MISSISSIPPI LEGISLATURE REGULAR SESSION 2000

By: Chaney, Tollison To: Appropriations

SENATE BILL NO. 3154

AN ACT TO AMEND SECTION 39-11-9, MISSISSIPPI CODE OF 1972, TO CLARIFY THE MISSISSIPPI ART COMMISSION'S AUTHORITY TO ACCEPT GIFTS, CONTRIBUTIONS AND BEQUESTS OF FUNDS FROM INDIVIDUALS, FOUNDATIONS, CORPORATIONS AND OTHER ORGANIZATIONS OR INSTITUTIONS FOR THE PURPOSE OF FURTHERING COMMISSION OBJECTIVES; TO REMOVE A PROVISION THAT REQUIRES PRIVATE DONATIONS, BEQUESTS OR FOUNDATION GRANTS TO THE MISSISSIPPI ARTS COMMISSION BE DEPOSITED INTO THE MISSISSIPPI FUND FOR THE ARTS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 39-11-9, Mississippi Code of 1972, is amended as follows:[WAN1]

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) <u>A special fund to be designated as</u> 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.

SECTION 2. This act shall take effect and be in force from and after its passage.