

Senate Amendments to House Bill No. 1569

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 Mississippi Arts Commission for the
9 fiscal year beginning July 1, 2006, and ending June 30, 2007.....
10 \$ 994,485.00.

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 \$ 1,414,826.00.

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

21 **AUTHORIZED POSITIONS:**

22	Permanent:	Full Time.....	11
23		Part Time.....	0
24	Time-Limited:	Full Time.....	1
25		Part Time.....	0

26 Funds are provided herein to adjust the Variable Compensation
27 Plan to ensure that all full-time employees receive a pay increase
28 equal to the realignment component of the Variable Compensation
29 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
30 beginning on July 1, 2006.

31 Pursuant to policies established by the State Personnel
32 Board, agency heads may, on a case by case basis and within funds
33 available, recommend equity salary adjustments to Fiscal Year 2006
34 agency appropriation acts where application of limitations result
35 in awarding one employee a salary increase greater than another
36 employee within the same agency, with the same job classification
37 series and greater longevity.

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

60 Any transfers or escalations shall be made in accordance with
61 the terms, conditions and procedures established by law or
62 allowable under the terms set forth within this act. The State
63 Personnel Board shall not escalate positions without written
64 approval from the Department of Finance and Administration. The
65 Department of Finance and Administration shall not provide written

66 approval to escalate any funds for salaries and/or positions
67 without proof of availability of new or additional funds above the
68 appropriated level.

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

73 **SECTION 4.** It is the intention of the Legislature that the
74 Mississippi Arts Commission shall maintain complete accounting and
75 personnel records related to the expenditure of all funds
76 appropriated under this act and that such records shall be in the
77 same format and level of detail as maintained for Fiscal Year
78 2006. It is further the intention of the Legislature that the
79 agency's budget request for Fiscal Year 2008 shall be submitted to
80 the Joint Legislative Budget Committee in a format and level of
81 detail comparable to the format and level of detail provided
82 during the Fiscal Year 2007 budget request process.

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

88 Training of educators and promotion
89 of arts programs in public schools . . . \$100,000.00
90 Miscellaneous grants and programs \$350,000.00

91 **SECTION 6.** It is the intention of the Legislature that the
92 Arts Commission shall have the authority to transfer dollars
93 appropriated herein designated for the "Challenge Program,"
94 specific amounts to a special fund in the State Treasury called
95 the Arts Commission Challenge Initiative Fund. The unexpended
96 amounts remaining in the fund at the end of a fiscal year shall
97 not lapse into the State General Fund and may be expended by the
98 commission in subsequent fiscal years upon appropriation of the
99 Legislature. Any interest earned on the fund shall be deposited
100 to the credit of the fund and may be disbursed by the commission

101 upon appropriations of the Legislature. It is the intention of
102 the Legislature that the commission may award grants to arts
103 organizations from monies in the fund and the grantees will be
104 required to provide matching funds for the grants in an amount of
105 not less than two (2) times the amount of the grant.

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

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

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

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

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John O. Gilbert
Secretary of the Senate