

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 3190

BY: Committee

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

20 **SECTION 1.** Sections 3 through 18, Chapter 541, Laws of 2001,
21 as amended by Section 1, Chapter 540, Laws of 2002, as amended by
22 Section 1, Chapter 519, Laws of 2003, as amended by Section 208,
23 Chapter 1, Laws of 2004 Third Extraordinary Session, as amended by
24 Section 9, Chapter 538, Laws of 2006, are amended as follows:

25 Section 3. As used in Sections 3 through 18 of this act, the
26 following words shall have the meanings ascribed herein unless the
27 context clearly requires otherwise:

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

35 (b) "State" means the State of Mississippi; and

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

37 Section 4. (1) The Mississippi Arts Commission, at one
38 time, or from time to time, may declare by resolution the

39 necessity for issuance of general obligation bonds of the State of
40 Mississippi to provide funds for the grant program authorized in
41 Section 2 of this act. Upon the adoption of a resolution by the
42 Mississippi Arts Commission, declaring the necessity for the
43 issuance of any part or all of the general obligation bonds
44 authorized by this section, the Mississippi Arts Commission shall
45 deliver a certified copy of its resolution or resolutions to the
46 commission. Upon receipt of such resolution, the commission, in
47 its discretion, may act as the issuing agent, prescribe the form
48 of the bonds, advertise for and accept bids, issue and sell the
49 bonds so authorized to be sold and do any and all other things
50 necessary and advisable in connection with the issuance and sale
51 of such bonds. The total amount of bonds issued under Sections 3
52 through 18 of this act shall not exceed Twenty Million Two Hundred
53 Thousand Dollars (\$20,200,000.00).

54 (2) The proceeds of bonds issued pursuant to Sections 3
55 through 18 of this act shall be deposited into the Building Fund
56 for the Arts created pursuant to Section 2 of this act. Any
57 investment earnings on bonds issued pursuant to Sections 3 through
58 18 of this act shall be used to pay debt service on bonds issued
59 under Sections 3 through 18 of this act, in accordance with the
60 proceedings authorizing issuance of such bonds.

61 Section 5. The principal of and interest on the bonds
62 authorized under Sections 3 through 18 of this act shall be
63 payable in the manner provided in this section. Such bonds shall
64 bear such date or dates, be in such denomination or denominations,
65 bear interest at such rate or rates (not to exceed the limits set
66 forth in Section 75-17-101, Mississippi Code of 1972), be payable
67 at such place or places within or without the State of
68 Mississippi, shall mature absolutely at such time or times not to
69 exceed twenty-five (25) years from date of issue, be redeemable
70 before maturity at such time or times and upon such terms, with or

71 without premium, shall bear such registration privileges, and
72 shall be substantially in such form, all as shall be determined by
73 resolution of the commission.

74 Section 6. The bonds authorized by Sections 3 through 18 of
75 this act shall be signed by the chairman of the commission, or by
76 his facsimile signature, and the official seal of the commission
77 shall be affixed thereto, attested by the secretary of the
78 commission. The interest coupons, if any, to be attached to such
79 bonds may be executed by the facsimile signatures of such
80 officers. Whenever any such bonds shall have been signed by the
81 officials designated to sign the bonds who were in office at the
82 time of such signing but who may have ceased to be such officers
83 before the sale and delivery of such bonds, or who may not have
84 been in office on the date such bonds may bear, the signatures of
85 such officers upon such bonds and coupons shall nevertheless be
86 valid and sufficient for all purposes and have the same effect as
87 if the person so officially signing such bonds had remained in
88 office until their delivery to the purchaser, or had been in
89 office on the date such bonds may bear. However, notwithstanding
90 anything herein to the contrary, such bonds may be issued as
91 provided in the Registered Bond Act of the State of Mississippi.

92 Section 7. All bonds and interest coupons issued under the
93 provisions of Sections 3 through 18 of this act have all the
94 qualities and incidents of negotiable instruments under the
95 provisions of the Uniform Commercial Code, and in exercising the
96 powers granted by Sections 3 through 18 of this act, the
97 commission shall not be required to and need not comply with the
98 provisions of the Uniform Commercial Code.

99 Section 8. The commission shall act as the issuing agent for
100 the bonds authorized under Sections 3 through 18 of this act,
101 prescribe the form of the bonds, advertise for and accept bids,
102 issue and sell the bonds so authorized to be sold, pay all fees

103 and costs incurred in such issuance and sale, and do any and all
104 other things necessary and advisable in connection with the
105 issuance and sale of such bonds. The commission is authorized and
106 empowered to pay the costs that are incident to the sale, issuance
107 and delivery of the bonds authorized under Sections 3 through 18
108 of this act from the proceeds derived from the sale of such bonds.
109 The commission shall sell such bonds on sealed bids at public
110 sale, and for such price as it may determine to be for the best
111 interest of the State of Mississippi, but no such sale shall be
112 made at a price less than par plus accrued interest to the date of
113 delivery of the bonds to the purchaser. All interest accruing on
114 such bonds so issued shall be payable semiannually or annually;
115 however, the first interest payment may be for any period of not
116 more than one (1) year.

