

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

House Bill NO. 1798

By Senator(s) Committee

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

12 **SECTION 1.** The following sum, or so much thereof as may be
13 necessary, is hereby appropriated out of any money in the State
14 General Fund not otherwise appropriated, for the purpose of
15 defraying the expenses of the Mississippi Arts Commission for the
16 fiscal year beginning July 1, 2002, and ending June 30, 2003.....
17 \$ 1,332,748.00.

18 **SECTION 2.** The following sum, or so much thereof as may be
19 necessary, is hereby appropriated out of any money in the special
20 fund in the State Treasury to the credit of the Mississippi Arts
21 Commission which is comprised of special source funds and
22 donations collected by or otherwise available to the commission,
23 for the purpose of defraying the expenses of the commission for
24 the fiscal year beginning July 1, 2002, and ending June 30, 2003.
25 \$ 1,171,256.00.

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

30 MAJOR OBJECTS OF EXPENDITURE:

31 Personal Services:

32	Salaries, Wages and Fringe Benefits..	\$	536,146.00
33	Travel and Subsistence.....		9,000.00
34	Contractual Services.....		171,420.00
35	Commodities.....		52,900.00
36	Capital Outlay:		
37	Other Than Equipment.....		0.00
38	Equipment.....		0.00
39	Subsidies, Loans and Grants.....		<u>1,734,538.00</u>
40	Total.....	\$	2,504,004.00
41	FUNDING:		
42	General Funds.....	\$	1,332,748.00
43	Special Funds.....		<u>1,171,256.00</u>
44	Total.....	\$	2,504,004.00

45 AUTHORIZED POSITIONS:

46	Permanent:	Full Time.....	11
47		Part Time.....	0
48	Time-Limited:	Full Time.....	1
49		Part Time.....	0

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

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

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

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

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

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

91 Training of educators and promotion
92 of arts programs in public schools . . . \$100,000.00
93 Miscellaneous grants and programs . . . \$350,000.00

94 **SECTION 5.** It is the intention of the Legislature that the
95 Arts Commission shall have the authority to transfer dollars
96 appropriated in the major object of expenditure "Subsidies, Loans
97 and Grants," designated for the "Challenge Program," specific
98 amounts to a special fund in the State Treasury called the Arts
99 Commission Challenge Initiative Fund. The unexpended amounts
100 remaining in the fund at the end of a fiscal year shall not lapse
101 into the State General Fund and may be expended by the commission

102 in subsequent fiscal years upon appropriation of the Legislature.

103 Any interest earned on the fund shall be deposited to the credit
104 of the fund and may be disbursed by the commission upon
105 appropriations of the Legislature. It is the intention of the
106 Legislature that the commission may award grants to arts
107 organizations from monies in the fund and the grantees will be
108 required to provide matching funds for the grants in an amount of
109 not less than two (2) times the amount of the grant.

110 **SECTION 6.** It is the intention of the Legislature that the
111 Mississippi Arts Commission shall have the authority to escalate
112 its budget and expend funds from any source available not to
113 exceed Two Hundred Thousand Dollars (\$200,000.00), that may become
114 available to the Commission in accordance with the rules and
115 regulations of the Department of Finance and Administration in a
116 manner consistent with the escalation of federal funds.

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

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