

By: Representatives Peranich, Jennings,
Banks, Broomfield, Coleman (29th), Denny,
Dickson, Flaggs, Martinson, Stevens,
Straughter

To: Appropriations

HOUSE BILL NO. 1701
(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 2008; AND FOR RELATED PURPOSES.

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 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.