

By: Senator(s) Gordon, Little, Jackson (32nd), Harden, Hyde-Smith, Posey, Walls To: Appropriations

SENATE BILL NO. 2043

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE MISSISSIPPI FAIR COMMISSION, THE MISSISSIPPI
3 LIVESTOCK COLISEUM AND THE INDUSTRIAL SHOWCASE AND TRADE MART
4 BUILDING FOR FISCAL YEAR 2006.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. The following sum of money, or so much thereof as
7 may be necessary, is hereby appropriated out of any money in the
8 State Treasury to the credit of the Mississippi Fair Commission
9 for the purpose of defraying the expenses of said Mississippi Fair
10 Commission, the Mississippi Livestock Coliseum, the Industrial
11 Showcase, the Trade Mart Building and for the purpose of paying
12 any indebtedness which may accrue for the period beginning
13 July 1, 2005, and ending June 30, 2006..... \$ 4,332,827.00.

14 SECTION 2. Of the funds appropriated under the provisions of
15 Section 1, not more than the amounts set forth below shall be
16 expended for the respective major objects or purposes of
17 expenditure:

18 MAJOR OBJECTS OF EXPENDITURE:

19 Personal Services:

Table with 2 columns: Description and Amount. Rows include Salaries, Wages and Fringe Benefits (\$1,551,326.00), Travel and Subsistence (6,000.00), Contractual Services (2,227,501.00), Commodities (225,000.00), Capital Outlay: Other Than Equipment (0.00), Equipment (91,000.00), Subsidies, Loans and Grants (232,000.00), and Total (\$4,332,827.00).

29 AUTHORIZED POSITIONS:

30	Permanent:	Full Time.....	16
31		Part Time.....	44
32	Time-Limited:	Full Time.....	0
33		Part Time.....	0

34 With the funds herein appropriated, it is the intention of
35 the Legislature that it shall be the agency's responsibility to
36 make certain that funds required to be appropriated for "Personal
37 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
38 funds appropriated for that purpose, unless programs or positions
39 are added to the agency's Fiscal Year 2007 budget by the
40 Mississippi Legislature. Based on data provided by the
41 Legislative Budget Office, the State Personnel Board shall
42 determine and publish the projected annual cost to fully fund all
43 appropriated positions in compliance with the provisions of this
44 act. It shall be the responsibility of the agency head to insure
45 that no single personnel action increases this projected annual
46 cost and/or the Fiscal Year 2006 appropriation for "Personal
47 Services" when annualized, with the exception of escalated funds.
48 If, at the time the agency takes any action to change "Personal
49 Services," the State Personnel Board determines that the agency
50 has taken an action which would cause the agency to exceed this
51 projected annual cost or the Fiscal Year 2006 "Personal Services"
52 appropriated level, when annualized, then only those actions which
53 reduce the projected annual cost and/or the appropriation
54 requirement will be processed by the State Personnel Board until
55 such time as the requirements of this provision are met.

56 Any transfers or escalations shall be made in accordance with
57 the terms, conditions and procedures established by law or
58 allowable under the terms set forth within this act. The State
59 Personnel Board shall not escalate positions without written
60 approval from the Department of Finance and Administration. The
61 Department of Finance and Administration shall not provide written

62 approval to escalate any funds for salaries and/or positions
63 without proof of availability of new or additional funds above the
64 appropriated level.

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

69 The agency shall not take any action to promote or otherwise
70 award salary increases through reallocation, reclassification,
71 realignment, education benchmark, career ladder, or any other
72 means to increase salaries of employees or positions unless
73 specifically exempted by the following conditions: the award of
74 teacher pay increases, the advancement of a trainee/cadet to the
75 next level of a bona fide career ladder, the award of an
76 educational benchmark for the attainment of Certified Public
77 Accountant License or higher level professional certification as
78 determined by the State Personnel Board, the immediate replacement
79 of a departing employee with an individual from within state
80 service or a new hire at a salary level equivalent to that of the
81 departing employee, and the emergency appointment of nurses,
82 pharmacists or other health care professionals at a salary to be
83 determined by the State Personnel Board, unless otherwise
84 authorized in this act.

85 **SECTION 3.** No operation, maintenance or service contracts,
86 agreements or obligations for commodities, concessions, or
87 catering services, shall be entered into or renewed by this agency
88 for a period of more than three (3) years nor unless said
89 contracts, agreements or obligations have been made in accordance
90 with Sections 31-7-11, 31-7-13, 31-7-55 and 31-7-57, Mississippi
91 Code of 1972.

92 **SECTION 4.** Of the funds provided herein, the sum of One
93 Hundred Fifty-six Thousand One Hundred Fifty-one Dollars
94 (\$156,151.00) is hereby assessed on any non-federal special funds

95 and shall be deposited to the Budget Contingency Fund created in
96 Section 27-103-301, Mississippi Code of 1972, on or before October
97 1, 2005, for the purpose of reimbursing the State of Mississippi
98 for administrative costs.

99 **SECTION 5.** Of the funds appropriated in Section 1 and
100 authorized for expenditure in Section 2, it is the intention of
101 the Legislature that Twelve Thousand Dollars (\$12,000.00) shall be
102 transferred to the Fair Commission - County Livestock Shows during
103 the Fiscal Year 2006.

104 **SECTION 6.** The money herein appropriated shall be paid by
105 the State Treasurer out of any money in the State Treasury to the
106 credit of the proper fund or funds as set forth in this act, upon
107 warrants issued by the State Fiscal Officer; and the State Fiscal
108 Officer shall issue his warrants upon requisitions signed by the
109 proper person, officer or officers in the manner provided by law.

110 **SECTION 7.** This act shall take effect and be in force from
111 and after July 1, 2005.