

Senate Amendments to House Bill No. 1703

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 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, 2020, and ending June 30, 2021.....
10\$ 9,121,079.00.

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, 2020, and ending June 30, 2021.....
18\$ 7,629,979.00.

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.....	152
23		Part Time.....	3
24	Time-Limited:	Full Time.....	8
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 2022 do not
29 exceed Fiscal Year 2021 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2021 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 2021
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 2021 "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 Any transfers or escalations shall be made in accordance with
49 the terms, conditions and procedures established by law or
50 allowable under the terms set forth within this act. The State
51 Personnel Board shall not escalate positions without written
52 approval from the Department of Finance and Administration. The
53 Department of Finance and Administration shall not provide written
54 approval to escalate any funds for salaries and/or positions
55 without proof of availability of new or additional funds above the
56 appropriated level.

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60 act and which are withdrawn and no longer available.

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

65 **SECTION 4.** It is the intention of the Legislature that the
66 Department of Archives and History shall maintain complete
67 accounting and personnel records related to the expenditure of all
68 funds appropriated under this act and that such records shall be
69 in the same format and level of detail as maintained for Fiscal
70 Year 2020. It is further the intention of the Legislature that
71 the agency's budget request for Fiscal Year 2022 shall be
72 submitted to the Joint Legislative Budget Committee in a format

73 and level of detail comparable to the format and level of detail
74 provided during the Fiscal Year 2021 budget request process.

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

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

86 **SECTION 7.** Of the funds provided in Section 2, Two Million
87 Dollars (\$2,000,000.00) is provided to the Department of Archives
88 and History from the Mississippi Landmark Grant Fund as created in
89 House Bill No. 1082, Regular Session of 1999, to help support the
90 preservation of Mississippi Landmark Properties.

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

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

107 **SECTION 10.** In addition to all other sums herein
108 appropriated, the following sum, or so much thereof as may be
109 necessary, is appropriated out of any money in the State General
110 Fund not otherwise appropriated, to the Department of Archives and
111 History for the purpose of supporting the Statewide Oral History
112 Project for the fiscal year beginning July 1, 2020, and ending
113 June 30, 2021.....\$ 45,748.00.

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

121 **SECTION 12.** Of the funds provided in Section 2, Seven
122 Hundred Fifty Thousand Dollars (\$750,000.00) is provided from
123 Special Funds in the State Treasury to the credit of the State
124 Treasury fund created in Section 27-19-56.69(8), Mississippi Code

125 of 1972, for the purpose of paying the costs of repair and
126 renovation of the New Capitol, the Old Capitol, the Governor's
127 Mansion, and the War Memorial Building, in accordance with rules
128 and regulations of the Department of Finance and Administration in
129 a manner consistent with the escalation of funds.

130 **SECTION 13.** The money herein appropriated shall be paid by
131 the State Treasurer out of any money in the State Treasury to the
132 credit of the proper fund or funds as set forth in this act, upon
133 warrants issued by the State Fiscal Officer; and the State Fiscal
134 Officer shall issue his warrants upon requisitions signed by the
135 proper person, officer or officers, in the manner provided by law.

136 **SECTION 14.** This act shall take effect and be in force from
137 and after July 1, 2020, and shall stand repealed June 30, 2020.

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Eugene S. Clarke
Secretary of the Senate