117 Notice of the sale of any such bonds shall be published at
118 least one (1) time, not less than ten (10) days before the date of
119 sale, and shall be so published in one or more newspapers
120 published or having a general circulation in the City of Jackson,
121 Mississippi, and in one or more other newspapers or financial
122 journals with a national circulation, to be selected by the
123 commission.

124 The commission, when issuing any bonds under the authority of
125 Sections 3 through 18 of this act, may provide that bonds, at the
126 option of the State of Mississippi, may be called in for payment
127 and redemption at the call price named therein and accrued
128 interest on such date or dates named therein.

129 Section 9. The bonds issued under the provisions of Sections
130 3 through 18 of this act are general obligations of the State of
131 Mississippi, and for the payment thereof the full faith and credit
132 of the State of Mississippi is irrevocably pledged. If the funds
133 appropriated by the Legislature are insufficient to pay the
134 principal of and the interest on such bonds as they become due,

135 then the deficiency shall be paid by the State Treasurer from any
136 funds in the State Treasury not otherwise appropriated. All such
137 bonds shall contain recitals on their faces substantially covering
138 the provisions of this section.

139 Section 10. Upon the issuance and sale of bonds under the
140 provisions of Sections 3 through 18 of this act, the commission
141 shall transfer the proceeds of any such sale or sales to the
142 special fund created in Section 2 of this act. Except as
143 otherwise provided in Section 2 of this act, the proceeds of such
144 bonds shall be disbursed solely upon the order of the Department
145 of Finance and Administration under such restrictions, if any, as
146 may be contained in the resolution providing for the issuance of
147 the bonds.

148 Section 11. The bonds authorized under Sections 3 through 18
149 of this act may be issued without any other proceedings or the
150 happening of any other conditions or things other than those
151 proceedings, conditions and things which are specified or required
152 by Sections 3 through 18 of this act. Any resolution providing
153 for the issuance of bonds under the provisions of Sections 3
154 through 18 of this act shall become effective immediately upon its
155 adoption by the commission, and any such resolution may be adopted
156 at any regular or special meeting of the commission by a majority
157 of its members.

158 Section 12. The bonds authorized under the authority of
159 Sections 3 through 18 of this act may be validated in the Chancery
160 Court of the First Judicial District of Hinds County, Mississippi,
161 in the manner and with the force and effect provided by Chapter
162 13, Title 31, Mississippi Code of 1972, for the validation of
163 county, municipal, school district and other bonds. The notice to
164 taxpayers required by such statutes shall be published in a
165 newspaper published or having a general circulation in the City of
166 Jackson, Mississippi.

167 Section 13. Any holder of bonds issued under the provisions
168 of Sections 3 through 18 of this act or of any of the interest
169 coupons pertaining thereto may, either at law or in equity, by
170 suit, action, mandamus or other proceeding, protect and enforce
171 any and all rights granted under Sections 3 through 18 of this
172 act, or under such resolution, and may enforce and compel
173 performance of all duties required by Sections 3 through 18 of
174 this act to be performed, in order to provide for the payment of
175 bonds and interest thereon.

176 Section 14. All bonds issued under the provisions of
177 Sections 3 through 18 of this act shall be legal investments for
178 trustees and other fiduciaries, and for savings banks, trust
179 companies and insurance companies organized under the laws of the
180 State of Mississippi, and such bonds shall be legal securities
181 which may be deposited with and shall be received by all public
182 officers and bodies of this state and all municipalities and
183 political subdivisions for the purpose of securing the deposit of
184 public funds.

185 Section 15. Bonds issued under the provisions of Sections 3
186 through 18 of this act and income therefrom shall be exempt from
187 all taxation in the State of Mississippi.

188 Section 16. The proceeds of the bonds issued under Sections
189 3 through 18 of this act shall be used solely for the purposes
190 therein provided, including the costs incident to the issuance and
191 sale of such bonds.

192 Section 17. The State Treasurer is authorized, without
193 further process of law, to certify to the Department of Finance
194 and Administration the necessity for warrants, and the Department
195 of Finance and Administration is authorized and directed to issue
196 such warrants, in such amounts as may be necessary to pay when due
197 the principal of, premium, if any, and interest on, or the
198 accreted value of, all bonds issued under Sections 3 through 18 of

199 this act; and the State Treasurer shall forward the necessary
200 amount to the designated place or places of payment of such bonds
201 in ample time to discharge such bonds, or the interest thereon, on
202 the due dates thereof.

