

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

To: Appropriations

SENATE BILL NO. 3141

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 YEARS 2007 AND 2008.

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, 2007, and ending June 30, 2008..... \$ 4,588,459.00.

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:

20 Salaries, Wages and Fringe Benefits.. \$ 1,706,958.00  
21 Travel and Subsistence..... 6,000.00  
22 Contractual Services..... 2,227,501.00  
23 Commodities..... 225,000.00

24 Capital Outlay:

25 Other Than Equipment..... 50,000.00  
26 Equipment..... 141,000.00  
27 Vehicles..... 0.00  
28 Wireless Communication Devices..... 0.00

29	Subsidies, Loans and Grants.....	<u>232,000.00</u>
30	Total.....	\$ 4,588,459.00

31 AUTHORIZED POSITIONS:

32	Permanent: Full Time.....	14
33	Part Time.....	42
34	Time-Limited: Full Time.....	0
35	Part Time.....	0

36 Funds are provided herein to adjust the Variable Compensation  
37 Plan to ensure that all full-time employees receive a pay increase  
38 equal to the realignment component of the Variable Compensation  
39 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)  
40 whichever is greater, to be awarded on July 1, 2007.

41 With the funds herein appropriated, it is the intention of  
42 the Legislature that it shall be the agency's responsibility to  
43 make certain that funds required to be appropriated for "Personal  
44 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
45 funds appropriated for that purpose, unless programs or positions  
46 are added to the agency's Fiscal Year 2009 budget by the  
47 Mississippi Legislature. Based on data provided by the  
48 Legislative Budget Office, the State Personnel Board shall  
49 determine and publish the projected annual cost to fully fund all  
50 appropriated positions in compliance with the provisions of this  
51 act. It shall be the responsibility of the agency head to insure  
52 that no single personnel action increases this projected annual  
53 cost and/or the Fiscal Year 2008 appropriation for "Personal  
54 Services" when annualized, with the exception of escalated funds.  
55 If, at the time the agency takes any action to change "Personal  
56 Services," the State Personnel Board determines that the agency  
57 has taken an action which would cause the agency to exceed this  
58 projected annual cost or the Fiscal Year 2008 "Personal Services"  
59 appropriated level, when annualized, then only those actions which  
60 reduce the projected annual cost and/or the appropriation

61 requirement will be processed by the State Personnel Board until  
62 such time as the requirements of this provision are met.

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

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

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

92 **SECTION 3.** No operation, maintenance or service contracts,  
93 agreements or obligations for commodities, concessions, or

94 catering services, shall be entered into or renewed by this agency  
95 for a period of more than three (3) years nor unless said  
96 contracts, agreements or obligations have been made in accordance  
97 with Sections 31-7-11, 31-7-13, 31-7-55 and 31-7-57, Mississippi  
98 Code of 1972.

99         **SECTION 4.** It is the intention of the Legislature that  
100 whenever two (2) or more bids are received by this agency for the  
101 purchase of commodities or equipment, and whenever all things  
102 stated in such received bids are equal with respect to price,  
103 quality and service, the Mississippi Industries for the Blind  
104 shall be given preference. A similar preference shall be given to  
105 the Mississippi Industries for the Blind whenever purchases are  
106 made without competitive bids.

107         **SECTION 5.** It is the intention of the Legislature that the  
108 Mississippi Fair Commission shall have the authority to escalate  
109 its budget and expend funds from any source not to exceed One  
110 Million Five Hundred Thousand Dollars (\$1,500,000.00) in  
111 accordance with rules and regulations of the Department of Finance  
112 and Administration in a manner consistent with the escalation of  
113 federal funds.

114         **SECTION 6.** It is legislative intent to ensure beneficial  
115 information reaches as many Mississippians as possible. Further,  
116 it is legislative intent that the expenditure of public funds for  
117 this purpose be accomplished in an efficient and effective manner.

118         Therefore, state agencies as standard procedure, will observe  
119 the following criteria:

120             (1) Develop goals and desired result for a campaign.

121             (2) Evaluate effectiveness through respected advertising  
122 standards, including market reach and cost effectiveness.

123             (3) Seek public service announcements, which would be aired  
124 by media without cost.

125           (4) Itemize and justify professional assistance and related  
126 expenses for creative and production costs outside of the actual  
127 media expenditures.

128           (5) Utilize Mississippi owned media companies when feasible.

129           **SECTION 7.** The money herein appropriated shall be paid by  
130 the State Treasurer out of any money in the State Treasury to the  
131 credit of the proper fund or funds as set forth in this act, upon  
132 warrants issued by the State Fiscal Officer; and the State Fiscal  
133 Officer shall issue his warrants upon requisitions signed by the  
134 proper person, officer or officers in the manner provided by law.

135           **SECTION 8.** This act shall take effect and be in force from  
136 and after July 1, 2007, except for Section 5 which shall take  
137 effect and be in force from and after passage.