HOUSE BILL NO. 1798  
(As Sent to Governor)


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

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2002, and ending June 30, 2003. .

$ 1,316,770.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2002, and ending June 30, 2003.

$ 1,672,434.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, not more than the amounts set forth below shall be expended for the respective major objects or purposes of expenditure:

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
- Salaries, Wages and Fringe Benefits.. $ 536,145.00
- Travel and Subsistence................. 9,000.00
- Contractual Services.................... 144,443.00
Commodities.................................. 52,900.00

Capital Outlay:

Other Than Equipment..................... 0.00
Equipment.................................. 11,000.00

Subsidies, Loans and Grants................ 2,235,716.00

Total.................................. $ 2,989,204.00

FUNDING:

General Funds.......................... $ 1,316,770.00
Special Funds.......................... 1,672,434.00

Total.................................. $ 2,989,204.00

AUTHORIZED POSITIONS:

Permanent: Full Time............... 12
Part Time..................... 0
Time-Limited: Full Time............. 0
Part Time..................... 0

Funds are provided herein to adjust the Variable Compensation Plan to ensure that all full-time employees receive a pay increase equal to fifty percent (50%) of the realignment component of the Variable Compensation Plan or Six Hundred Dollars ($600.00), whichever is greater, beginning on January 1, 2003.

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003 funds appropriated for that purpose, unless programs, positions or pay increases are added to the agency's budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall, on July 1, 2002, publish separate annual projection reports, based on July 1, 2002, data, for the period of July 1, 2002, through December 31, 2002, and January 1, 2003, through June 30, 2003, that project the annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the
agency head to ensure that no single personnel action increases this projected cost and/or the Fiscal Year 2003 appropriation for "Personal Services," as annualized on a semiannual basis in accordance with the provisions of this act. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2003 "Personal Services" appropriated level, when annualized in compliance with the provisions of this act, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. Of the funds appropriated under the provisions of Section 2, funds in the amount of Four Hundred Fifty Thousand Dollars ($450,000.00) shall be derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion of arts programs in public schools . . . $100,000.00

Miscellaneous grants and programs . . . . $350,000.00

SECTION 5. It is the intention of the Legislature that the Arts Commission shall have the authority to transfer dollars appropriated in the major object of expenditure "Subsidies, Loans and Grants," designated for the "Challenge Program," specific amounts to a special fund in the State Treasury called the Arts Commission Challenge Initiative Fund. The unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse.
into the State General Fund and may be expended by the commission
in subsequent fiscal years upon appropriation of the Legislature.
Any interest earned on the fund shall be deposited to the credit
of the fund and may be disbursed by the commission upon
appropriations of the Legislature. It is the intention of the
Legislature that the commission may award grants to arts
organizations from monies in the fund and the grantees will be
required to provide matching funds for the grants in an amount of
not less than two (2) times the amount of the grant.

SECTION 6. It is the intention of the Legislature that the
Mississippi Arts Commission shall have the authority to escalate
its budget and expend funds from any source available not to
exceed Five Hundred Thousand Dollars ($500,000.00), that may
become available to the commission in accordance with the rules
and regulations of the Department of Finance and Administration in
a manner consistent with the escalation of federal funds.

SECTION 7. The money herein appropriated shall be paid by
the State Treasurer out of any money in the State Treasury to the
credit of the proper fund or funds as set forth in this act, upon
warrants issued by the State Fiscal Officer; and the State Fiscal
Officer shall issue his warrants upon requisitions signed by the
proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from
and after July 1, 2002.