AN ACT TO AMEND SECTION 49-4-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO DONATE, TRANSFER OR SELL CERTAIN LANDS OWNED BY THE DEPARTMENT TO THE MISSISSIPPI ARTS AND ENTERTAINMENT CENTER; TO CREATE THE MISSISSIPPI ARTS AND ENTERTAINMENT CENTER; TO PROVIDE THAT THE CENTER SHALL BE ADMINISTERED BY THE MISSISSIPPI ARTS COMMISSION; TO AMEND SECTION 39-11-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 39-11-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO AND TO CREATE A SPECIAL FUND FOR THE CENTER, MONIES IN WHICH SHALL BE USED FOR THE CONSTRUCTION AND ADMINISTRATION OF THE CENTER; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-4-9, Mississippi Code of 1972, is amended as follows:

49-4-9. Effective July 1, 1979, the Department of Wildlife, Fisheries and Parks shall have the following powers and duties:

(a) To formulate the policy of the department regarding wildlife and fisheries within the jurisdiction of the department;

(b) To apply for, receive and expend any federal or state funds or contributions, gifts, devises, bequests or funds from any other source;

(c) To commission or conduct studies designed to determine alternative methods of managing and conserving the wildlife and fisheries resources of this state in a manner to insure efficiency and sustained productivity;

(d) To receive the advice and counsel of the advisory committees created for the Division of Parks and Recreation and the Division of Wildlife and Fisheries; *

(e) To donate, transfer or sell lands owned by the department in the City of Jackson to the Mississippi Arts and
Entertainment Center created in Section 2 of House Bill No.  , 

Regular Session; and

(f) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

SECTION 2. (1) There is created the Mississippi Arts and Entertainment Center located in Jackson, Mississippi. The purpose of the center shall be to provide an educational, entertaining and interactive facility to illustrate the unique culture of the State of Mississippi; to illustrate the outstanding contributions of Mississippians to the arts and the field of entertainment; and to provide family-oriented attractions in the delivery of an educational experience to citizens of, and visitors to, Mississippi.

(2) The Mississippi Arts and Entertainment Center shall consist of a conference center, a performing arts theater, an amphitheater and an artists' village. The center shall conduct ongoing events such as induction into an arts and entertainment hall of fame, seminars, workshops and demonstrations by guest artists.

(3) The center shall be administered by the Mississippi Arts Commission. Subject to the availability of funding appropriated therefor, the commission may hire a director of the center, who shall serve at the will and pleasure of the commission. The director shall administer the center in accordance with the policies established by the commission.

(4) For the construction, operation, support and administration of the center, the commission may receive contributions, donations of land or other property, gifts, bequests of money, other forms of financial assistance and property, equipment, materials or manpower from persons, foundations, trust funds, corporations, organizations and other
sources, public or private, to be expended and utilized by the commission in carrying out the mission of the center.

(5) All expenditures for the center shall be paid by the State Treasurer on warrants issued by the State Fiscal Officer, and he shall issue his warrants upon requisition signed by the director of the center and the chairman of the commission.

SECTION 3. Section 39-11-7, Mississippi Code of 1972, is amended as follows:

39-11-7. The duties and objectives of the commission shall be:

(a) To stimulate and encourage throughout the state the study and presentation of the performing, visual, and literary arts and public interest and participation therein;

(b) To encourage participation in, appreciation of, and education in the arts to meet the legitimate needs and aspirations of persons in all parts of the state;

(c) To take such steps as may be necessary and appropriate, to encourage public interest in the cultural heritage of Mississippi, to expand the state's cultural resources, and to promote the use of art in the state government's activities and facilities; * * *

(d) To encourage excellence and assist freedom of artistic expression essential for the well-being of the arts; and

(e) To administer the Mississippi Arts and Entertainment Center and to acquire land and property in order to construct and administer the center.

SECTION 4. Section 39-11-9, Mississippi Code of 1972, is amended as follows:

39-11-9. (1) The Mississippi Arts Commission is authorized and empowered to hold public hearings, to enter into contracts within the limit of funds available therefor, with individuals, organizations and institutions for services furthering the objectives of the commission's programs; to enter into contracts,
within the limit of funds available therefor, with local and
regional associations for cooperative endeavors furthering the
objectives of the commission's programs; to accept gifts,
contributions and bequests of funds from individuals, foundations,
corporations and other organizations or institutions for the
purpose of furthering the objectives of the commission's programs;
to make and sign any agreements and to do and perform any acts
that may be necessary to carry out the purposes of this chapter.
The commission may request and shall receive from any department,
division, board, bureau, commission or agency of the state such
assistance and data as will enable it properly to carry out its
powers and duties hereunder.

(2) A special fund to be designated as the Mississippi Fund
for the Arts is hereby created in the State Treasury. All funds
deposited in this fund shall be used exclusively for the
objectives of the commission as herein provided. Donations,
bequests and grants deposited into the Mississippi Fund for the
Arts may be disbursed by the Mississippi Arts Commission in
accordance with the terms of the bequest or grant and in
compliance with the purposes and policies of the Mississippi Arts
Commission. Any disbursements made from the fund shall be
authorized by both the chairman and the executive director of the
commission and shall be supported by official actions and votes
spread upon the minutes of the commission at an open public
meeting. Any unexpended balance in the fund at the end of the
fiscal year shall not lapse into the State General Fund and may be
expended by the commissioner in subsequent fiscal years. Any
interest earned on the fund may remain in the fund for
disbursement by the commission in compliance with its purposes and
policies. All transactions of the fund shall be reported annually
to appropriate state agencies and subject to audit by the State
Auditor and by auditors of donors. The Mississippi Fund for the
Arts shall not be used for grants from federal agencies,
including, but not limited to, the National Endowment for the Arts. (3) Any monies made available by public or private transfers of property, public or private donations or bequests, public or private foundation grants for the benefit of the Mississippi Arts and Entertainment Center shall be deposited into the Mississippi Fund for the Arts and Entertainment Center, a special fund which is created in the State Treasury. All funds deposited in this fund shall be used exclusively for the construction, operation, support and administration of the Mississippi Arts and Entertainment Center. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the special fund shall be deposited to the credit of the special fund. SECTION 5. This act shall take effect and be in force from and after July 1, 2001.