203 Section 18. Sections 3 through 18 of this act shall be
204 deemed to be full and complete authority for the exercise of the
205 powers therein granted, but Sections 3 through 18 of this act
206 shall not be deemed to repeal or to be in derogation of any
207 existing law of this state.

208 **SECTION 2.** Section 39-11-13, Mississippi Code of 1972, is
209 amended as follows:

210 39-11-13. (1) (a) A special fund, to be designated as the
211 "Building Fund for the Arts," is created within the State
212 Treasury. The fund shall be maintained by the State Treasurer as
213 a separate and special fund, separate and apart from the General
214 Fund of the state. The fund shall consist of any money designated
215 for deposit therein from any source, including, but not limited
216 to, any state general obligation bonds issued for the purposes
217 described in this section. Unexpended amounts remaining in the
218 fund at the end of a fiscal year shall not lapse into the State
219 General Fund, and investment earnings on amounts in the fund shall
220 be deposited into such fund.

221 (b) Money deposited into the fund shall be disbursed,
222 in the discretion of the Mississippi Arts Commission, to provide
223 grants to nonprofit organizations that are qualified as tax exempt
224 under Section 501(c)(3) of the Internal Revenue Code and units of
225 local government to pay the costs of:

226 (i) Repair, upgrading, expansion, renovation or
227 enhancement of existing buildings and facilities for the
228 presentation, teaching or exhibition of the arts in any and all of
229 its forms and furniture, equipment and/or technology for such
230 buildings or facilities;

231 (ii) Construction of new buildings and facilities
232 for the presentation, teaching or exhibition of the arts in any
233 and all of its forms and furniture, equipment and/or technology
234 for such buildings or facilities; or

235 (iii) The development, construction, equipping and
236 furnishing of an entertainment and film center and museum and
237 completion of a sound stage project.

238 (c) The entity to which such grants are made shall
239 provide matching funds from local, federal or private sources
240 equal to forty percent (40%) of the proposed project cost in order
241 to be eligible for a grant under this section.

242 (d) The maximum aggregate amount of monies in the
243 special fund that may be used to provide grant funds to an entity
244 or combination of entities under paragraph (b)(iii) of this
245 subsection shall not exceed One Million Dollars (\$1,000,000.00),
246 and no monies in the special fund may be used to provide grant
247 funds under paragraph (b)(iii) of this subsection after July 1,
248 2003. The maximum aggregate amount of grant funds that may be
249 provided to an entity or combination of entities under paragraph
250 (b)(iii) of this subsection during a fiscal year shall not exceed
251 Five Hundred Thousand Dollars (\$500,000.00).

252 (2) (a) Amounts deposited into such special fund shall be
253 disbursed to pay the costs of projects described in subsection (1)
254 of this section. If any monies in the special fund are derived
255 from proceeds of bonds issued under Sections 3 through 18 of
256 Chapter 541, Laws of 2001, as amended by Chapter 540, Laws of
257 2002, as amended by Chapter 519, Laws of 2003, as amended by
258 Chapter 1, Laws of 2004 Third Extraordinary Session, as amended by
259 Chapter 538, Laws of 2006, as amended by Section 1 of Senate Bill
260 No. 3190, 2007 Regular Session, and are not used within four (4)
261 years after the date such bond proceeds are deposited into the

262 special fund, then the Mississippi Arts Commission shall provide
263 an accounting of such unused monies to the State Bond Commission.

264 (b) Monies in the special fund which are derived from
265 proceeds of bonds issued after April 9, 2002, may be used to
266 reimburse reasonable actual and necessary costs incurred by the
267 Mississippi Arts Commission in providing assistance directly
268 related to a project described in subsection (1) of this section
269 for which grant funds are provided under this section from the use
270 of proceeds of such bonds. Reimbursement may be made only until
271 such time as the project is completed. An accounting of actual
272 costs incurred for which reimbursement is sought shall be
273 maintained for each project by the Mississippi Arts Commission.
274 Reimbursement of reasonable actual and necessary costs for a
275 project shall not exceed three percent (3%) of the proceeds of
276 bonds issued for such project. Monies authorized for a particular
277 project may not be used to reimburse administrative costs for
278 unrelated projects. This paragraph (b) shall be repealed from and
279 after July 1, 2008.

