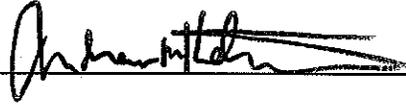


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Chapter No. 927
16/HR26/R2096
AM / CST

HOUSE BILL NO. 1605

Originated in House  Clerk

HOUSE BILL NO. 1605

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ADAMS COUNTY, MISSISSIPPI, TO PURCHASE THE CLAIM OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) THAT WAS MADE IN BANKRUPTCY PROCEEDINGS FOR OBLIGATIONS OF THE NATCHEZ REGIONAL MEDICAL CENTER (HOSPITAL) FOR UNPAID EMPLOYER CONTRIBUTIONS FOR EMPLOYEES OF THE HOSPITAL COVERED BY PERS IN ORDER TO ENABLE PERS TO CALCULATE AND PAY THE FULL AMOUNTS OWED IN RETIREMENT BENEFITS TO SUCH EMPLOYEES; TO AUTHORIZE AND DIRECT PERS TO SELL AND ASSIGN TO ADAMS COUNTY, MISSISSIPPI, ALL OF ITS CLAIM AGAINST THE HOSPITAL FOR UNPAID EMPLOYER CONTRIBUTIONS UPON PAYMENT OF THE CLAIM; TO AUTHORIZE THE BOARD OF SUPERVISORS OF ADAMS COUNTY, MISSISSIPPI, TO BORROW MONEY AND ISSUE ITS NOTES, CERTIFICATES OF INDEBTEDNESS OR BONDS FOR A TERM NOT TO EXCEED 10 YEARS FOR THE PURPOSE OF FUNDING THE COSTS AND EXPENSES OF PURCHASING THE CLAIM OF PERS AS AUTHORIZED BY THIS ACT; AND FOR RELATED PURPOSES.

WHEREAS, the Board of Trustees of the Natchez Regional Medical Center, a public community hospital located in Adams County, Mississippi, and created by the Board of Supervisors of Adams County, Mississippi, by virtue of the authority granted under Chapter 13, Title 41, Mississippi Code of 1972, was authorized by Chapter 904, Local and Private Laws of 2014, to petition for relief from debts and financial obligations of the hospital under Chapter 9 of Title 11, United States Code; and

WHEREAS, on March 26, 2014, the Board of Trustees filed a voluntary petition for relief with the United States Bankruptcy Court for the Southern District of Mississippi, Case No. 14-0148-NPO; and

WHEREAS, the Natchez Regional Medical Center was a covered employer under the Public Employees' Retirement System of Mississippi (PERS) and its employees were members of the system; and

WHEREAS, PERS filed a proof of claim (Claim No. 078) in the bankruptcy case in the amount of Four Hundred Forty-eight Thousand One Hundred Sixty Dollars and Thirty-eight Cents (\$448,160.38) for delinquent employer contributions for the months of December 2013, January 2014, and February 2014; and

WHEREAS, contributions to PERS are required to be made by employers and employees and all employee contributions for the months in question have been made and no unpaid employee contributions are owed to PERS; and

WHEREAS, employer contributions for the months in question have not been paid and PERS cannot calculate the retirement benefits or pay the full amounts owed in retirement benefits to covered employees of the hospital until such contributions are paid; and

WHEREAS, it is in the best interest of all parties that this issue be resolved so that all covered employees of the hospital

can be credited with, and receive payment for, all of the retirement benefits to which they would otherwise be entitled; and

WHEREAS, the Board of Supervisors of Adams County, Mississippi, is willing to purchase and have assigned to it the PERS claim so that all covered employees of the hospital can be credited with, and receive payment for, all of the retirement benefits to which they would otherwise be entitled; and

WHEREAS, PERS is willing to sell and assign to Adams County, Mississippi, the PERS claim so that all covered employees of the hospital can be credited with, and receive payment for, all of the retirement benefits to which they would otherwise be entitled:

NOW, THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The Board of Supervisors of Adams County, Mississippi, is authorized and empowered, in its discretion, to purchase the claim of the Public Employees' Retirement System (PERS) for obligations of the Natchez Regional Medical Center (hospital) for unpaid employer contributions for employees of the hospital whose positions were covered by PERS by paying to PERS the sum of Four Hundred Forty-eight Thousand One Hundred Sixty Dollars and Thirty-eight Cents (\$448,160.38).

SECTION 2. PERS is authorized and directed to sell and assign its claim against the hospital for unpaid employer contributions for the sum of Four Hundred Forty-eight Thousand One Hundred Sixty Dollars and Thirty-eight Cents (\$448,160.38), and

PERS shall accept payment of that sum in full settlement and satisfaction of all obligations owed by the hospital to PERS, including all penalties and interest with respect to the claim.

SECTION 3. Upon payment by Adams County, Mississippi, of Four Hundred Forty-eight Thousand One Hundred Sixty Dollars and Thirty-eight Cents (\$448,160.38), PERS shall administer the retirement benefits of covered employees of the hospital as if all employer contributions payments had been timely made by the hospital and had been timely received by PERS.

SECTION 4. (1) For the purpose of funding the costs and expenses of purchasing the claim of PERS as authorized by this act, the Board of Supervisors of Adams County, Mississippi, may, in its discretion, borrow money and issue its notes, certificates of indebtedness or bonds for a term not to exceed ten (10) years, secured by the full faith and credit of Adams County, Mississippi, offered at negotiated sale.

(2) For the payment of the principal and interest on the notes, certificates of indebtedness or bonds, the county may pledge any lawfully available funds and is further authorized to annually levy a special tax upon all the taxable property in the county at a rate the avails of which will be sufficient to provide for such payment.

(3) The notes, certificates of indebtedness or bonds authorized by this act shall not be included in the statutory debt

limitation provided for in Section 19-9-5, Mississippi Code of 1972.

(4) The notes, certificates of indebtedness or bonds authorized by this act and the income therefrom, shall be exempt from all income taxation of the State of Mississippi.

(5) This act, without reference to any other law, shall be deemed to be full and complete authority for the borrowing of money by Adams County, Mississippi, for the purpose provided for in this act.

SECTION 5. Nothing in this act shall alter or otherwise affect any rights of any employee of the hospital or PERS under the retirement plan administered by PERS except as provided in this act, nor shall anything in this act create any legal liability or obligation except as provided in this act.

SECTION 6. The Board of Supervisors of Adams County, Mississippi, and PERS are authorized to execute such documents and instruments as are necessary to effectuate the actions required by this act.

SECTION 7. This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
April 6, 2016



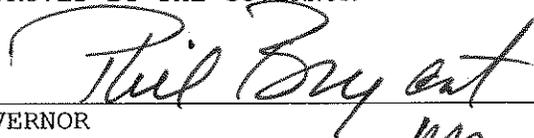
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 16, 2016



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

May 3, 2016
9:35 AM