

By: Representatives Read, Bennett, Banks,
Barton, Boyd, Busby, Clark, Clarke, Criswell,
Currie, Eure, Haney, Jackson, Sanford,
Watson, Young

To: Appropriations

HOUSE BILL NO. 1386
(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 2022.

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, 2021, and ending June 30, 2022.....
10 \$ 9,646,364.00.

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, 2021, and ending June 30, 2022.....
18 \$ 9,050,033.00.



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	168
23		Part Time	5
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 2023 do not
29 exceed Fiscal Year 2022 funds appropriated for that purpose unless
30 programs or positions are added to the agency's Fiscal Year 2022
31 budget by the Mississippi Legislature. Based on data provided by
32 the Legislative Budget Office, the State Personnel Board shall
33 determine and publish the projected annual cost to fully fund all
34 appropriated positions in compliance with the provisions of this
35 act. Absent a special situation or circumstance approved by the
36 State Personnel Board, or unless otherwise authorized by this act,
37 no state agency shall take any action to promote or otherwise
38 award salary increases through reallocation or realignment. If
39 the State Personnel Board determines a special situation or
40 circumstance exists and approves an action, then the agency and
41 the State Personnel Board shall provide a monthly report of each
42 action approved by the State Personnel Board to the chairmen of
43 the Accountability, Efficiency and Transparency Committees of the



44 Senate and House of Representatives and the chairmen of the
45 Appropriations Committees of the Senate and House of
46 Representatives. It shall be the responsibility of the agency
47 head to ensure that no single personnel action increases this
48 projected annual cost and/or the Fiscal Year 2022 appropriations
49 for "Personal Services" when annualized, with the exception of
50 escalated funds and the award of benchmarks. If, at the time the
51 agency takes any action to change "Personal Services," the State
52 Personnel Board determines that the agency has taken an action
53 which would cause the agency to exceed this projected annual cost
54 or the Fiscal Year 2022 "Personal Services" appropriated level,
55 when annualized, then only those actions which reduce the
56 projected annual cost and/or the appropriation requirement will be
57 processed by the State Personnel Board until such time as the
58 requirements of this provision are met.

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



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

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

76 Funds have been appropriated herein for the purpose of
77 implementation and funding Project SEC2 of the Colonel Guy Groff
78 State Variable Compensation Plan beginning January 1, 2022, and
79 ending June 30, 2022. It shall be the agency's responsibility to
80 make certain that each person, excluding executive directors,
81 agency heads, and elected judges, shall receive no more than a 3%
82 annual increase in salary which shall not exceed the market rate
83 established by the State Personnel Board pursuant to the Colonel
84 Guy Groff State Variable Compensation Plan for each
85 classification.

86 With the funds appropriated herein, it is the intention of
87 the Legislature that the Mississippi Department of Archives and
88 History is authorized to set the compensation of PINs 48 and 234
89 based on the education and experience not to exceed the end salary
90 which may include realignment of the classification as established
91 by the State Personnel Board.



92 **SECTION 4.** It is the intention of the Legislature that the
93 Department of Archives and History shall maintain complete
94 accounting and personnel records related to the expenditure of all
95 funds appropriated under this act and that such records shall be
96 in the same format and level of detail as maintained for Fiscal
97 Year 2021. It is further the intention of the Legislature that
98 the agency's budget request for Fiscal Year 2023 shall be
99 submitted to the Joint Legislative Budget Committee in a format
100 and level of detail comparable to the format and level of detail
101 provided during the Fiscal Year 2022 budget request process.

102 **SECTION 5.** It is the intent of the Legislature that the
103 Mississippi Department of Archives and History shall charge the
104 maximum amount allowable for services rendered, consistent with
105 the cost of providing such services. The funds derived from these
106 charges shall be deposited into a special fund account in the
107 State Treasury to the credit of the Mississippi Department of
108 Archives and History.

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

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



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

118 **SECTION 8.** Of the funds provided under the provisions of
119 this act, One Hundred Thousand Dollars (\$100,000.00) is provided
120 for the purpose of capital development and maintenance of Beauvoir
121 Shrine, the last home of Jefferson Davis, the only President of
122 the Confederate States of America, subject to approval by the
123 Department of Archives and History. The expenditure of funds
124 available in this section shall be subject to prior approval by
125 the Department of Archives and History.

126 **SECTION 9.** It is the intention of the Legislature that
127 whenever two (2) or more bids are received by this agency for the
128 purchase of commodities or equipment, and whenever all things
129 stated in such received bids are equal with respect to price,
130 quality and service, the Mississippi Industries for the Blind
131 shall be given preference. A similar preference shall be given to
132 the Mississippi Industries for the Blind whenever purchases are
133 made without competitive bids.