280 (3) The Mississippi Arts Commission is expressly authorized
281 and empowered to receive and expend any local or other source
282 funds in connection with the expenditure of funds provided for in
283 this section. The expenditure of money deposited into the special
284 fund shall be under the direction of the Mississippi Arts
285 Commission, and such funds shall be paid by the State Treasurer
286 upon warrants issued by the Department of Finance and
287 Administration upon request of the Mississippi Arts Commission,
288 which warrants shall be issued upon requisitions signed by the
289 Executive Director of the Mississippi Arts Commission, or his or
290 her designee.

291 (4) The Mississippi Arts Commission shall adopt necessary
292 rules and regulations to govern the administration of the program
293 described in subsection (1) of this section, including, but not

294 limited to, rules and regulations governing applications for
295 grants and rules and regulations providing for the distribution of
296 grant funds. The Mississippi Arts Commission shall comply with
297 the provisions of the Mississippi Administrative Procedures Law.

298 **SECTION 3.** Sections 210 through 226, Chapter 1, Laws of 2004
299 Third Extraordinary Session, as amended by Section 2, Chapter 458,
300 Laws of 2005, as amended by Section 11, Chapter 538, Laws of 2006,
301 are amended as follows:

302 Section 210. As used in Sections 210 through 226 of this
303 act, the following words shall have the meanings ascribed herein
304 unless the context clearly requires otherwise:

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

312 (b) "State" means the State of Mississippi; and

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

314 Section 211. (1) (a) A special fund, to be designated as
315 the "Mississippi Museum of Art Fund," is created within the State
316 Treasury. The fund shall be maintained by the State Treasurer as
317 a separate and special fund, separate and apart from the General
318 Fund of the state. Unexpended amounts remaining in the fund at
319 the end of a fiscal year shall not lapse into the State General
320 Fund, and any interest earned or investment earnings on amounts in
321 the fund shall be deposited into such fund.

322 (b) Monies deposited into the fund shall be disbursed,
323 in the discretion of the Department of Finance and Administration,
324 for the purpose of providing funds to the Mississippi Museum of
325 Art to pay the costs of acquisition of land, planning, design and

326 site preparation for a facility for the Mississippi Museum of Art
327 in Jackson, Mississippi, and/or construction, repair and
328 renovation, upgrading, furnishing, equipping, expansion or
329 enhancement of buildings or facilities for the Mississippi Museum
330 of Art in Jackson, Mississippi.

331 (2) Amounts deposited into such special fund shall be
332 disbursed to pay the costs of the projects described in subsection
333 (1) of this section. Promptly after the commission has certified,
334 by resolution duly adopted, that the projects described in
335 subsection (1) of this section shall have been completed,
336 abandoned, or cannot be completed in a timely fashion, any amounts
337 remaining in such special fund shall be applied to pay debt
338 service on the bonds issued under Sections 210 through 226 of this
339 act, in accordance with the proceedings authorizing the issuance
340 of such bonds and as directed by the commission.

341 (3) The Department of Finance and Administration is
342 expressly authorized and empowered to receive and expend any local
343 or other source funds in connection with the expenditure of funds
344 provided for in this section. The expenditure of monies deposited
345 into the special fund shall be under the direction of the
346 Department of Finance and Administration, and such funds shall be
347 paid by the State Treasurer upon warrants issued by the Department
348 of Finance and Administration.

349 Section 212. (1) The Department of Finance and
350 Administration, at one time, or from time to time, may declare by
351 resolution the necessity for issuance of general obligation bonds
352 of the State of Mississippi to provide funds for all costs
353 incurred or to be incurred for the purposes described in Section
354 211 of this act. Upon the adoption of a resolution by the
355 Department of Finance and Administration, declaring the necessity
356 for the issuance of any part or all of the general obligation
357 bonds authorized by this section, the Department of Finance and

358 Administration shall deliver a certified copy of its resolution or
359 resolutions to the commission. Upon receipt of such resolution,
360 the commission, in its discretion, may act as the issuing agent,
361 prescribe the form of the bonds, advertise for and accept bids,
362 issue and sell the bonds so authorized to be sold and do any and
363 all other things necessary and advisable in connection with the
364 issuance and sale of such bonds. The total amount of bonds issued
365 under Sections 210 through 226 of this act shall not exceed Three
366 Million Five Hundred Thousand Dollars (\$3,500,000.00).

367 (2) The proceeds of bonds issued pursuant to Sections 210
368 through 226 of this act shall be deposited into the special fund
369 created pursuant to Section 211 of this act. Any investment
370 earnings on bonds issued pursuant to Sections 210 through 226 of
371 this act shall be used to pay debt service on bonds issued under
372 Sections 210 through 226 of this act, in accordance with the
373 proceedings authorizing issuance of such bonds.

