

By: Representatives Read, Bennett, Arnold, Banks, Barton, Beckett, Bounds, Boyd, Brown, Busby, Clarke, Cockerham, DeLano, Eure, Holland, Ladner, Massengill, Mettetal, Sullivan, Turner, Watson, Willis, Sykes, Faulkner

To: Appropriations

HOUSE BILL NO. 1646
(As Sent to Governor)

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 2020.

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Department of Archives and History for the fiscal
9 year beginning July 1, 2019, and ending June 30, 2020.....
10\$ 9,807,382.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Department of Archives and
14 History which is comprised of special source funds collected by or
15 otherwise available to the department, for the purpose of
16 defraying the expenses of the department for the fiscal year
17 beginning July 1, 2019, and ending June 30, 2020.....
18\$ 10,057,181.00.



19 **SECTION 3.** Of the funds appropriated under the provisions of
20 this act, the following positions are authorized:

21 AUTHORIZED POSITIONS:

22	Permanent:	Full Time.....	171
23		Part Time.....	7
24	Time-Limited:	Full Time.....	9
25		Part Time.....	0

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required to be
28 appropriated for "Personal Services" for Fiscal Year 2021 do not
29 exceed Fiscal Year 2020 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2020 budget by the Mississippi Legislature. Based on data
32 provided by the Legislative Budget Office, the State Personnel
33 Board shall determine and publish the projected annual cost to
34 fully fund all appropriated positions in compliance with the
35 provisions of this act. It shall be the responsibility of the
36 agency head to ensure that no single personnel action increases
37 this projected annual cost and/or the Fiscal Year 2020
38 appropriations for "Personal Services" when annualized, with the
39 exception of escalated funds and the award of benchmarks. If, at
40 the time the agency takes any action to change "Personal
41 Services," the State Personnel Board determines that the agency
42 has taken an action which would cause the agency to exceed this
43 projected annual cost or the Fiscal Year 2020 "Personal Services"



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

48 Funds are provided herein for all full-time employees to
49 receive up to a Three Percent (3%) pay increase to the realignment
50 component of the Variable Compensation Plan, excluding head of
51 agencies, board members and commission members.

52 Any transfers or escalations shall be made in accordance with
53 the terms, conditions and procedures established by law or
54 allowable under the terms set forth within this act. The State
55 Personnel Board shall not escalate positions without written
56 approval from the Department of Finance and Administration. The
57 Department of Finance and Administration shall not provide written
58 approval to escalate any funds for salaries and/or positions
59 without proof of availability of new or additional funds above the
60 appropriated level.

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

65 None of the funds herein appropriated shall be used in
66 violation of Internal Revenue Service's Publication 15-A relating
67 to the reporting of income paid to contract employees, as
68 interpreted by the Office of the State Auditor.



69 **SECTION 4.** It is the intention of the Legislature that the
70 Department of Archives and History shall maintain complete
71 accounting and personnel records related to the expenditure of all
72 funds appropriated under this act and that such records shall be
73 in the same format and level of detail as maintained for Fiscal
74 Year 2019. It is further the intention of the Legislature that
75 the agency's budget request for Fiscal Year 2021 shall be
76 submitted to the Joint Legislative Budget Committee in a format
77 and level of detail comparable to the format and level of detail
78 provided during the Fiscal Year 2020 budget request process.

79 **SECTION 5.** It is the intent of the Legislature that the
80 Mississippi Department of Archives and History shall charge the
81 maximum amount allowable for services rendered, consistent with
82 the cost of providing such services. The funds derived from these
83 charges shall be deposited into a special fund account in the
84 State Treasury to the credit of the Mississippi Department of
85 Archives and History.

86 **SECTION 6.** It is the intent of the Legislature that no part
87 of the funds herein appropriated shall be required to be used for
88 the payment of rent for the museum and public space in the State
89 Historical Museum, Old Capitol Restoration.

90 **SECTION 7.** Of the funds provided in Section 2, Two Million
91 Dollars (\$2,000,000.00) is provided to the Department of Archives
92 and History from the Mississippi Landmark Grant Fund as created in



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

95 **SECTION 8.** Of the funds provided under the provisions of
96 this act, One Hundred Thousand Dollars (\$100,000.00) is provided
97 for the purpose of capital development and maintenance of Beauvoir
98 Shrine, the last home of Jefferson Davis, the only President of
99 the Confederate States of America, subject to approval by the
100 Department of Archives and History. The expenditure of funds
101 available in this section shall be subject to prior approval by
102 the Department of Archives and History.

103 **SECTION 9.** It is the intention of the Legislature that
104 whenever two (2) or more bids are received by this agency for the
105 purchase of commodities or equipment, and whenever all things
106 stated in such received bids are equal with respect to price,
107 quality and service, the Mississippi Industries for the Blind
108 shall be given preference. A similar preference shall be given to
109 the Mississippi Industries for the Blind whenever purchases are
110 made without competitive bids.

111 **SECTION 10.** In addition to all other sums herein
112 appropriated, the following sum, or so much thereof as may be
113 necessary, is appropriated out of any money in the State General
114 Fund not otherwise appropriated, to the Department of Archives and
115 History for the purpose of supporting the Statewide Oral History
116 Project for the fiscal year beginning July 1, 2019, and ending
117 June 30, 2020.....\$ 45,748.00.



