

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

To: Appropriations

HOUSE BILL NO. 1569

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL
3 YEAR 2007.

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 Mississippi Arts Commission for the
9 fiscal year beginning July 1, 2006, and ending June 30, 2007.....

10 \$ 968,631.00.

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, 2006, and ending June 30, 2007.

18 \$ 1,410,797.00.

19 **SECTION 3.** With the funds appropriated under the provisions
20 of Sections 1 and 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..	\$	482,426.00
26	Travel and Subsistence.....		39,850.00
27	Contractual Services.....		710,400.00

28	Commodities.....	72,548.00
29	Capital Outlay:	
30	Other Than Equipment.....	0.00
31	Equipment.....	10,000.00
32	Subsidies, Loans and Grants.....	<u>1,064,204.00</u>
33	Total..... \$	2,379,428.00

34 AUTHORIZED POSITIONS:

35	Permanent: Full Time.....	11
36	Part Time.....	0
37	Time-Limited: Full Time.....	1
38	Part Time.....	0

39 For the fiscal year beginning on July 1, 2006, funds are
40 provided herein to adjust the annual compensation of each employee
41 who has been employed for twelve (12) months or longer by an
42 amount equal to One Thousand Dollars (\$1,000.00), effective on
43 July 1, 2006.

44 With the funds herein appropriated, it is the intention of
45 the Legislature that it shall be the agency's responsibility to
46 make certain that funds required to be appropriated for "Personal
47 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
48 funds appropriated for that purpose, unless programs or positions
49 are added to the agency's Fiscal Year 2008 budget by the
50 Mississippi Legislature. Based on data provided by the
51 Legislative Budget Office, the State Personnel Board shall
52 determine and publish the projected annual cost to fully fund all
53 appropriated positions in compliance with the provisions of this
54 act. It shall be the responsibility of the agency head to insure
55 that no single personnel action increases this projected annual
56 cost and/or the Fiscal Year 2007 appropriation for "Personal
57 Services" when annualized, with the exception of escalated funds.
58 If, at the time the agency takes any action to change "Personal
59 Services," the State Personnel Board determines that the agency
60 has taken an action which would cause the agency to exceed this

61 projected annual cost or the Fiscal Year 2007 "Personal Services"
62 appropriated level, when annualized, then only those actions which
63 reduce the projected annual cost and/or the appropriation
64 requirement will be processed by the State Personnel Board until
65 such time as the requirements of this provision are met.

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

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

79 **SECTION 4.** It is the intention of the Legislature that the
80 Mississippi Arts Commission shall maintain complete accounting and
81 personnel records related to the expenditure of all funds
82 appropriated under this act and that such records shall be in the
83 same format and level of detail as maintained for Fiscal Year
84 2006. It is further the intention of the Legislature that the
85 agency's budget request for Fiscal Year 2008 shall be submitted to
86 the Joint Legislative Budget Committee in a format and level of
87 detail comparable to the format and level of detail provided
88 during the Fiscal Year 2007 budget request process.

89 **SECTION 5.** Of the funds appropriated under the provisions of
90 Section 2, funds in the amount of Four Hundred Fifty Thousand
91 Dollars (\$450,000.00) shall be derived from the Education
92 Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31,
93 Mississippi Code of 1972, for the following:

94 Training of educators and promotion
95 of arts programs in public schools . . . \$100,000.00
96 Miscellaneous grants and programs \$350,000.00

97 **SECTION 6.** It is the intention of the Legislature that the
98 Arts Commission shall have the authority to transfer dollars
99 appropriated herein designated for the "Challenge Program,"
100 specific amounts to a special fund in the State Treasury called
101 the Arts Commission Challenge Initiative Fund. The unexpended
102 amounts remaining in the fund at the end of a fiscal year shall
103 not lapse into the State General Fund and may be expended by the
104 commission in subsequent fiscal years upon appropriation of the
105 Legislature. Any interest earned on the fund shall be deposited
106 to the credit of the fund and may be disbursed by the commission
107 upon appropriations of the Legislature. It is the intention of
108 the Legislature that the commission may award grants to arts
109 organizations from monies in the fund and the grantees will be
110 required to provide matching funds for the grants in an amount of
111 not less than two (2) times the amount of the grant.

112 **SECTION 7.** It is the intention of the Legislature that the
113 Mississippi Arts Commission shall have the authority to escalate
114 its budget and expend funds from any source available not to
115 exceed Five Hundred Thousand Dollars (\$500,000.00), that may
116 become available to the commission in accordance with the rules
117 and regulations of the Department of Finance and Administration in
118 a manner consistent with the escalation of federal funds.

119 **SECTION 8.** It is the intention of the Legislature that
120 whenever two (2) or more bids are received by this agency for the
121 purchase of commodities or equipment, and whenever all things
122 stated in such received bids are equal with respect to price,
123 quality and service, the Mississippi Industries for the Blind
124 shall be given preference. A similar preference shall be given to
125 the Mississippi Industries for the Blind whenever purchases are
126 made without competitive bids.

127 **SECTION 9.** The money herein appropriated shall be paid by
128 the State Treasurer out of any money in the State Treasury to the
129 credit of the proper fund or funds as set forth in this act, upon
130 warrants issued by the State Fiscal Officer; and the State Fiscal
131 Officer shall issue his warrants upon requisitions signed by the
132 proper person, officer or officers, in the manner provided by law.

133 **SECTION 10.** This act shall take effect and be in force from
134 and after July 1, 2006.