

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MADAM PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1701: Appropriation; Department of Archives and History.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

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, 2007, and ending  
10 June 30, 2008..... \$       9,414,544.00.

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, 2007, and ending June 30, 2008.....  
18 ..... \$       24,958,129.00.

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

21       AUTHORIZED POSITIONS:

22	Permanent:	Full Time.....	145
23		Part Time.....	26
24	Time-Limited:	Full Time.....	6
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 One Thousand Five Hundred Dollars (\$1,500.00), whichever  
30 is greater.

31 With the funds herein appropriated, it is the intention of  
32 the Legislature that it shall be the agency's responsibility to  
33 make certain that funds required to be appropriated for "Personal  
34 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
35 funds appropriated for that purpose, unless programs or positions  
36 are added to the agency's Fiscal Year 2009 budget by the  
37 Mississippi Legislature. Based on data provided by the  
38 Legislative Budget Office, the State Personnel Board shall  
39 determine and publish the projected annual cost to fully fund all  
40 appropriated positions in compliance with the provisions of this  
41 act. It shall be the responsibility of the agency head to insure  
42 that no single personnel action increases this projected annual  
43 cost and/or the Fiscal Year 2008 appropriation for "Personal  
44 Services" when annualized, with the exception of escalated funds.  
45 If, at the time the agency takes any action to change "Personal  
46 Services," the State Personnel Board determines that the agency  
47 has taken an action which would cause the agency to exceed this  
48 projected annual cost or the Fiscal Year 2008 "Personal Services"  
49 appropriated level, when annualized, then only those actions which  
50 reduce the projected annual cost and/or the appropriation  
51 requirement will be processed by the State Personnel Board until  
52 such time as the requirements of this provision are met.

53 Any transfers or escalations shall be made in accordance with  
54 the terms, conditions and procedures established by law or  
55 allowable under the terms set forth within this act. The State  
56 Personnel Board shall not escalate positions without written  
57 approval from the Department of Finance and Administration. The

58 Department of Finance and Administration shall not provide written  
59 approval to escalate any funds for salaries and/or positions  
60 without proof of availability of new or additional funds above the  
61 appropriated level.

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

66 **SECTION 4.** It is the intention of the Legislature that the  
67 Department of Archives and History shall maintain complete  
68 accounting and personnel records related to the expenditure of all  
69 funds appropriated under this act and that such records shall be  
70 in the same format and level of detail as maintained for Fiscal  
71 Year 2007. It is further the intention of the Legislature that  
72 the agency's budget request for Fiscal Year 2009 shall be  
73 submitted to the Joint Legislative Budget Committee in a format  
74 and level of detail comparable to the format and level of detail  
75 provided during the Fiscal Year 2008 budget request process.

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

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

89 State Treasury to the credit of the Mississippi Department of  
90 Archives and History.

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

95 **SECTION 8.** In addition to all other sums herein  
96 appropriated, the following sum, or so much thereof as may be  
97 necessary, is hereby appropriated out of any funds from the Local  
98 Government Records Fund in the State Treasury to defray the cost  
99 of such program for the fiscal year beginning July 1, 2007, and  
100 ending June 30, 2008..... \$ 75,052.00.

101 Of the funds appropriated in this section, the following  
102 positions are authorized:

103 AUTHORIZED POSITIONS:

104 Permanent: Full Time..... 1

105 Funds are provided herein to adjust the Variable Compensation  
106 Plan to ensure that all full-time employees receive a pay increase  
107 equal to the realignment component of the Variable Compensation  
108 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
109 is greater, to be awarded on July 1, 2007.

