

By: Representatives Peranich, Jennings,
Broomfield, Capps, Coleman (29th), Denny,
Dickson, Flaggs, Martinson, Stevens,
Straughter, Scott

To: Appropriations

HOUSE BILL NO. 1739
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE
3 FISCAL YEAR 2005; AND FOR RELATED PURPOSES.

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 Department of Archives and History
9 for the fiscal year beginning July 1, 2004, and ending
10 June 30, 2005..... \$ 8,242,801.00.

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 Department of
14 Archives and History which is comprised of special source funds
15 collected by or otherwise available to the department, for the
16 purpose of defraying the expenses of the department for the fiscal
17 year beginning July 1, 2004, and ending June 30, 2005.....
18 \$ 3,614,131.00.

19 SECTION 3. With funds appropriated under the provisions of
20 Sections 1 and 2, the following positions are authorized:

21 AUTHORIZED POSITIONS:

22	Permanent:	Full Time.....	143
23		Part Time.....	26
24	Time-Limited:	Full Time.....	1
25		Part Time.....	0

26 With the funds herein appropriated, it is the intention of
27 the Legislature that it shall be the agency's responsibility to

28 make certain that funds required to be appropriated for "Personal
29 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
30 funds appropriated for that purpose, unless programs or positions
31 are added to the agency's Fiscal Year 2006 budget by the
32 Mississippi Legislature. Based on data provided by the
33 Legislative Budget Office, the State Personnel Board shall
34 determine and publish the projected annual cost to fully fund all
35 appropriated positions in compliance with the provisions of this
36 act. It shall be the responsibility of the agency head to insure
37 that no single personnel action increases this projected annual
38 cost and/or the Fiscal Year 2005 appropriation for "Personal
39 Services" when annualized, with the exception of escalated funds.
40 If, at the time the agency takes any action to change "Personal
41 Services," the State Personnel Board determines that the agency
42 has taken an action which would cause the agency to exceed this
43 projected annual cost or the Fiscal Year 2005 "Personal Services"
44 appropriated level, when annualized, then only those actions which
45 reduce the projected annual cost and/or the appropriation
46 requirement will be processed by the State Personnel Board until
47 such time as the requirements of this provision are met.

48 Any transfers or escalations shall be made in accordance with
49 the terms, conditions and procedures established by law or
50 allowable under the terms set forth within this act. The State
51 Personnel Board shall not escalate positions without written
52 approval from the Department of Finance and Administration. The
53 Department of Finance and Administration shall not provide written
54 approval to escalate any funds for salaries and/or positions
55 without proof of availability of new or additional funds above the
56 appropriated level.

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

61 The agency shall not take any action to award salary
62 increases through reallocation, reclassification, realignment,
63 education benchmark or career ladder.

64 **SECTION 4.** It is the intention of the Legislature that the
65 Department of Archives and History shall maintain complete
66 accounting and personnel records related to the expenditure of all
67 funds appropriated under this act and that such records shall be
68 in the same format and level of detail as maintained for Fiscal
69 Year 2004. It is further the intention of the Legislature that
70 the agency's budget request for Fiscal Year 2006 shall be
71 submitted to the Joint Legislative Budget Committee in a format
72 and level of detail comparable to the format and level of detail
73 provided during the Fiscal Year 2005 budget request process.

74 **SECTION 5.** The Mississippi Department of Archives and
75 History is hereby authorized to accept and expend any grant,
76 donation or contribution from any individual, public or private
77 organization, or government entity for purposes of defraying the
78 operational costs of the department. Such grants, donations or
79 contributions shall be received and expended under the rules and
80 regulations of the Department of Finance and Administration in a
81 manner consistent with the escalation of federal funds.

82 **SECTION 6.** It is the intent of the Legislature that the
83 Mississippi Department of Archives and History shall charge the
84 maximum amount allowable for services rendered, consistent with
85 the cost of providing such services. The funds derived from these
86 charges shall be deposited into a special fund account in the
87 State Treasury to the credit of the Mississippi Department of
88 Archives and History.

89 **SECTION 7.** It is the intent of the Legislature that no part
90 of the funds herein appropriated shall be required to be used for
91 the payment of rent for the museum and public space in the State
92 Historical Museum, Old Capitol Restoration.

