

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

To: Appropriations

HOUSE BILL NO. 73
(As Passed the House)

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 2006; 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, 2005, and ending
10 June 30, 2006..... \$ 7,970,606.00.

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, 2005, and ending June 30, 2006.....
18 \$ 3,367,434.00.

19 **SECTION 3.** Of the funds appropriated under the provisions of
20 Sections 1 and 2, not more than the amounts set forth below shall
21 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..	\$ 5,742,930.00
26	Travel and Subsistence.....	46,020.00
27	Contractual Services.....	2,876,644.00

28	Commodities.....	421,123.00
29	Capital Outlay:	
30	Other Than Equipment.....	30,000.00
31	Equipment.....	65,700.00
32	Subsidies, Loans and Grants.....	<u>2,155,623.00</u>
33	Total.....	\$ 11,338,040.00

34 FUNDING:

35	General Funds.....	\$ 7,970,606.00
36	Special Funds.....	<u>3,367,434.00</u>
37	Total.....	\$ 11,338,040.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	143
40	Part Time.....	26
41	Time-Limited: Full Time.....	2
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 2007 do not exceed Fiscal Year 2006
47 funds appropriated for that purpose, unless programs or positions
48 are added to the agency's Fiscal Year 2007 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 2006 appropriation for "Personal
56 Services" when annualized, with the exception of escalated funds.
57 If, at the time the agency takes any action to change "Personal
58 Services," the State Personnel Board determines that the agency
59 has taken an action which would cause the agency to exceed this
60 projected annual cost or the Fiscal Year 2006 "Personal Services"

61 appropriated level, when annualized, then only those actions which
62 reduce the projected annual cost and/or the appropriation
63 requirement will be processed by the State Personnel Board until
64 such time as the requirements of this provision are met.

65 Any transfers or escalations shall be made in accordance with
66 the terms, conditions and procedures established by law or
67 allowable under the terms set forth within this act. The State
68 Personnel Board shall not escalate positions without written
69 approval from the Department of Finance and Administration. The
70 Department of Finance and Administration shall not provide written
71 approval to escalate any funds for salaries and/or positions
72 without proof of availability of new or additional funds above the
73 appropriated level.

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

78 The agency shall not take any action to promote or otherwise
79 award salary increases through reallocation, reclassification,
80 realignment, education benchmark, career ladder, or any other
81 means to increase salaries of employees or positions unless
82 specifically exempted by the following conditions: the award of
83 teacher pay increases, the advancement of a trainee/cadet to the
84 next level of a bona fide career ladder, the award of an
85 educational benchmark for the attainment of Certified Public
86 Accountant License or higher level professional certification as
87 determined by the State Personnel Board, the immediate replacement
88 of a departing employee with an individual from within state
89 service or a new hire at a salary level equivalent to that of the
90 departing employee, and the emergency appointment of nurses,
91 pharmacists or other health care professionals at a salary to be
92 determined by the State Personnel Board, unless otherwise
93 authorized in this act.

94 **SECTION 4.** It is the intention of the Legislature that the
95 Department of Archives and History shall maintain complete
96 accounting and personnel records related to the expenditure of all
97 funds appropriated under this act and that such records shall be
98 in the same format and level of detail as maintained for Fiscal
99 Year 2005. It is further the intention of the Legislature that
100 the agency's budget request for Fiscal Year 2007 shall be
101 submitted to the Joint Legislative Budget Committee in a format
102 and level of detail comparable to the format and level of detail
103 provided during the Fiscal Year 2006 budget request process.

104 **SECTION 5.** The Mississippi Department of Archives and
105 History is hereby authorized to accept and expend any grant,
106 donation or contribution from any individual, public or private
107 organization, or government entity for purposes of defraying the
108 operational costs of the department. Such grants, donations or
109 contributions shall be received and expended under the rules and
110 regulations of the Department of Finance and Administration in a
111 manner consistent with the escalation of federal funds.

112 **SECTION 6.** It is the intent of the Legislature that the
113 Mississippi Department of Archives and History shall charge the
114 maximum amount allowable for services rendered, consistent with
115 the cost of providing such services. The funds derived from these
116 charges shall be deposited into a special fund account in the
117 State Treasury to the credit of the Mississippi Department of
118 Archives and History.

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

123 **SECTION 8.** In addition to all other sums herein
124 appropriated, the following sum, or so much thereof as may be
125 necessary, is hereby appropriated out of any funds from the Local
126 Government Records Fund in the State Treasury to defray the cost

127 of such program for the fiscal year beginning July 1, 2005, and
128 ending June 30, 2006..... \$ 77,791.00.

