

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MR. PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1822: Appropriation; Arts Commission.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

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 Mississippi Arts Commission for the fiscal year  
9 beginning July 1, 2024, and ending June 30, 2025.....  
10 .....\$           1,555,682.00.

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 Mississippi Arts  
14 Commission which is comprised of special source funds and  
15 donations collected by or otherwise available to the commission,  
16 for the purpose of defraying the expenses of the commission for  
17 the fiscal year beginning July 1, 2024, and ending June 30, 2025..  
18 .....\$           6,161,700.00.



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

21           AUTHORIZED HEADCOUNT:

22           Permanent:                   10

23           Time-Limited:                2

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 2026 do not exceed Fiscal Year 2025 funds  
27 appropriated for that purpose unless programs or positions are  
28 added to the agency's Fiscal Year 2025 budget by the Mississippi  
29 Legislature. The Legislature shall determine the agency's  
30 personal services appropriation, which the State Personnel Board  
31 shall publish. The agency's personal services appropriation may  
32 consist of restricted funds for approved vacancies for Fiscal Year  
33 2025 that may be utilized to fill vacant Fiscal Year 2024  
34 headcount. It shall be the agency's responsibility to ensure that  
35 the funds provided for vacancies are used to increase headcount  
36 and not for promotions, title changes, in-range salary adjustments  
37 or any other mechanism for increasing salaries for current  
38 employees. It is the Legislature's intention that no employee  
39 salary falls below the minimum salary established by the  
40 Mississippi State Personnel Board.

41           Additionally, the State Personnel Board shall determine and  
42 publish the projected annualized payroll costs based on current  
43 employees. It shall be the responsibility of the agency head to



44 ensure that actual personnel expenditures for Fiscal Year 2025 do  
45 not exceed the data provided by the Legislative Budget Office. If  
46 the agency's Fiscal Year 2025 projected cost exceeds the  
47 annualized costs, no salary actions shall be processed by the  
48 State Personnel Board except for new hires determined to be  
49 essential for the agency.

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

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

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

67 **SECTION 4.** It is the intention of the Legislature that the  
68 Mississippi Arts Commission shall maintain complete accounting and



69 personnel records related to the expenditure of all funds  
70 appropriated under this act and that such records shall be in the  
71 same format and level of detail as maintained for Fiscal Year  
72 2024. It is further the intention of the Legislature that the  
73 agency's budget request for Fiscal Year 2026 shall be submitted to  
74 the Joint Legislative Budget Committee in a format and level of  
75 detail comparable to the format and level of detail provided  
76 during the Fiscal Year 2025 budget request process.

77 **SECTION 5.** Of the funds appropriated under the provisions of  
78 Section 2, funds in the amount of One Million Four Hundred Ninety  
79 Thousand Dollars (\$1,490,000.00) shall be derived from the  
80 Education Enhancement Fund deposited pursuant to Sections 27-65-75  
81 and 27-67-31, Mississippi Code of 1972, for the following:

82	Training of educators and promotion of arts programs in	
83	public schools.....	\$ 100,000.00
84	Miscellaneous grants and programs.....	\$ 350,000.00
85	Whole Schools Initiative.....	\$ 1,040,000.00

86 **SECTION 6.** It is the intention of the Legislature that  
87 whenever two (2) or more bids are received by this agency for the  
88 purchase of commodities or equipment, and whenever all things  
89 stated in such received bids are equal with respect to price,  
90 quality and service, the Mississippi Industries for the Blind  
91 shall be given preference. A similar preference shall be given to  
92 the Mississippi Industries for the Blind whenever purchases are  
93 made without competitive bids.



94           **SECTION 7.** It is the intention of the Legislature that the  
95 funds herein appropriated shall be expended in compliance with  
96 Section 27-104-25, Mississippi Code of 1972, that no state agency  
97 shall incur obligations or indebtedness in excess of their  
98 appropriation and that the responsible officers, either personally  
99 or upon their official bonds, shall be held responsible for  
100 actions contrary to this provision.

101           **SECTION 8.** It is the intention of the Legislature that the  
102 Arts Commission may retain an amount not to exceed one percent  
103 (1%) of the monies in the Building Fund for the Arts for the  
104 purpose of defraying administrative costs associated with  
105 administering the grant program established in Section 39-11-13,  
106 Mississippi Code of 1972.

107           **SECTION 9.** Of the funds appropriated under the provisions of  
108 Section 2, Three Million Five Hundred Thousand Dollars  
109 (\$3,500,000.00), or so much thereof as may be necessary, shall be  
110 derived out of any money in the State Treasury to the credit of  
111 the Capital Expense Fund, as created in Section 27-103-303,  
112 Mississippi Code of 1972, and allocated in a manner as determined  
113 by the Treasurer's Office.

114           This appropriation is made for the purpose of providing the  
115 funds for the Building Fund for the Arts.

116           **SECTION 10.** The following sum, or so much thereof as may be  
117 necessary, is reappropriated out of any money in the Capital  
118 Expense Fund not otherwise appropriated for the Arts Commission



119 for the purpose of reauthorizing the expenditure of Capital  
120 Expense Funds, as authorized in HB 1611, 2023 Regular Session to  
121 provide for the funding of the Building Fund for the Arts  
122 Initiative for the fiscal year beginning July 1, 2024, and ending  
123 June 30, 2025.....\$ 3,500,000.00.

124 Notwithstanding the amount reappropriated under this section,  
125 the amount that may be expended under the authority of this  
126 section, shall not exceed the unexpended balance of the funds  
127 remaining as of June 30, 2024, from the amount authorized for the  
128 previous fiscal year. In addition, this reappropriation shall not  
129 change the purpose for which the funds were originally authorized.

130 **SECTION 11.** 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 12.** This act shall take effect and be in force from  
137 and after July 1, 2024.

**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 MISSISSIPPI ARTS COMMISSION FOR THE FISCAL  
3 YEAR 2025.



CONFEREES FOR THE HOUSE

X (SIGNED)  
Oliver

X (SIGNED)  
Read

X (SIGNED)  
Massengill

CONFEREES FOR THE SENATE

X (SIGNED)  
Hopson

X (SIGNED)  
McCaughn

X (SIGNED)  
DeLano

