

By: Representatives Read, Huddleston (15th), To: Appropriations
Arnold, Baria, Barton, Boyd, Brown,
Cockerham, Denny, Holland, Ladner, Myers,
Staples, Sullivan, Turner, Watson

HOUSE BILL NO. 1567

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2019.

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 appropriated out of any money in the State Treasury
7 to the credit of the Mississippi Athletic Commission Fund, for the
8 purpose of defraying the expenses of the Mississippi Athletic
9 Commission for the fiscal year beginning July 1, 2018, and ending
10 June 30, 2019\$ 131,224.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	1
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0



18 With the funds herein appropriated, it shall be the agency's
19 responsibility to make certain that funds required to be
20 appropriated for "Personal Services" for Fiscal Year 2020 do not
21 exceed Fiscal Year 2019 funds appropriated for that purpose,
22 unless programs or positions are added to the agency's Fiscal Year
23 2019 budget by the Mississippi Legislature. Based on data
24 provided by the Legislative Budget Office, the State Personnel
25 Board shall determine and publish the projected annual cost to
26 fully fund all appropriated positions in compliance with the
27 provisions of this act. It shall be the responsibility of the
28 agency head to ensure that no single personnel action increases
29 this projected annual cost and/or the Fiscal Year 2019
30 appropriations for "Personal Services" when annualized, with the
31 exception of escalated funds and the award of benchmarks. If, at
32 the time the agency takes any action to change "Personal
33 Services," the State Personnel Board determines that the agency
34 has taken an action which would cause the agency to exceed this
35 projected annual cost or the Fiscal Year 2019 "Personal Services"
36 appropriated level, when annualized, then only those actions which
37 reduce the projected annual cost and/or the appropriation
38 requirement will be processed by the State Personnel Board until
39 such time as the requirements of this provision are met.

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 **SECTION 3.** It is the intention of the Legislature that the
58 Mississippi Athletic Commission shall maintain complete accounting
59 and personnel records related to the expenditure of all funds
60 appropriated under this act and that such records shall be in the
61 same format and level of detail as maintained for Fiscal Year
62 2018. It is further the intention of the Legislature that the
63 agency's budget request for Fiscal Year 2020 shall be submitted to
64 the Joint Legislative Budget Committee in a format and level of
65 detail comparable to the format and level of detail provided
66 during the Fiscal Year 2019 budget request process.



67 **SECTION 4.** It is the intention of the Legislature that
68 whenever two (2) or more bids are received by this agency for the
69 purchase of commodities or equipment, and whenever all things
70 stated in such received bids are equal with respect to price,
71 quality and service, the Mississippi Industries for the Blind
72 shall be given preference. A similar preference shall be given to
73 the Mississippi Industries for the Blind whenever purchases are
74 made without competitive bids.

75 **SECTION 5.** It is the intention of the Legislature that the
76 funds herein appropriated shall be expended in compliance with
77 Section 27-104-25, Mississippi Code of 1972, that no state agency
78 shall incur obligations or indebtedness in excess of their
79 appropriation and that the responsible officers, either personally
80 or upon their official bonds, shall be held responsible for
81 actions contrary to this provision.

82 **SECTION 6.** With the funds appropriated herein, the Chairman
83 of the Commission shall be ex officio the recorder of permits and
84 licenses and for his service as such shall receive an annual
85 salary equal to Forty Thousand Dollars (\$40,000.00).

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



92 **SECTION 8.** It is the intention of the Legislature that this
93 agency shall have the authority to expend funds from any source
94 that may become available to the agency in accordance with the
95 rules and regulations of the Department of Finance and
96 Administration in a manner consistent with the escalation of
97 federal funds for the purpose of funding any increase in health
98 insurance costs for Fiscal Year 2019, or for the purpose of
99 funding additional fees, costs or assessments received by the
100 agency from the Department of Information Technology Services or
101 the Department of Finance and Administration for Fiscal Year 2019
102 that may be incurred by the agency as a result of legislation
103 passed during the 2018 Regular Session of the Legislature and
104 approved by the Governor. The agency is authorized to escalate
105 other special funds for the limited purposes provided in this
106 section in an amount not to exceed Three Thousand Eight Hundred
107 Seventy-one Dollars (\$3,871.00).

108 **SECTION 9.** This act shall take effect and be in force from
109 and after July 1, 2018.