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

132 MAJOR OBJECTS OF EXPENDITURE:

133 Personal Services:

134	Salaries, Wages and Fringe Benefits..	\$	69,936.00
135	Travel and Subsistence.....		900.00
136	Contractual Services.....		3,955.00
137	Commodities.....		1,300.00
138	Capital Outlay:		
139	Other Than Equipment.....		0.00
140	Equipment.....		1,700.00
141	Subsidies, Loans and Grants.....		<u>0.00</u>
142	Total.....	\$	77,791.00

143 FUNDING:

144	General Funds.....	\$	0.00
145	Special Funds.....		<u>77,791.00</u>
146	Total.....	\$	77,791.00

147 AUTHORIZED POSITIONS:

148 Permanent: Full Time..... 1

149 With the funds herein appropriated, it is the intention of
150 the Legislature that it shall be the agency's responsibility to
151 make certain that funds required to be appropriated for "Personal
152 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
153 funds appropriated for that purpose, unless programs or positions
154 are added to the agency's Fiscal Year 2007 budget by the
155 Mississippi Legislature. Based on data provided by the
156 Legislative Budget Office, the State Personnel Board shall
157 determine and publish the projected annual cost to fully fund all
158 appropriated positions in compliance with the provisions of this
159 act. It shall be the responsibility of the agency head to insure

160 that no single personnel action increases this projected annual
161 cost and/or the Fiscal Year 2006 appropriation for "Personal
162 Services" when annualized, with the exception of escalated funds.
163 If, at the time the agency takes any action to change "Personal
164 Services," the State Personnel Board determines that the agency
165 has taken an action which would cause the agency to exceed this
166 projected annual cost or the Fiscal Year 2006 "Personal Services"
167 appropriated level, when annualized, then only those actions which
168 reduce the projected annual cost and/or the appropriation
169 requirement will be processed by the State Personnel Board until
170 such time as the requirements of this provision are met.

171 Any transfers or escalations shall be made in accordance with
172 the terms, conditions and procedures established by law or
173 allowable under the terms set forth within this act. The State
174 Personnel Board shall not escalate positions without written
175 approval from the Department of Finance and Administration. The
176 Department of Finance and Administration shall not provide written
177 approval to escalate any funds for salaries and/or positions
178 without proof of availability of new or additional funds above the
179 appropriated level.

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

184 The agency shall not take any action to promote or otherwise
185 award salary increases through reallocation, reclassification,
186 realignment, education benchmark, career ladder, or any other
187 means to increase salaries of employees or positions unless
188 specifically exempted by the following conditions: the award of
189 teacher pay increases, the advancement of a trainee/cadet to the
190 next level of a bona fide career ladder, the award of an
191 educational benchmark for the attainment of Certified Public
192 Accountant License or higher level professional certification as

193 determined by the State Personnel Board, the immediate replacement
194 of a departing employee with an individual from within state
195 service or a new hire at a salary level equivalent to that of the
196 departing employee, and the emergency appointment of nurses,
197 pharmacists or other health care professionals at a salary to be
198 determined by the State Personnel Board, unless otherwise
199 authorized in this act.

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

205 **SECTION 10.** It is the intention of the Legislature that the
206 Department of Archives and History is hereby authorized to accept,
207 budget and expend funds, not to exceed Five Hundred Thousand
208 Dollars (\$500,000.00), from special funds in the State Treasury to
209 the credit of the State Treasury fund created in Section
210 27-19-56.69(8), Mississippi Code of 1972, for the purpose of
211 paying the costs of repair and renovation of the New Capitol, the
212 Old Capitol, the Governor's Mansion, and the War Memorial
213 Building, in accordance with rules and regulations of the
214 Department of Finance and Administration in a manner consistent
215 with the escalation of federal funds.

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

221 **SECTION 12.** It is the intention of the Legislature that the
222 Executive Director of the Department of Archives and History may
223 authorize increases in any major objects of expenditures in total
224 amounts not to exceed twenty-five percent (25%) of the
225 appropriated amount of each major object of expenditure, provided

226 that other major objects of expenditure are decreased by a
227 corresponding dollar amount. However, no transfers shall be
228 authorized which increase the major object of expenditure
229 "Salaries, Wages and Fringe Benefits."

230 **SECTION 13.** Of the funds provided herein, the sum of One
231 Hundred Thirty-two Thousand One Hundred Thirty-four Dollars
232 (\$132,134.00) is hereby assessed on any nonfederal special funds
233 and shall be deposited to the Budget Contingency Fund created in
234 Section 27-103-301, Mississippi Code of 1972, on or before October
235 1, 2005, for the purpose of reimbursing the State of Mississippi
236 for administrative costs.

237 **SECTION 14.** The money herein appropriated shall be paid by
238 the State Treasurer out of any money in the State Treasury to the
239 credit of the proper fund or funds as set forth in this act, upon
240 warrants issued by the State Fiscal Officer; and the State Fiscal
241 Officer shall issue his warrants upon requisitions signed by the
242 proper person, officer or officers, in the manner provided by law.

243 **SECTION 15.** This act shall take effect and be in force from
244 and after July 1, 2005.