

**Senate Amendments to House Bill No. 1739**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**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 Department of Archives and History  
9 for the fiscal year beginning July 1, 2004, and ending  
10 June 30, 2005..... \$       8,158,231.00.

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 ..... \$       2,605,725.00.

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.....	128
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 **SECTION 4.** It is the intention of the Legislature that the  
62 Department of Archives and History shall maintain complete  
63 accounting and personnel records related to the expenditure of all  
64 funds appropriated under this act and that such records shall be  
65 in the same format and level of detail as maintained for Fiscal

66 Year 2004. It is further the intention of the Legislature that  
67 the agency's budget request for Fiscal Year 2006 shall be  
68 submitted to the Joint Legislative Budget Committee in a format  
69 and level of detail comparable to the format and level of detail  
70 provided during the Fiscal Year 2005 budget request process.

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

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

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

90 **SECTION 8.** In addition to all other sums herein  
91 appropriated, the following sum, or so much thereof as may be  
92 necessary, is hereby appropriated out of any funds from the Local  
93 Government Records Fund in the State Treasury to defray the cost  
94 of such program for the fiscal year beginning July 1, 2004, and  
95 ending June 30, 2005..... \$ 73,294.00.

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

99 MAJOR OBJECTS OF EXPENDITURE:

100 Personal Services:

101	Salaries, Wages and Fringe Benefits..	\$	65,094.00
102	Travel and Subsistence.....		1,000.00
103	Contractual Services.....		4,000.00
104	Commodities.....		1,500.00
105	Capital Outlay:		
106	Other Than Equipment.....		0.00
107	Equipment.....		1,700.00
108	Subsidies, Loans and Grants.....		<u>0.00</u>
109	Total.....	\$	73,294.00
110	FUNDING:		
111	General Funds.....	\$	0.00
112	Special Funds.....		<u>73,294.00</u>
113	Total.....	\$	73,294.00

114 AUTHORIZED POSITIONS:

115 Permanent: Full Time..... 1

116 With the funds herein appropriated, it is the intention of  
117 the Legislature that it shall be the agency's responsibility to  
118 make certain that funds required to be appropriated for "Personal  
119 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005  
120 funds appropriated for that purpose, unless programs or positions  
121 are added to the agency's Fiscal Year 2006 budget by the  
122 Mississippi Legislature. Based on data provided by the  
123 Legislative Budget Office, the State Personnel Board shall  
124 determine and publish the projected annual cost to fully fund all  
125 appropriated positions in compliance with the provisions of this  
126 act. It shall be the responsibility of the agency head to insure  
127 that no single personnel action increases this projected annual  
128 cost and/or the Fiscal Year 2005 appropriation for "Personal  
129 Services" when annualized, with the exception of escalated funds.  
130 If, at the time the agency takes any action to change "Personal  
131 Services," the State Personnel Board determines that the agency  
132 has taken an action which would cause the agency to exceed this  
133 projected annual cost or the Fiscal Year 2005 "Personal Services"  
134 appropriated level, when annualized, then only those actions which  
135 reduce the projected annual cost and/or the appropriation

136 requirement will be processed by the State Personnel Board until  
137 such time as the requirements of this provision are met.

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

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

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

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

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

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

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

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John O. Gilbert  
Secretary of the Senate