93 **SECTION 8.** In addition to all other sums herein
 94 appropriated, the following sum, or so much thereof as may be
 95 necessary, is hereby appropriated out of any funds from the Local
 96 Government Records Fund in the State Treasury to defray the cost
 97 of such program for the fiscal year beginning July 1, 2004, and
 98 ending June 30, 2005..... \$ 73,918.00.

99 Of the funds appropriated in this section, not more than the
 100 amounts set forth below shall be expended for the respective major
 101 objects or purposes of expenditure:

102 MAJOR OBJECTS OF EXPENDITURE:

103 Personal Services:

104	Salaries, Wages and Fringe Benefits..	\$	65,718.00
105	Travel and Subsistence.....		1,000.00
106	Contractual Services.....		4,000.00
107	Commodities.....		1,500.00
108	Capital Outlay:		
109	Other Than Equipment.....		0.00
110	Equipment.....		1,700.00
111	Subsidies, Loans and Grants.....		<u>0.00</u>
112	Total.....	\$	73,918.00

113 FUNDING:

114	General Funds.....	\$	0.00
115	Special Funds.....		<u>73,918.00</u>
116	Total.....	\$	73,918.00

117 AUTHORIZED POSITIONS:

118 Permanent: Full Time..... 1

119 With the funds herein appropriated, it is the intention of
 120 the Legislature that it shall be the agency's responsibility to
 121 make certain that funds required to be appropriated for "Personal
 122 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
 123 funds appropriated for that purpose, unless programs or positions
 124 are added to the agency's Fiscal Year 2006 budget by the
 125 Mississippi Legislature. Based on data provided by the

126 Legislative Budget Office, the State Personnel Board shall
127 determine and publish the projected annual cost to fully fund all
128 appropriated positions in compliance with the provisions of this
129 act. It shall be the responsibility of the agency head to insure
130 that no single personnel action increases this projected annual
131 cost and/or the Fiscal Year 2005 appropriation for "Personal
132 Services" when annualized, with the exception of escalated funds.
133 If, at the time the agency takes any action to change "Personal
134 Services," the State Personnel Board determines that the agency
135 has taken an action which would cause the agency to exceed this
136 projected annual cost or the Fiscal Year 2005 "Personal Services"
137 appropriated level, when annualized, then only those actions which
138 reduce the projected annual cost and/or the appropriation
139 requirement will be processed by the State Personnel Board until
140 such time as the requirements of this provision are met.

141 Any transfers or escalations shall be made in accordance with
142 the terms, conditions and procedures established by law or
143 allowable under the terms set forth within this act. The State
144 Personnel Board shall not escalate positions without written
145 approval from the Department of Finance and Administration. The
146 Department of Finance and Administration shall not provide written
147 approval to escalate any funds for salaries and/or positions
148 without proof of availability of new or additional funds above the
149 appropriated level.

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

154 **SECTION 9.** Of the funds provided in Section 2, Two Million
155 Dollars (\$2,000,000.00) is provided to the Department of Archives
156 and History from the Mississippi Landmark Grant Fund as created in
157 House Bill No. 1082, Regular Session of 1999, to help support the
158 preservation of Mississippi Landmark Properties.

159 **SECTION 10.** It is the intention of the Legislature that the
160 Department of Archives and History is hereby authorized to accept,
161 budget and expend funds, not to exceed Five Hundred Thousand
162 Dollars (\$500,000.00), from special funds in the State Treasury to
163 the credit of the State Treasury fund created in Section
164 27-19-56.69(8), Mississippi Code of 1972, for the purpose of
165 paying the costs of repair and renovation of the New Capitol, in
166 accordance with rules and regulations of the Department of Finance
167 and Administration in a manner consistent with the escalation of
168 federal funds.

169 **SECTION 11.** Of the funds provided under the provisions of
170 this act, One Hundred Ten Thousand Dollars (\$110,000.00) is
171 provided for the purpose of developing, maintaining and operating
172 Beauvoir Shrine, the last home of Jefferson Davis, the only
173 President of the Confederate States of America.

174 **SECTION 12.** The money herein appropriated shall be paid by
175 the State Treasurer out of any money in the State Treasury to the
176 credit of the proper fund or funds as set forth in this act, upon
177 warrants issued by the State Fiscal Officer; and the State Fiscal
178 Officer shall issue his warrants upon requisitions signed by the
179 proper person, officer or officers, in the manner provided by law.

180 **SECTION 13.** This act shall take effect and be in force from
181 and after July 1, 2004.