374 Section 213. The principal of and interest on the bonds
375 authorized under Sections 210 through 226 of this act shall be
376 payable in the manner provided in this section. Such bonds shall
377 bear such date or dates, be in such denomination or denominations,
378 bear interest at such rate or rates (not to exceed the limits set
379 forth in Section 75-17-101, Mississippi Code of 1972), be payable
380 at such place or places within or without the State of
381 Mississippi, shall mature absolutely at such time or times not to
382 exceed twenty-five (25) years from date of issue, be redeemable
383 before maturity at such time or times and upon such terms, with or
384 without premium, shall bear such registration privileges, and
385 shall be substantially in such form, all as shall be determined by
386 resolution of the commission.

387 Section 214. The bonds authorized by Sections 210 through
388 226 of this act shall be signed by the chairman of the commission,
389 or by his facsimile signature, and the official seal of the

390 commission shall be affixed thereto, attested by the secretary of
391 the commission. The interest coupons, if any, to be attached to
392 such bonds may be executed by the facsimile signatures of such
393 officers. Whenever any such bonds shall have been signed by the
394 officials designated to sign the bonds who were in office at the
395 time of such signing but who may have ceased to be such officers
396 before the sale and delivery of such bonds, or who may not have
397 been in office on the date such bonds may bear, the signatures of
398 such officers upon such bonds and coupons shall nevertheless be
399 valid and sufficient for all purposes and have the same effect as
400 if the person so officially signing such bonds had remained in
401 office until their delivery to the purchaser, or had been in
402 office on the date such bonds may bear. However, notwithstanding
403 anything herein to the contrary, such bonds may be issued as
404 provided in the Registered Bond Act of the State of Mississippi.

405 Section 215. All bonds and interest coupons issued under the
406 provisions of Sections 210 through 226 of this act have all the
407 qualities and incidents of negotiable instruments under the
408 provisions of the Uniform Commercial Code, and in exercising the
409 powers granted by Sections 210 through 226 of this act, the
410 commission shall not be required to and need not comply with the
411 provisions of the Uniform Commercial Code.

412 Section 216. The commission shall act as the issuing agent
413 for the bonds authorized under Sections 210 through 226 of this
414 act, prescribe the form of the bonds, advertise for and accept
415 bids, issue and sell the bonds so authorized to be sold, pay all
416 fees and costs incurred in such issuance and sale, and do any and
417 all other things necessary and advisable in connection with the
418 issuance and sale of such bonds. The commission is authorized and
419 empowered to pay the costs that are incident to the sale, issuance
420 and delivery of the bonds authorized under Sections 210 through
421 226 of this act from the proceeds derived from the sale of such

422 bonds. The commission shall sell such bonds on sealed bids at
423 public sale, and for such price as it may determine to be for the
424 best interest of the State of Mississippi, but no such sale shall
425 be made at a price less than par plus accrued interest to the date
426 of delivery of the bonds to the purchaser. All interest accruing
427 on such bonds so issued shall be payable semiannually or annually;
428 however, the first interest payment may be for any period of not
429 more than one (1) year.

430 Notice of the sale of any such bonds shall be published at
431 least one (1) time, not less than ten (10) days before the date of
432 sale, and shall be so published in one or more newspapers
433 published or having a general circulation in the City of Jackson,
434 Mississippi, and in one or more other newspapers or financial
435 journals with a national circulation, to be selected by the
436 commission.

437 The commission, when issuing any bonds under the authority of
438 Sections 210 through 226 of this act, may provide that bonds, at
439 the option of the State of Mississippi, may be called in for
440 payment and redemption at the call price named therein and accrued
441 interest on such date or dates named therein.

442 Section 217. The bonds issued under the provisions of
443 Sections 210 through 226 of this act are general obligations of
444 the State of Mississippi, and for the payment thereof the full
445 faith and credit of the State of Mississippi is irrevocably
446 pledged. If the funds appropriated by the Legislature are
447 insufficient to pay the principal of and the interest on such
448 bonds as they become due, then the deficiency shall be paid by the
449 State Treasurer from any funds in the State Treasury not otherwise
450 appropriated. All such bonds shall contain recitals on their
451 faces substantially covering the provisions of this section.

452 Section 218. Upon the issuance and sale of bonds under the
453 provisions of Sections 210 through 226 of this act, the commission

454 shall transfer the proceeds of any such sale or sales to the
455 special fund created in Section 211 of this act. The proceeds of
456 such bonds shall be disbursed solely upon the order of the
457 Department of Finance and Administration under such restrictions,
458 if any, as may be contained in the resolution providing for the
459 issuance of the bonds.

