

By: Senator(s) Clarke, Hopson, Carmichael,
Jackson (11th), Moran

To: Appropriations

SENATE BILL NO. 2985
(As Sent to Governor)

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 2019.

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, 2018, and ending June 30, 2019.....\$ 5,737,369.00.

14 **SECTION 2.** Of the funds appropriated under the provisions of
15 this act, the following positions are authorized:

16 AUTHORIZED POSITIONS:

17	Permanent:	Full Time.....	15
18		Part Time.....	40
19	Time-Limited:	Full Time.....	0



20 Part Time..... 0

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

43 Any transfers or escalations shall be made in accordance with
44 the terms, conditions and procedures established by law or



45 allowable under the terms set forth within this act. The State
46 Personnel Board shall not escalate positions without written
47 approval from the Department of Finance and Administration. The
48 Department of Finance and Administration shall not provide written
49 approval to escalate any funds for salaries and/or positions
50 without proof of availability of new or additional funds above the
51 appropriated level.

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

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

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

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 Mississippi Fair Commission shall have the authority to advertise,
77 bid and enter into multiyear contracts for the purpose of renting
78 or leasing to such entity the right to place a sign on such
79 property under the commission's domain, in accordance with any
80 such rules and regulations of the Bureau of Building, Grounds and
81 Real Property Management. All proceeds generated from these
82 activities shall remain with the commission and shall be deposited
83 into the proper special fund for the purpose of marketing and the
84 support of youth livestock shows.

85 **SECTION 6.** It is the intention of the Legislature that the
86 funds herein appropriated shall be expended in compliance with
87 Section 27-104-25, Mississippi Code of 1972, that no state agency
88 shall incur obligations or indebtedness in excess of their
89 appropriation and that the responsible officers, either personally
90 or upon their official bonds, shall be held responsible for
91 actions contrary to this provision.

92 **SECTION 7.** The money herein appropriated shall be paid by
93 the State Treasurer out of any money in the State Treasury to the
94 credit of the proper fund or funds as set forth in this act, upon



95 warrants issued by the State Fiscal Officer; and the State Fiscal
96 Officer shall issue his warrants upon requisitions signed by the
97 proper person, officer or officers, in the manner provided by law.

98 **SECTION 8.** This act shall take effect and be in force from
99 and after July 1, 2018.

