iii) an examination of the condition of
495 the building or other facility; (iv) an estimate of the cost of
496 repairs required to place the facility in good condition; (v) an
497 estimate of the cost of major renovations, if contemplated; and
498 (vi) a determination of the new building and other facility needs
499 of each institution with such needs classified under immediate or
500 long range requirements.

501 (b) All state agencies, departments and institutions
502 are hereby authorized and directed to cooperate with the
503 Department of Finance and Administration in carrying out the
504 provisions of this section.

505 (c) The Department of Finance and Administration shall
506 submit a detailed report to the Legislative Budget Office on or
507 before September first of each year. Such report shall be in such
508 detail and in such form as may be prescribed by the Legislative
509 Budget Office.

510 (d) The architect or building inspector of the
511 Department of Finance and Administration shall make a biennial
512 inspection of the * * * Old Capitol, Woolfolk State Office
513 Building, War Memorial Building, the Governor's Mansion, and all
514 other buildings under jurisdiction of the Department of Finance
515 and Administration for structural or other physical needs or
516 defects of such buildings, and he shall further inquire of the
517 department or its representatives regarding the condition of the
518 buildings. He shall make a written report of his finding to the
519 Department of Finance and Administration, Governor, Lieutenant
520 Governor and Speaker of the House of Representatives. The report
521 shall also make recommendations for repairs and list, by number,
522 the priority which should be given to making necessary repairs.

523 (2) (a) In addition to any report required in subsection
524 (1) of this section, the Department of Finance and Administration
525 shall prepare and submit an annual report to the Legislative

526 Budget Office, the House Public Buildings, Grounds and Lands
527 Committee and the Senate Public Property Committee describing the
528 proposed capital improvements projects for state agencies,
529 departments and institutions for the upcoming five-year period.
530 The Department of Finance and Administration shall not be required
531 to include in the report any project costing less than One Million
532 Dollars (\$1,000,000.00). The department shall submit the report
533 before September 1 of each year. The report shall include at
534 least the following information:

535 (i) A prioritized list of the projects proposed
536 for the five-year period, with each project ranked on the basis of
537 need;

538 (ii) A prioritized list of the projects proposed
539 for the next regular legislative session, with each project ranked
540 on the basis of need;

541 (iii) A prioritized list of the projects requested
542 by each state agency, department or institution;

543 (iv) A detailed explanation of criteria used by
544 the Department of Finance and Administration to rank projects for
545 purposes of any list it prepares under this paragraph (a);

546 (v) A detailed statement of justification for each
547 project;

548 (vi) The approximate cost for each project,
549 including, but not limited to, itemized estimates of costs for
550 preplanning, constructing, furnishing and equipping a project, and
551 costs for property acquisition;

552 (vii) The estimated beginning date and completion
553 date for each project;

554 (viii) Whether a project, as proposed, is a
555 complete project or a phase or part of a project;

556 (ix) How a project will affect the operating
557 budget of the applicable agency, department or institution for the
558 upcoming five-year period, regarding such items as additional

559 personnel requirements, utility costs, maintenance costs, security
560 costs, etc.;

561 (x) The proposed method of financing each project
562 and the effect such financing will have on the state budget,
563 including an estimate of any required debt service for the
564 project, and an estimate of any federal funds or other funds that
565 the agency, department or institution may have access to because
566 of the project; and

567 (xi) A list of the projects requested by each
568 agency, department or institution for the five-year period, with
569 each project ranked by the appropriate agency, department or
570 institution on the basis of need.

571 (b) To enable the Department of Finance and
572 Administration to prepare the report required in this subsection
573 (2), it may require all state agencies, departments and
574 institutions to file a capital improvements projects request with
575 such information and in such form and in such detail as the
576 department may deem necessary and advisable. Such request shall
577 be filed with the Department of Finance and Administration no
578 later than August 1 of each year.

579 **SECTION 24.** This act shall take effect and be in force from
580 and after July 1, 2006.