

**Senate Amendments to House Bill No. 1701**

**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, 2007, and ending  
10 June 30, 2008..... \$       9,124,017.00.

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 ..... \$       24,690,125.00.

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.. \$       6,518,541.00

26               Travel and Subsistence.....               29,395.00

27               Contractual Services.....               4,446,034.00

28               Commodities.....               505,447.00

29       Capital Outlay:

30               Other Than Equipment.....               30,000.00

31	Equipment.....	54,100.00
32	Vehicles.....	0.00
33	Wireless Communication Devices.....	0.00
34	Subsidies, Loans and Grants.....	<u>22,230,625.00</u>
35	Total..... \$	33,814,142.00

36 FUNDING:

37	General Funds..... \$	9,124,017.00
38	Special Funds.....	<u>24,690,125.00</u>
39	Total..... \$	33,814,142.00

40 AUTHORIZED POSITIONS:

41	Permanent: Full Time.....	114
42	Part Time.....	26
43	Time-Limited: Full Time.....	6
44	Part Time.....	0

45 Funds are provided herein to adjust the Variable  
46 Compensation Plan to ensure that all full-time employees receive a  
47 pay increase equal to the realignment component of the Variable  
48 Compensation Plan or One Thousand Dollars (\$1,000.00), or Three  
49 Percent (3%) whichever is greater, to be awarded on July 1, 2007.

50 With the funds herein appropriated, it is the intention of  
51 the Legislature that it shall be the agency's responsibility to  
52 make certain that funds required to be appropriated for "Personal  
53 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
54 funds appropriated for that purpose, unless programs or positions  
55 are added to the agency's Fiscal Year 2009 budget by the  
56 Mississippi Legislature. Based on data provided by the  
57 Legislative Budget Office, the State Personnel Board shall  
58 determine and publish the projected annual cost to fully fund all  
59 appropriated positions in compliance with the provisions of this  
60 act. It shall be the responsibility of the agency head to insure  
61 that no single personnel action increases this projected annual  
62 cost and/or the Fiscal Year 2008 appropriation for "Personal  
63 Services" when annualized, with the exception of escalated funds.  
64 If, at the time the agency takes any action to change "Personal  
65 Services," the State Personnel Board determines that the agency

66 has taken an action which would cause the agency to exceed this  
67 projected annual cost or the Fiscal Year 2008 "Personal Services"  
68 appropriated level, when annualized, then only those actions which  
69 reduce the projected annual cost and/or the appropriation  
70 requirement will be processed by the State Personnel Board until  
71 such time as the requirements of this provision are met.

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

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

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

101           **SECTION 4.** It is the intention of the Legislature that the  
102 Department of Archives and History shall maintain complete  
103 accounting and personnel records related to the expenditure of all  
104 funds appropriated under this act and that such records shall be  
105 in the same format and level of detail as maintained for Fiscal  
106 Year 2007. It is further the intention of the Legislature that  
107 the agency's budget request for Fiscal Year 2009 shall be  
108 submitted to the Joint Legislative Budget Committee in a format  
109 and level of detail comparable to the format and level of detail  
110 provided during the Fiscal Year 2008 budget request process.

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

119           **SECTION 6.** It is the intent of the Legislature that the  
120 Mississippi Department of Archives and History shall charge the  
121 maximum amount allowable for services rendered, consistent with  
122 the cost of providing such services. The funds derived from these  
123 charges shall be deposited into a special fund account in the  
124 State Treasury to the credit of the Mississippi Department of  
125 Archives and History.

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

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

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

139 MAJOR OBJECTS OF EXPENDITURE:

140 Personal Services:

141	Salaries, Wages and Fringe Benefits.. \$	67,197.00
142	Travel and Subsistence.....	900.00
143	Contractual Services.....	3,955.00
144	Commodities.....	1,300.00

145 Capital Outlay:

146	Other Than Equipment.....	0.00
147	Equipment.....	1,700.00
148	Vehicles.....	0.00
149	Wireless Communication Devices.....	0.00
150	Subsidies, Loans and Grants.....	<u>0.00</u>
151	Total..... \$	75,052.00

152 FUNDING:

153	General Funds..... \$	0.00
154	Special Funds.....	<u>75,052.00</u>
155	Total..... \$	75,052.00

156 AUTHORIZED POSITIONS:

157 Permanent: Full Time..... 1

158 Funds are provided herein to adjust the Variable Compensation  
 159 Plan to ensure that all full-time employees receive a pay increase  
 160 equal to the realignment component of the Variable Compensation  
 161 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)  
 162 whichever is greater, to be awarded on July 1, 2007.

