MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003

By: Representatives Flaggs, Bowles, Frierson, Read, Robinson (63rd), Watson
To: Appropriations

HOUSE BILL NO. 1541
(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, 2003, and ending June 30, 2004.....

$ 1,308,473.00

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, 2003, and ending June 30, 2004.

$ 1,761,747.00

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.. $ 529,922.00
Travel and Subsistence.............. 11,000.00
Contractual Services.................. 606,461.00
Commodities.............................. 52,900.00

Capital Outlay:

Other Than Equipment..................... 0.00
Equipment................................ 13,456.00

Subsidies, Loans and Grants............... 1,856,481.00

Total.................................. $ 3,070,220.00

FUNDING:

General Funds........................... $ 1,308,473.00
Special Funds.......................... 1,761,747.00

Total.................................. $ 3,070,220.00

AUTHORIZED POSITIONS:

Permanent: Full Time.................. 12
Part Time....................... 0
Time-Limited: Full Time............. 1
Part Time....................... 0

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 2005 do not exceed Fiscal Year 2004
funds appropriated for that purpose, unless programs or positions
are added to the agency's Fiscal Year 2005 budget by the
Mississippi Legislature. Based on data provided by the
Legislative Budget Office, the State Personnel Board shall
determine and publish the projected 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 insure
that no single personnel action increases this projected annual
cost and/or the Fiscal Year 2004 appropriation for "Personal
Services" when annualized. 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 2004 "Personal Services"
appropriated level, when annualized, 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. In addition to all other sums heretofore appropriated, the following sum is hereby appropriated and transferred to the State Department of Education out of any money in the State Treasury to the credit of the Budget Contingency Fund created in Section 27-103-301, Mississippi Code of 1972, not otherwise appropriated, for the purpose of funding the additional support and operation of the 2003-2004 academic school year of the Mississippi School of the Arts located in Brookhaven, Mississippi, for the fiscal year beginning July 1, 2003, and ending June 30, 2004 ...................... $ 2,000,000.00.

It is the intention of the Legislature that the funding provided herein shall provide the authorization for thirty-one (31) new full-time permanent positions.

Further, it is also the intention of the Legislature that the State Department of Education shall be authorized to expend funds from any source, including the Mississippi Alliance of School Health, in an amount not to exceed Forty-five Thousand Dollars ($45,000.00), to establish one (1) full-time permanent Physical Education Coordinator position.

SECTION 8. 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 9. This act shall take effect and be in force from and after July 1, 2003.