460 Section 219. The bonds authorized under Sections 210 through
461 226 of this act may be issued without any other proceedings or the
462 happening of any other conditions or things other than those
463 proceedings, conditions and things which are specified or required
464 by Sections 210 through 226 of this act. Any resolution providing
465 for the issuance of bonds under the provisions of Sections 210
466 through 226 of this act shall become effective immediately upon
467 its adoption by the commission, and any such resolution may be
468 adopted at any regular or special meeting of the commission by a
469 majority of its members.

470 Section 220. The bonds authorized under the authority of
471 Sections 210 through 226 of this act may be validated in the
472 Chancery Court of the First Judicial District of Hinds County,
473 Mississippi, in the manner and with the force and effect provided
474 by Chapter 13, Title 31, Mississippi Code of 1972, for the
475 validation of county, municipal, school district and other bonds.
476 The notice to taxpayers required by such statutes shall be
477 published in a newspaper published or having a general circulation
478 in the City of Jackson, Mississippi.

479 Section 221. Any holder of bonds issued under the provisions
480 of Sections 210 through 226 of this act or of any of the interest
481 coupons pertaining thereto may, either at law or in equity, by
482 suit, action, mandamus or other proceeding, protect and enforce
483 any and all rights granted under Sections 210 through 226 of this
484 act, or under such resolution, and may enforce and compel
485 performance of all duties required by Sections 210 through 226 of

486 this act to be performed, in order to provide for the payment of
487 bonds and interest thereon.

488 Section 222. All bonds issued under the provisions of
489 Sections 210 through 226 of this act shall be legal investments
490 for trustees and other fiduciaries, and for savings banks, trust
491 companies and insurance companies organized under the laws of the
492 State of Mississippi, and such bonds shall be legal securities
493 which may be deposited with and shall be received by all public
494 officers and bodies of this state and all municipalities and
495 political subdivisions for the purpose of securing the deposit of
496 public funds.

497 Section 223. Bonds issued under the provisions of Sections
498 210 through 226 of this act and income therefrom shall be exempt
499 from all taxation in the State of Mississippi.

500 Section 224. The proceeds of the bonds issued under Sections
501 210 through 226 of this act shall be used solely for the purposes
502 therein provided, including the costs incident to the issuance and
503 sale of such bonds.

504 Section 225. The State Treasurer is authorized, without
505 further process of law, to certify to the Department of Finance
506 and Administration the necessity for warrants, and the Department
507 of Finance and Administration is authorized and directed to issue
508 such warrants, in such amounts as may be necessary to pay when due
509 the principal of, premium, if any, and interest on, or the
510 accreted value of, all bonds issued under Sections 210 through 226
511 of this act; and the State Treasurer shall forward the necessary
512 amount to the designated place or places of payment of such bonds
513 in ample time to discharge such bonds, or the interest thereon, on
514 the due dates thereof.

515 Section 226. Sections 210 through 226 of this act shall be
516 deemed to be full and complete authority for the exercise of the
517 powers therein granted, but Sections 210 through 226 of this act

518 shall not be deemed to repeal or to be in derogation of any
519 existing law of this state.

520 **SECTION 4.** (1) As used in this section, the following words
521 shall have the meanings ascribed herein unless the context clearly
522 requires otherwise:

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

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

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

532 (2) (a) (i) A special fund, to be designated as the "2007
533 Jackson Zoo Improvements Fund," is created within the State
534 Treasury. The fund shall be maintained by the State Treasurer as
535 a separate and special fund, separate and apart from the General
536 Fund of the state. Unexpended amounts remaining in the fund at
537 the end of a fiscal year shall not lapse into the State General
538 Fund, and any interest earned or investment earnings on amounts in
539 the fund shall be deposited into such fund.

540 (ii) Monies deposited into the fund shall be
541 disbursed, in the discretion of the Department of Finance and
542 Administration, to pay the costs of construction, repair,
543 renovation, replacement and improvement of buildings, facilities,
544 exhibits and infrastructure at the Jackson Zoo in Jackson,
545 Mississippi.

546 (b) Amounts deposited into such special fund shall be
547 disbursed to pay the costs of the projects described in paragraph
548 (a) of this subsection. Promptly after the commission has
549 certified, by resolution duly adopted, that the projects described

550 in paragraph (a) of this subsection shall have been completed,
551 abandoned, or cannot be completed in a timely fashion, any amounts
552 remaining in such special fund shall be applied to pay debt
553 service on the bonds issued under this section, in accordance with
554 the proceedings authorizing the issuance of such bonds and as
555 directed by the commission.

