

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MADAM PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1798: Appropriation; Arts Commission.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 semi-annual 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.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

**X** \_\_\_\_\_

Charlie Capps, Jr.

**X** \_\_\_\_\_

Jack Gordon

**X** \_\_\_\_\_

George Flaggs, Jr.

**X** \_\_\_\_\_

Bennie L. Turner

**X** \_\_\_\_\_

Walter L. Robinson, Jr.

**X** \_\_\_\_\_

Gloria Williamson