110 With the funds herein appropriated, it is the intention of  
111 the Legislature that it shall be the agency's responsibility to  
112 make certain that funds required to be appropriated for "Personal  
113 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
114 funds appropriated for that purpose, unless programs or positions  
115 are added to the agency's Fiscal Year 2008 budget by the  
116 Mississippi Legislature. Based on data provided by the  
117 Legislative Budget Office, the State Personnel Board shall  
118 determine and publish the projected annual cost to fully fund all  
119 appropriated positions in compliance with the provisions of this  
120 act. It shall be the responsibility of the agency head to insure

121 that no single personnel action increases this projected annual  
122 cost and/or the Fiscal Year 2008 appropriations for "Personal  
123 Services" when annualized, with the exception of escalated funds  
124 and educational benchmarks. If, at the time the agency takes any  
125 action to change "Personal Services", the State Personnel Board  
126 determines that the agency has taken an action which would cause  
127 the agency to exceed this projected annual cost or the Fiscal Year  
128 2008 "Personal Services" appropriated level, when annualized, then  
129 only those actions which reduce the projected annual cost and/or  
130 the appropriation requirement will be processed by the State  
131 Personnel Board until such time as the requirements of this  
132 provision are met. On January 1, 2008, the State Personnel Board  
133 will make adjustments to the structure side of the compliance  
134 report based on data provided by the Legislative Budget Office in  
135 order for agencies to award educational benchmarks.

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

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

149 **SECTION 9.** Of the funds provided in Section 2, Two Million  
150 Dollars (\$2,000,000.00) is provided to the Department of Archives  
151 and History from the Mississippi Landmark Grant Fund as created in

152 House Bill No. 1082, Regular Session of 1999, to help support the  
153 preservation of Mississippi Landmark Properties.

154       **SECTION 10.** It is the intention of the Legislature that the  
155 Department of Archives and History is hereby authorized to accept,  
156 budget and expend funds, not to exceed Seven Hundred Fifty  
157 Thousand Dollars (\$750,000.00), from special funds in the State  
158 Treasury to the credit of the State Treasury fund created in  
159 Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose  
160 of paying the costs of repair and renovation of the New Capitol,  
161 the Old Capitol, the Governor's Mansion, and the War Memorial  
162 Building, in accordance with rules and regulations of the  
163 Department of Finance and Administration in a manner consistent  
164 with the escalation of federal funds.

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

170       **SECTION 12.** It is the intention of the Legislature that  
171 whenever two (2) or more bids are received by this agency for the  
172 purchase of commodities or equipment, and whenever all things  
173 stated in such received bids are equal with respect to price,  
174 quality and service, the Mississippi Industries for the Blind  
175 shall be given preference. A similar preference shall be given to  
176 the Mississippi Industries for the Blind whenever purchases are  
177 made without competitive bids.

178       **SECTION 13.** In addition to all other sums herein  
179 appropriated, the following sum, or so much thereof as may be  
180 necessary, is hereby appropriated out of any money in the State  
181 General Fund not otherwise appropriated, to the Department of  
182 Archives and History for the purpose of supporting the Statewide

183 Oral History Project for the fiscal year beginning July 1, 2007,  
184 and ending June 30, 2008..... \$ 150,000.00.

185 **SECTION 14.** The following sum, or so much thereof as may be  
186 necessary, is hereby reappropriated out of any money in the State  
187 General Fund not otherwise appropriated, to the Department of  
188 Archives and History for the purpose of reauthorizing the  
189 expenditure of State General Funds, as authorized in House Bill  
190 No. 1565, Regular Session of 2006, for the fiscal year beginning  
191 July 1, 2007, and ending June 30, 2008..... \$ 75,000.00.

192 This reappropriation is made for the purpose of reauthorizing  
193 the expenditure of State General Funds for matching federal  
194 grants.

195 **SECTION 15.** The money herein appropriated shall be paid by  
196 the State Treasurer out of any money in the State Treasury to the  
197 credit of the proper fund or funds as set forth in this act, upon  
198 warrants issued by the State Fiscal Officer; and the State Fiscal  
199 Officer shall issue his warrants upon requisitions signed by the  
200 proper person, officer or officers, in the manner provided by law.

201 **SECTION 16.** This act shall take effect and be in force from  
202 and after July 1, 2007.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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 2008; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X (SIGNED)  
Stringer

X (SIGNED)  
Gordon

X (SIGNED)  
Peranich

X (SIGNED)  
Dearing

X (SIGNED)  
Jennings

X (SIGNED)  
Wilemon