556 (3) (a) The commission, at one time, or from time to time,
557 may declare by resolution the necessity for issuance of general
558 obligation bonds of the State of Mississippi to provide funds for
559 all costs incurred or to be incurred for the purposes described in
560 subsection (2) of this section. Upon the adoption of a resolution
561 by the Department of Finance and Administration, declaring the
562 necessity for the issuance of any part or all of the general
563 obligation bonds authorized by this subsection, the department
564 shall deliver a certified copy of its resolution or resolutions to
565 the commission. Upon receipt of such resolution, the commission,
566 in its discretion, may act as the issuing agent, prescribe the
567 form of the bonds, advertise for and accept bids, issue and sell
568 the bonds so authorized to be sold and do any and all other things
569 necessary and advisable in connection with the issuance and sale
570 of such bonds. The total amount of bonds issued under this
571 section shall not exceed Two Million Dollars (\$2,000,000.00). No
572 bonds shall be issued under this section after July 1, 2011.

573 (b) Any investment earnings on amounts deposited into
574 the special fund created in subsection (2) of this section shall
575 be used to pay debt service on bonds issued under this section, in
576 accordance with the proceedings authorizing issuance of such
577 bonds.

578 (4) The principal of and interest on the bonds authorized
579 under this section shall be payable in the manner provided in this
580 subsection. Such bonds shall bear such date or dates, be in such
581 denomination or denominations, bear interest at such rate or rates

582 (not to exceed the limits set forth in Section 75-17-101,
583 Mississippi Code of 1972), be payable at such place or places
584 within or without the State of Mississippi, shall mature
585 absolutely at such time or times not to exceed twenty-five (25)
586 years from date of issue, be redeemable before maturity at such
587 time or times and upon such terms, with or without premium, shall
588 bear such registration privileges, and shall be substantially in
589 such form, all as shall be determined by resolution of the
590 commission.

591 (5) The bonds authorized by this section shall be signed by
592 the chairman of the commission, or by his facsimile signature, and
593 the official seal of the commission shall be affixed thereto,
594 attested by the secretary of the commission. The interest
595 coupons, if any, to be attached to such bonds may be executed by
596 the facsimile signatures of such officers. Whenever any such
597 bonds shall have been signed by the officials designated to sign
598 the bonds who were in office at the time of such signing but who
599 may have ceased to be such officers before the sale and delivery
600 of such bonds, or who may not have been in office on the date such
601 bonds may bear, the signatures of such officers upon such bonds
602 and coupons shall nevertheless be valid and sufficient for all
603 purposes and have the same effect as if the person so officially
604 signing such bonds had remained in office until their delivery to
605 the purchaser, or had been in office on the date such bonds may
606 bear. However, notwithstanding anything herein to the contrary,
607 such bonds may be issued as provided in the Registered Bond Act of
608 the State of Mississippi.

609 (6) All bonds and interest coupons issued under the
610 provisions of this section have all the qualities and incidents of
611 negotiable instruments under the provisions of the Uniform
612 Commercial Code, and in exercising the powers granted by this

613 section, the commission shall not be required to and need not
614 comply with the provisions of the Uniform Commercial Code.

615 (7) The commission shall act as the issuing agent for the
616 bonds authorized under this section, prescribe the form of the
617 bonds, advertise for and accept bids, issue and sell the bonds so
618 authorized to be sold, pay all fees and costs incurred in such
619 issuance and sale, and do any and all other things necessary and
620 advisable in connection with the issuance and sale of such bonds.
621 The commission is authorized and empowered to pay the costs that
622 are incident to the sale, issuance and delivery of the bonds
623 authorized under this section from the proceeds derived from the
624 sale of such bonds. The commission shall sell such bonds on
625 sealed bids at public sale, and for such price as it may determine
626 to be for the best interest of the State of Mississippi, but no
627 such sale shall be made at a price less than par plus accrued
628 interest to the date of delivery of the bonds to the purchaser.
629 All interest accruing on such bonds so issued shall be payable
630 semiannually or annually; however, the first interest payment may
631 be for any period of not more than one (1) year.

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

639 The commission, when issuing any bonds under the authority of
640 this section, may provide that bonds, at the option of the State
641 of Mississippi, may be called in for payment and redemption at the
642 call price named therein and accrued interest on such date or
643 dates named therein.

644 (8) The bonds issued under the provisions of this section
645 are general obligations of the State of Mississippi, and for the
646 payment thereof the full faith and credit of the State of
647 Mississippi is irrevocably pledged. If the funds appropriated by
648 the Legislature are insufficient to pay the principal of and the
649 interest on such bonds as they become due, then the deficiency
650 shall be paid by the State Treasurer from any funds in the State
651 Treasury not otherwise appropriated. All such bonds shall contain
652 recitals on their faces substantially covering the provisions of
653 this subsection.

