

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

To: Appropriations

HOUSE BILL NO. 1798
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL
3 YEAR 2003.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses of the Mississippi Arts Commission for the
9 fiscal year beginning July 1, 2002, and ending June 30, 2003.....
10 \$ 1,316,770.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the Mississippi Arts
14 Commission which is comprised of special source funds and
15 donations collected by or otherwise available to the commission,
16 for the purpose of defraying the expenses of the commission for
17 the fiscal year beginning July 1, 2002, and ending June 30, 2003.
18 \$ 1,672,434.00.

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

23 MAJOR OBJECTS OF EXPENDITURE:

24 Personal Services:

25	Salaries, Wages and Fringe Benefits..	\$	536,145.00
26	Travel and Subsistence.....		9,000.00
27	Contractual Services.....		144,443.00



28	Commodities.....	52,900.00
29	Capital Outlay:	
30	Other Than Equipment.....	0.00
31	Equipment.....	11,000.00
32	Subsidies, Loans and Grants.....	<u>2,235,716.00</u>
33	Total..... \$	2,989,204.00

34 FUNDING:

35	General Funds..... \$	1,316,770.00
36	Special Funds.....	<u>1,672,434.00</u>
37	Total..... \$	2,989,204.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	12
40	Part Time.....	0
41	Time-Limited: Full Time.....	0
42	Part Time.....	0

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

48 With the funds herein appropriated, it is the intention of
49 the Legislature that it shall be the agency's responsibility to
50 make certain that funds required to be appropriated for "Personal
51 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
52 funds appropriated for that purpose, unless programs, positions or
53 pay increases are added to the agency's budget by the Mississippi
54 Legislature. Based on data provided by the Legislative Budget
55 Office, the State Personnel Board shall, on July 1, 2002, publish
56 separate annual projection reports, based on July 1, 2002, data,
57 for the period of July 1, 2002, through December 31, 2002, and
58 January 1, 2003, through June 30, 2003, that project the annual
59 cost to fully fund all appropriated positions in compliance with
60 the provisions of this act. It shall be the responsibility of the



61 agency head to ensure that no single personnel action increases
62 this projected cost and/or the Fiscal Year 2003 appropriation for
63 "Personal Services," as annualized on a semiannual basis in
64 accordance with the provisions of this act. If, at the end of any
65 calendar month, the State Personnel Board determines that the
66 agency has taken action(s) which would cause the agency to exceed
67 this projected annual cost or the Fiscal Year 2003 "Personal
68 Services" appropriated level, when annualized in compliance with
69 the provisions of this act, then only those actions which reduce
70 the projected annual cost and/or the appropriation requirement
71 will be processed by the State Personnel Board until such time as
72 the requirements of this provision are met.

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

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

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

84 Training of educators and promotion
85 of arts programs in public schools . . . \$100,000.00
86 Miscellaneous grants and programs . . . \$350,000.00

87 **SECTION 5.** It is the intention of the Legislature that the
88 Arts Commission shall have the authority to transfer dollars
89 appropriated in the major object of expenditure "Subsidies, Loans
90 and Grants," designated for the "Challenge Program," specific
91 amounts to a special fund in the State Treasury called the Arts
92 Commission Challenge Initiative Fund. The unexpended amounts
93 remaining in the fund at the end of a fiscal year shall not lapse



94 into the State General Fund and may be expended by the commission
95 in subsequent fiscal years upon appropriation of the Legislature.
96 Any interest earned on the fund shall be deposited to the credit
97 of the fund and may be disbursed by the commission upon
98 appropriations of the Legislature. It is the intention of the
99 Legislature that the commission may award grants to arts
100 organizations from monies in the fund and the grantees will be
101 required to provide matching funds for the grants in an amount of
102 not less than two (2) times the amount of the grant.

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

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

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