134 **SECTION 10.** In addition to all other sums herein
135 appropriated, the following sum, or so much thereof as may be
136 necessary, is appropriated out of any money in the State General
137 Fund not otherwise appropriated, to the Department of Archives and
138 History for the purpose of supporting the Statewide Oral History
139 Project for the fiscal year beginning July 1, 2021, and ending
140 June 30, 2022\$ 45,748.00.



141 **SECTION 11.** It is the intention of the Legislature that the
142 funds herein appropriated shall be expended in compliance with
143 Section 27-104-25, Mississippi Code of 1972, that no state agency
144 shall incur obligations or indebtedness in excess of their
145 appropriation and that the responsible officers, either personally
146 or upon their official bonds, shall be held responsible for
147 actions contrary to this provision.

148 **SECTION 12.** Of the funds provided in Section 2, Seven
149 Hundred Fifty Thousand Dollars (\$750,000.00) is provided from
150 Special Funds in the State Treasury to the credit of the State
151 Treasury fund created in Section 27-19-56.69(8), Mississippi Code
152 of 1972, for the purpose of paying the costs of repair and
153 renovation of the New Capitol, the Old Capitol, the Governor's
154 Mansion, and the War Memorial Building, in accordance with rules
155 and regulations of the Department of Finance and Administration in
156 a manner consistent with the escalation of funds.

157 **SECTION 13.** The following sum, or so much thereof as may be
158 necessary, is reappropriated out of any money in the Capital
159 Expense Fund not otherwise appropriated for the Department of
160 Archives and History for the purpose of reauthorizing the
161 expenditure of Capital Expense Funds, as authorized in HB 1703,
162 2020 Regular Session to provide for the de la Pointe-Krebs House
163 for the fiscal year beginning July 1, 2021, and ending
164 June 30, 2022\$ 651,319.00.



165 Notwithstanding the amount reappropriated under the
166 provisions of this section, in no event shall the amount expended
167 exceed the unexpended balance as of June 30, 2021.

168 **SECTION 14.** The following sum, or so much thereof as may be
169 necessary, is reappropriated out of any money in the General Fund
170 not otherwise appropriated for the Department of Archives and
171 History for the purpose of reauthorizing the expenditure of
172 General Funds as authorized in HB 1703, 2020 Regular Session to
173 provide for Beauvoir, for the fiscal year beginning July 1, 2021,
174 and ending June 30, 2022\$ 100,000.00.

175 Notwithstanding the amount reappropriated under the
176 provisions of this section, in no event shall the amount expended
177 exceed the unexpended balance as of June 30, 2021.

178 **SECTION 15.** The Mississippi Department of Archives and
179 History is authorized to accept and expend any grant, donation, or
180 contribution from any individual, public, or private organization,
181 or government entity for purposes of defraying the operational
182 costs of the department. Such grants, donations or contributions
183 shall be received and expended under the rules and regulations of
184 the Department of Finance and Administration in a manner
185 consistent with the escalation of federal funds not to exceed One
186 Million Dollars (\$1,000,000.00).

187 **SECTION 16.** Of the funds in Section 2, the following sum, or
188 so much thereof as may be necessary, is appropriated out of any
189 money in the State Treasury to the credit of the Capital Expense



190 Fund, for the purpose of defraying the expenses of Mississippi
191 Department of Archives and History for the fiscal year beginning
192 July 1, 2021, and ending June 30, 2022\$ 300,000.00.

193 **SECTION 17.** Of the funds in Section 2, the following sum, or
194 so much thereof as may be necessary, is appropriated out of any
195 money in the State Treasury to the credit of the Capital Expense
196 Fund, for the purpose of funding Historic Site Preservation grants
197 as created in Senate Bill 2834, 2021 Regular Session and
198 administered by the Mississippi Department of Archives and History
199 for the fiscal year beginning July 1, 2021, and ending June 30,
200 2022\$1,000,000.00.

201 **SECTION 18.** The money herein appropriated shall be paid by
202 the State Treasurer out of any money in the State Treasury to the
203 credit of the proper fund or funds as set forth in this act, upon
204 warrants issued by the State Fiscal Officer; and the State Fiscal
205 Officer shall issue his warrants upon requisitions signed by the
206 proper person, officer or officers, in the manner provided by law.

207 **SECTION 19.** This act shall take effect and be in force from
208 and after July 1, 2021.

