

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. 1541: 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, 2003, and ending June 30, 2004.....
10 \$ 1,308,473.00.

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, 2003, and ending June 30, 2004.
18 \$ 1,761,747.00.

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..	\$	529,922.00
26 Travel and Subsistence.....		11,000.00

27	Contractual Services.....	606,461.00
28	Commodities.....	52,900.00
29	Capital Outlay:	
30	Other Than Equipment.....	0.00
31	Equipment.....	13,456.00
32	Subsidies, Loans and Grants.....	<u>1,856,481.00</u>
33	Total.....	\$ 3,070,220.00

34 FUNDING:

35	General Funds.....	\$ 1,308,473.00
36	Special Funds.....	<u>1,761,747.00</u>
37	Total.....	\$ 3,070,220.00

38 AUTHORIZED POSITIONS:

39	Permanent:	Full Time	12
40		Part Time	0
41	Time-Limited:	Full Time	1
42		Part Time	0

43 With the funds herein appropriated, it is the intention of
44 the Legislature that it shall be the agency's responsibility to
45 make certain that funds required to be appropriated for "Personal
46 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
47 funds appropriated for that purpose, unless programs or positions
48 are added to the agency's Fiscal Year 2005 budget by the
49 Mississippi Legislature. Based on data provided by the
50 Legislative Budget Office, the State Personnel Board shall
51 determine and publish the projected annual cost to fully fund all
52 appropriated positions in compliance with the provisions of this
53 act. It shall be the responsibility of the agency head to insure
54 that no single personnel action increases this projected annual
55 cost and/or the Fiscal Year 2004 appropriation for "Personal
56 Services" when annualized. If, at the end of any calendar month,
57 the State Personnel Board determines that the agency has taken
58 action(s) which would cause the agency to exceed this projected
59 annual cost or the Fiscal Year 2004 "Personal Services"
60 appropriated level, when annualized, then only those actions which
61 reduce the projected annual cost and/or the appropriation
62 requirement will be processed by the State Personnel Board until

63 such time as the requirements of this provision are met.

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

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

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

75 Training of educators and promotion
76 of arts programs in public schools . . . \$100,000.00
77 Miscellaneous grants and programs . . . \$350,000.00

78 **SECTION 5.** It is the intention of the Legislature that the
79 Arts Commission shall have the authority to transfer dollars
80 appropriated in the major object of expenditure "Subsidies, Loans
81 and Grants," designated for the "Challenge Program," specific
82 amounts to a special fund in the State Treasury called the Arts
83 Commission Challenge Initiative Fund. The unexpended amounts
84 remaining in the fund at the end of a fiscal year shall not lapse
85 into the State General Fund and may be expended by the commission
86 in subsequent fiscal years upon appropriation of the Legislature.

87 Any interest earned on the fund shall be deposited to the credit
88 of the fund and may be disbursed by the commission upon
89 appropriations of the Legislature. It is the intention of the
90 Legislature that the commission may award grants to arts
91 organizations from monies in the fund and the grantees will be
92 required to provide matching funds for the grants in an amount of
93 not less than two (2) times the amount of the grant.

94 **SECTION 6.** It is the intention of the Legislature that the
95 Mississippi Arts Commission shall have the authority to escalate
96 its budget and expend funds from any source available not to
97 exceed Five Hundred Thousand Dollars (\$500,000.00), that may
98 become available to the commission in accordance with the rules

99 and regulations of the Department of Finance and Administration in
100 a manner consistent with the escalation of federal funds.

101 **SECTION 7.** In addition to all other sums heretofore
102 appropriated, the following sum is hereby appropriated and
103 transferred to the State Department of Education out of any money
104 in the State Treasury to the credit of the Budget Contingency Fund
105 created in Section 27-103-301, Mississippi code of 1972, not
106 otherwise appropriated, for the purpose of funding the additional
107 support and operation of the 2003-2004 academic school year of the
108 Mississippi School of the Arts located in Brookhaven, Mississippi
109 \$ 2,000,000.00.

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

113 Further, it is also the intention of the Legislature that the
114 State Department of Education shall be authorized to expend funds
115 from any source, including the Mississippi Alliance of School
116 Health, in an amount not to exceed Forty-five Thousand Dollars
117 (\$45,000.00), to establish one (1) full-time permanent Physical
118 Education Coordinator position.

119 **SECTION 8.** The money herein appropriated shall be paid by
120 the State Treasurer out of any money in the State Treasury to the
121 credit of the proper fund or funds as set forth in this act, upon
122 warrants issued by the State Fiscal Officer; and the State Fiscal
123 Officer shall issue his warrants upon requisitions signed by the
124 proper person, officer or officers, in the manner provided by law.

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

CONFEREES FOR THE HOUSE

X _____

Charlie Capps, Jr.

X _____

George Flaggs, Jr.

X _____

Herb Frierson

CONFEREES FOR THE SENATE

X _____

Jack Gordon

X _____

Bennie L. Turner

X _____

Johnnie E. Walls, Jr.