

**Senate Amendments to House Bill No. 1612**

**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, 2023, and ending June 30, 2024.....  
10 .....\$ 10,809,208.00.

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, 2023, and ending June 30, 2024.....  
18 .....\$ 12,899,913.00.

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

21           **AUTHORIZED HEADCOUNT:**

22           Permanent:                   137

23           Time-Limited:                   9

24           With the funds herein appropriated, it shall be the agency's  
25 responsibility to make certain that funds required for Personal  
26 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds  
27 appropriated for that purpose unless programs or positions are  
28 added to the agency's Fiscal Year 2024 budget by the Mississippi  
29 Legislature. The Legislature shall determine the agency's  
30 personal services appropriation, which shall be published by the  
31 State Personnel Board. Additionally, the State Personnel Board  
32 shall determine and publish the projected annualized payroll costs  
33 based on current employees. It shall be the responsibility of the  
34 agency head to ensure that actual personnel expenditures for  
35 Fiscal Year 2024 do not exceed the data provided by the  
36 Legislative Budget Office. If the agency's Fiscal Year 2024  
37 projected cost exceeds the annualized costs, no salary actions  
38 shall be processed by the State Personnel Board with the exception  
39 of new hires that are determined to be essential for the agency.

40           Any transfers or escalations shall be made in accordance with  
41 the terms, conditions and procedures established by law or  
42 allowable under the terms set forth within this act. The State  
43 Personnel Board shall not escalate positions without written  
44 approval from the Department of Finance and Administration. The  
45 Department of Finance and Administration shall not provide written  
46 approval to escalate any funds for salaries and/or positions

47 without proof of availability of new or additional funds above the  
48 appropriated level.

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52 act and which are withdrawn and no longer available.

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

57 Funds have been appropriated herein for the purpose of  
58 funding Project SEC2 minimum salaries for all employees covered  
59 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
60 Plan. It shall be the agency's responsibility to ensure that the  
61 funds are used to increase all employees' salaries up to the  
62 minimum level as determined by the State Personnel Board.

63 **SECTION 4.** It is the intention of the Legislature that the  
64 Department of Archives and History shall maintain complete  
65 accounting and personnel records related to the expenditure of all  
66 funds appropriated under this act and that such records shall be  
67 in the same format and level of detail as maintained for Fiscal  
68 Year 2023. It is further the intention of the Legislature that  
69 the agency's budget request for Fiscal Year 2025 shall be  
70 submitted to the Joint Legislative Budget Committee in a format  
71 and level of detail comparable to the format and level of detail  
72 provided during the Fiscal Year 2024 budget request process.

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

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

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

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

97           **SECTION 9.** It is the intention of the Legislature that  
98 whenever two (2) or more bids are received by this agency for the

99 purchase of commodities or equipment, and whenever all things  
100 stated in such received bids are equal with respect to price,  
101 quality and service, the Mississippi Industries for the Blind  
102 shall be given preference. A similar preference shall be given to  
103 the Mississippi Industries for the Blind whenever purchases are  
104 made without competitive bids.

105       **SECTION 10.** In addition to all other sums herein  
106 appropriated, the following sum, or so much thereof as may be  
107 necessary, is appropriated out of any money in the State General  
108 Fund not otherwise appropriated, to the Department of Archives and  
109 History for the purpose of supporting the Statewide Oral History  
110 Project for the fiscal year beginning July 1, 2023, and ending  
111 June 30, 2024.....\$           45,748.00.

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

119       **SECTION 12.** Of the funds provided in Section 2, Seven  
120 Hundred Fifty Thousand Dollars (\$750,000.00) is provided from  
121 Special Funds in the State Treasury to the credit of the State  
122 Treasury fund created in Section 27-19-56.69(8), Mississippi Code  
123 of 1972, for the purpose of paying the costs of repair and  
124 renovation of the New Capitol, the Old Capitol, the Governor's

125 Mansion, and the War Memorial Building, in accordance with rules  
126 and regulations of the Department of Finance and Administration in  
127 a manner consistent with the escalation of funds.

128       **SECTION 13.** The following sum, or so much thereof as may be  
129 necessary, is reappropriated out of any money in the General Fund  
130 not otherwise appropriated for the Department of Archives and  
131 History for the purpose of reauthorizing the expenditure of  
132 General Funds as authorized in HB 1599, 2022 Regular Session to  
133 provide for Beauvoir, for the fiscal year beginning July 1, 2023,  
134 and ending June 30, 2024.....\$ 100,000.00.

135       Notwithstanding the amount reappropriated under this section,  
136 the amount that may be expended under the authority of this  
137 section, shall not exceed the unexpended balance of the funds  
138 remaining as of June 30, 2023, from the amount authorized for the  
139 previous fiscal year. In addition, this reappropriation shall not  
140 change the purpose for which the funds were originally authorized.

141       **SECTION 14.** The following sum, or so much thereof as may be  
142 necessary, is reappropriated out of any money in the Capital  
143 Expense Fund not otherwise appropriated for the Department of  
144 Archives and History for the purpose of reauthorizing the  
145 expenditure of Capital Expense Funds, as authorized in HB 1599,  
146 2022 Regular Session to defray expenses of the Department of  
147 Archives and History for the fiscal year beginning July 1, 2023,  
148 and ending June 30, 2024.....\$ 8,096,270.00.

149       This appropriation is made for the purpose of reauthorizing  
150 the expenditure of funds as allocated herein:

- 151 (a) De la Pointe-Krebs House.....\$ 96,270.00.  
152 (b) Repair, renovation, and construction  
153 projects undertaken by the Department of  
154 Archives and History.....\$ 8,000,000.00.

155 Notwithstanding the amount reappropriated under this section,  
156 the amount that may be expended under the authority of this  
157 section, shall not exceed the unexpended balance of the funds  
158 remaining as of June 30, 2023, from the amount authorized for the  
159 previous fiscal year. In addition, this reappropriation shall not  
160 change the purpose for which the funds were originally authorized.

161 **SECTION 15.** The Mississippi Department of Archives and  
162 History is authorized to accept and expend any grant, donation, or  
163 contribution from any individual, public, or private organization,  
164 or government entity for purposes of defraying the operational  
165 costs of the department. Such grants, donations or contributions  
166 shall be received and expended under the rules and regulations of  
167 the Department of Finance and Administration in a manner  
168 consistent with the escalation of federal funds not to exceed One  
169 Million Dollars (\$1,000,000.00).

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

176           **SECTION 17.** This act shall take effect and be in force from  
177 and after July 1, 2023, and shall stand repealed June 29, 2023.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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 2024.

SS15\HB1612A.J

Eugene S. Clarke  
Secretary of the Senate