163 With the funds herein appropriated, it is the intention of  
 164 the Legislature that it shall be the agency's responsibility to  
 165 make certain that funds required to be appropriated for "Personal  
 166 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
 167 funds appropriated for that purpose, unless programs or positions  
 168 are added to the agency's Fiscal Year 2009 budget by the  
 169 Mississippi Legislature. Based on data provided by the  
 170 Legislative Budget Office, the State Personnel Board shall

171 determine and publish the projected annual cost to fully fund all  
172 appropriated positions in compliance with the provisions of this  
173 act. It shall be the responsibility of the agency head to insure  
174 that no single personnel action increases this projected annual  
175 cost and/or the Fiscal Year 2008 appropriation for "Personal  
176 Services" when annualized, with the exception of escalated funds.  
177 If, at the time the agency takes any action to change "Personal  
178 Services," the State Personnel Board determines that the agency  
179 has taken an action which would cause the agency to exceed this  
180 projected annual cost or the Fiscal Year 2008 "Personal Services"  
181 appropriated level, when annualized, then only those actions which  
182 reduce the projected annual cost and/or the appropriation  
183 requirement will be processed by the State Personnel Board until  
184 such time as the requirements of this provision are met.

185 Any transfers or escalations shall be made in accordance with  
186 the terms, conditions and procedures established by law or  
187 allowable under the terms set forth within this act. The State  
188 Personnel Board shall not escalate positions without written  
189 approval from the Department of Finance and Administration. The  
190 Department of Finance and Administration shall not provide written  
191 approval to escalate any funds for salaries and/or positions  
192 without proof of availability of new or additional funds above the  
193 appropriated level.

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

198 The agency shall not take any action to promote or otherwise  
199 award salary increases through reallocation, reclassification,  
200 realignment, education benchmark, career ladder, or any other  
201 means to increase salaries of employees or positions unless  
202 specifically exempted by the following conditions: the award of  
203 teacher pay increases, the advancement of a trainee/cadet to the  
204 next level of a bona fide career ladder, the award of an  
205 educational benchmark for the attainment of Certified Public

206 Accountant License or higher level professional certification as  
207 determined by the State Personnel Board, the immediate replacement  
208 of a departing employee with an individual from within state  
209 service or a new hire at a salary level equivalent to that of the  
210 departing employee, and the emergency appointment of nurses,  
211 pharmacists or other health care professionals at a salary to be  
212 determined by the State Personnel Board, unless otherwise  
213 authorized in this act.

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

219       **SECTION 10.** It is the intention of the Legislature that the  
220 Department of Archives and History is hereby authorized to accept,  
221 budget and expend funds, not to exceed Five Hundred Thousand  
222 Dollars (\$500,000.00), from special funds in the State Treasury to  
223 the credit of the State Treasury fund created in Section  
224 27-19-56.69(8), Mississippi Code of 1972, for the purpose of  
225 paying the costs of repair and renovation of the New Capitol, the  
226 Old Capitol, the Governor's Mansion, and the War Memorial  
227 Building, in accordance with rules and regulations of the  
228 Department of Finance and Administration in a manner consistent  
229 with the escalation of federal funds.

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

235       **SECTION 12.** It is the intention of the Legislature that the  
236 Executive Director of the Department of Archives and History may  
237 authorize increases in any major objects of expenditures in total  
238 amounts not to exceed twenty-five percent (25%) of the  
239 appropriated amount of each major object of expenditure, provided  
240 that other major objects of expenditure are decreased by a

241 corresponding dollar amount. However, no transfers shall be  
242 authorized which increase the major object of expenditure  
243 "Salaries, Wages and Fringe Benefits."

244 **SECTION 13.** It is the intention of the Legislature that  
245 whenever two (2) or more bids are received by this agency for the  
246 purchase of commodities or equipment, and whenever all things  
247 stated in such received bids are equal with respect to price,  
248 quality and service, the Mississippi Industries for the Blind  
249 shall be given preference. A similar preference shall be given to  
250 the Mississippi Industries for the Blind whenever purchases are  
251 made without competitive bids.

252 **SECTION 14.** In addition to all other sums herein  
253 appropriated, the following sum, or so much thereof as may be  
254 necessary, is hereby appropriated out of any money in the State  
255 General Fund not otherwise appropriated, to the Department of  
256 Archives and History for the purpose of supporting the Statewide  
257 Oral History Project for the fiscal year beginning July 1, 2007,  
258 and ending June 30, 2008..... \$ 150,000.00.

259 **SECTION 15.** Of the funds in Section 1, a sum not to exceed  
260 Seventy-five Thousand Dollars (\$75,000.00) is provided as matching  
261 funds for a Preserve America Grant to fund research and workshops  
262 on how to rebuild the Gulf Coast's Heritage Tourism Industry after  
263 Hurricane Katrina.

264 **SECTION 16.** The money herein appropriated shall be paid by  
265 the State Treasurer out of any money in the State Treasury to the  
266 credit of the proper fund or funds as set forth in this act, upon  
267 warrants issued by the State Fiscal Officer; and the State Fiscal  
268 Officer shall issue his warrants upon requisitions signed by the  
269 proper person, officer or officers, in the manner provided by law.

270 **SECTION 17.** This act shall take effect and be in force from  
271 and after July 1, 2007.

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John O. Gilbert  
Secretary of the Senate