

By: Representative Denny

To: Public Buildings,
Grounds and Lands; Ways and
Means

HOUSE BILL NO. 1507

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

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

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

15 49-4-9. Effective July 1, 1979, the Department of Wildlife,
16 Fisheries and Parks shall have the following powers and duties:

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

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

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

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

29 (e) To donate, transfer or sell lands owned by the
30 department in the City of Jackson to the Mississippi Arts and

31 Entertainment Center created in Section 2 of House Bill No. ,
32 Regular Session; and

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

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

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

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

57 (4) For the construction, operation, support and
58 administration of the center, the commission may receive
59 contributions, donations of land or other property, gifts,
60 bequests of money, other forms of financial assistance and
61 property, equipment, materials or manpower from persons,
62 foundations, trust funds, corporations, organizations and other

63 sources, public or private, to be expended and utilized by the
64 commission in carrying out the mission of the center.

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

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

71 39-11-7. The duties and objectives of the commission shall
72 be:

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

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

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

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

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

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

91 39-11-9. (1) The Mississippi Arts Commission is authorized
92 and empowered to hold public hearings, to enter into contracts
93 within the limit of funds available therefor, with individuals,
94 organizations and institutions for services furthering the
95 objectives of the commission's programs; to enter into contracts,

96 within the limit of funds available therefor, with local and
97 regional associations for cooperative endeavors furthering the
98 objectives of the commission's programs; to accept gifts,
99 contributions and bequests of funds from individuals, foundations,
100 corporations and other organizations or institutions for the
101 purpose of furthering the objectives of the commission's programs;
102 to make and sign any agreements and to do and perform any acts
103 that may be necessary to carry out the purposes of this chapter.
104 The commission may request and shall receive from any department,
105 division, board, bureau, commission or agency of the state such
106 assistance and data as will enable it properly to carry out its
107 powers and duties hereunder.

108 (2) A special fund to be designated as the Mississippi Fund
109 for the Arts is hereby created in the State Treasury. All funds
110 deposited in this fund shall be used exclusively for the
111 objectives of the commission as herein provided. Donations,
112 bequests and grants deposited into the Mississippi Fund for the
113 Arts may be disbursed by the Mississippi Arts Commission in
114 accordance with the terms of the bequest or grant and in
115 compliance with the purposes and policies of the Mississippi Arts
116 Commission. Any disbursements made from the fund shall be
117 authorized by both the chairman and the executive director of the
118 commission and shall be supported by official actions and votes
119 spread upon the minutes of the commission at an open public
120 meeting. Any unexpended balance in the fund at the end of the
121 fiscal year shall not lapse into the State General Fund and may be
122 expended by the commissioner in subsequent fiscal years. Any
123 interest earned on the fund may remain in the fund for
124 disbursement by the commission in compliance with its purposes and
125 policies. All transactions of the fund shall be reported annually
126 to appropriate state agencies and subject to audit by the State
127 Auditor and by auditors of donors. The Mississippi Fund for the
128 Arts shall not be used for grants from federal agencies,

129 including, but not limited to, the National Endowment for the
130 Arts.

131 (3) Any monies made available by public or private transfers
132 of property, public or private donations or bequests, public or
133 private foundation grants for the benefit of the Mississippi Arts
134 and Entertainment Center shall be deposited into the Mississippi
135 Fund for the Arts and Entertainment Center, a special fund which
136 is created in the State Treasury. All funds deposited in this
137 fund shall be used exclusively for the construction, operation,
138 support and administration of the Mississippi Arts and
139 Entertainment Center. Unexpended amounts remaining in the special
140 fund at the end of a fiscal year shall not lapse into the State
141 General Fund, and any interest earned on amounts in the special
142 fund shall be deposited to the credit of the special fund.

143 SECTION 5. This act shall take effect and be in force from
144 and after July 1, 2001.