118 **SECTION 11.** It is the intention of the Legislature that the
119 funds herein appropriated shall be expended in compliance with
120 Section 27-104-25, Mississippi Code of 1972, that no state agency
121 shall incur obligations or indebtedness in excess of their
122 appropriation and that the responsible officers, either personally
123 or upon their official bonds, shall be held responsible for
124 actions contrary to this provision.

125 **SECTION 12.** Of the funds provided in Section 2, Seven
126 Hundred Fifty Thousand Dollars (\$750,000.00) is provided from
127 Special Funds in the State Treasury to the credit of the State
128 Treasury fund created in Section 27-19-56.69(8), Mississippi Code
129 of 1972, for the purpose of paying the costs of repair and
130 renovation of the New Capitol, the Old Capitol, the Governor's
131 Mansion, and the War Memorial Building, in accordance with rules
132 and regulations of the Department of Finance and Administration in
133 a manner consistent with the escalation of funds.

134 **SECTION 13.** Of the funds appropriated in Section 2, One
135 Hundred Fifty Thousand Dollars (\$150,000.00), or so much thereof,
136 shall be derived out of any money in the State Treasury to the
137 credit of the Capital Expense Fund, as created in Section
138 27-103-303, Mississippi Code of 1972, and allocated in a manner as
139 determined by the State Treasurer, for the Mississippi Heritage
140 Trust Preservation Toolkit.

141 **SECTION 14.** Of the funds appropriated in Section 2,
142 Twenty-five Thousand Dollars (\$25,000.00), or so much thereof,



143 shall be derived out of any money in the State Treasury to the
144 credit of the Capital Expense Fund, as created in Section
145 27-103-303, Mississippi Code of 1972, and allocated in a manner as
146 determined by the State Treasurer, for the Fannie Lou Hamer/George
147 Lee Museum in Belzoni, Mississippi.

148 **SECTION 15.** Of the funds appropriated in Section 2, One
149 Million Dollars (\$1,000,000.00), or so much thereof, shall be
150 derived out of any money in the State Treasury to the credit of
151 the Capital Expense Fund, as created in Section 27-103-303,
152 Mississippi Code of 1972, and allocated in a manner as determined
153 by the State Treasurer, for de la Pointe-Krebs House.

154 **SECTION 16.** Of the funds appropriated under the provisions
155 of Section 2, Two Hundred Seventy-five Thousand Dollars
156 (\$275,000.00), or so much thereof, shall be derived out of any
157 money in the State Treasury to the credit of the Capital Expense
158 Fund, as created in Section 27-103-303, Mississippi Code of 1972,
159 and allocated in a manner as determined by the State Treasurer.
160 These funds are provided for reinstallation of Mississippi
161 galleries at the Mississippi Museum of Art.

162 **SECTION 17.** Of the funds appropriated in Section 2,
163 Twenty-five Thousand Dollars (\$25,000.00), or so much thereof,
164 shall be derived out of any money in the State Treasury to the
165 credit of the Capital Expense Fund, as created in Section
166 27-103-303, Mississippi Code of 1972, and allocated in a manner as



167 determined by the State Treasurer, for the Crossroads Museum in
168 Corinth, Mississippi.

169 **SECTION 18.** The following sum, or so much thereof as may be
170 necessary, is reappropriated out of any money in the State General
171 Fund not otherwise appropriated for the Department of Archives and
172 History for the purpose of reauthorizing the expenditure of
173 Eighty-eight Thousand Nine Hundred Twenty Dollars (\$88,920.00) in
174 State General Funds, as authorized in HB 1596, 2018 Regular
175 Session and One Hundred Thousand Dollars (\$100,000.00) in State
176 General Funds as authorized in HB 1596, 2018 Regular Session to
177 provide for capital development and maintenance of the Beauvoir
178 Shrine, for the fiscal year beginning July 1, 2019, and ending
179 June 30, 2020.....\$ 188,920.00.

180 Notwithstanding the amount reappropriated under the
181 provisions of this section, in no event shall the amount expended
182 exceed the unexpended balance as of June 30, 2019.

183 **SECTION 19.** The following sum, or so much thereof as may be
184 necessary, is reappropriated out of any money in the Capital
185 Expense Fund not otherwise appropriated for the Department of
186 Archives and History for the purpose of reauthorizing the
187 expenditure of Capital Expense Fund, as authorized in HB 1596,
188 2018 Regular Session to provide for the Old Smith County Jailhouse
189 for the fiscal year beginning July 1, 2019, and ending June 30,
190 2020.....\$ 130,000.00.



191 Notwithstanding the amount reappropriated under the
192 provisions of this section, in no event shall the amount expended
193 exceed the unexpended balance as of June 30, 2019.

194 **SECTION 20.** The money herein appropriated shall be paid by
195 the State Treasurer out of any money in the State Treasury to the
196 credit of the proper fund or funds as set forth in this act, upon
197 warrants issued by the State Fiscal Officer; and the State Fiscal
198 Officer shall issue his warrants upon requisitions signed by the
199 proper person, officer or officers, in the manner provided by law.

200 **SECTION 21.** This act shall take effect and be in force from
201 and after July 1, 2019.