654 (9) Upon the issuance and sale of bonds under the provisions
655 of this section, the commission shall transfer the proceeds of any
656 such sale or sales to the special fund created in subsection (2)
657 of this section. The proceeds of such bonds shall be disbursed
658 solely upon the order of the Department of Finance and
659 Administration under such restrictions, if any, as may be
660 contained in the resolution providing for the issuance of the
661 bonds.

662 (10) The bonds authorized under this section may be issued
663 without any other proceedings or the happening of any other
664 conditions or things other than those proceedings, conditions and
665 things which are specified or required by this section. Any
666 resolution providing for the issuance of bonds under the
667 provisions of this section shall become effective immediately upon
668 its adoption by the commission, and any such resolution may be
669 adopted at any regular or special meeting of the commission by a
670 majority of its members.

671 (11) The bonds authorized under the authority of this
672 section may be validated in the Chancery Court of the First
673 Judicial District of Hinds County, Mississippi, in the manner and
674 with the force and effect provided by Chapter 13, Title 31,
675 Mississippi Code of 1972, for the validation of county, municipal,

676 school district and other bonds. The notice to taxpayers required
677 by such statutes shall be published in a newspaper published or
678 having a general circulation in the City of Jackson, Mississippi.

679 (12) Any holder of bonds issued under the provisions of this
680 section or of any of the interest coupons pertaining thereto may,
681 either at law or in equity, by suit, action, mandamus or other
682 proceeding, protect and enforce any and all rights granted under
683 this section, or under such resolution, and may enforce and compel
684 performance of all duties required by this section to be
685 performed, in order to provide for the payment of bonds and
686 interest thereon.

687 (13) All bonds issued under the provisions of this section
688 shall be legal investments for trustees and other fiduciaries, and
689 for savings banks, trust companies and insurance companies
690 organized under the laws of the State of Mississippi, and such
691 bonds shall be legal securities which may be deposited with and
692 shall be received by all public officers and bodies of this state
693 and all municipalities and political subdivisions for the purpose
694 of securing the deposit of public funds.

695 (14) Bonds issued under the provisions of this section and
696 income therefrom shall be exempt from all taxation in the State of
697 Mississippi.

698 (15) The proceeds of the bonds issued under this section
699 shall be used solely for the purposes herein provided, including
700 the costs incident to the issuance and sale of such bonds.

701 (16) The State Treasurer is authorized, without further
702 process of law, to certify to the Department of Finance and
703 Administration the necessity for warrants, and the Department of
704 Finance and Administration is authorized and directed to issue
705 such warrants, in such amounts as may be necessary to pay when due
706 the principal of, premium, if any, and interest on, or the
707 accreted value of, all bonds issued under this section; and the

708 State Treasurer shall forward the necessary amount to the
709 designated place or places of payment of such bonds in ample time
710 to discharge such bonds, or the interest thereon, on the due dates
711 thereof.

712 (17) This section shall be deemed to be full and complete
713 authority for the exercise of the powers herein granted, but this
714 section shall not be deemed to repeal or to be in derogation of
715 any existing law of this state.

716 **SECTION 5.** This act shall take effect and be in force from
717 and after July 1, 2007.

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

1 AN ACT TO AMEND SECTIONS 3 THROUGH 18, CHAPTER 541, LAWS OF
2 2001, AS LAST AMENDED BY CHAPTER 538, LAWS OF 2006, TO INCREASE
3 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED
4 FOR THE PURPOSE OF PROVIDING FUNDS FOR THE BUILDING FUND FOR THE
5 ARTS; TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, IN
6 CONFORMITY THERETO AND TO EXTEND THE DATE OF REPEAL ON THE
7 PROVISION WHICH PROVIDES THAT MONIES IN THE BUILDING FUND FOR THE
8 ARTS WHICH ARE DERIVED FROM PROCEEDS OF BONDS ISSUED AFTER A
9 CERTAIN DATE MAY BE USED TO REIMBURSE CERTAIN COSTS INCURRED BY
10 THE MISSISSIPPI ARTS COMMISSION IN PROVIDING ASSISTANCE RELATED TO
11 PROJECTS FOR WHICH GRANT FUNDS ARE PROVIDED FROM THE USE OF
12 PROCEEDS FROM SUCH BONDS; TO AMEND SECTIONS 210 THROUGH 226,
13 CHAPTER 1, LAWS OF 2004 THIRD EXTRAORDINARY SESSION, AS LAST
14 AMENDED BY CHAPTER 538, LAWS OF 2006, TO INCREASE THE AMOUNT OF
15 STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE
16 MISSISSIPPI MUSEUM OF ART; TO AUTHORIZE THE ISSUANCE OF STATE
17 GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR IMPROVEMENTS TO THE
18 JACKSON ZOO; AND FOR RELATED PURPOSES.