

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

To: Appropriations

SENATE BILL NO. 3141  
(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 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..... \$ 4,627,221.00.

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.. \$ 1,723,720.00  
21 Travel and Subsistence..... 6,000.00  
22 Contractual Services..... 2,249,501.00  
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..... 232,000.00  
30           Total..... \$       4,627,221.00

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 Five Hundred Dollars (\$1,500.00), whichever  
40 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 2008 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 appropriations for "Personal  
54 Services" when annualized, with the exception of escalated funds  
55 and educational benchmarks. If, at the time the agency takes any  
56 action to change "Personal Services," the State Personnel Board  
57 determines that the agency has taken an action which would cause  
58 the agency to exceed this projected annual cost or the Fiscal Year  
59 2008 "Personal Services" appropriated level, when annualized, then  
60 only those actions which reduce the projected annual cost and/or  
61 the appropriation requirement will be processed by the State

62 Personnel Board until such time as the requirements of this  
63 provision are met. On January 1, 2008, the State Personnel Board  
64 will make adjustments to the structure side of the compliance  
65 report based on data provided by the Legislative Budget Office in  
66 order for agencies to award educational benchmarks.

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

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79 act and which are withdrawn and no longer available.

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

87 **SECTION 4.** It is the intention of the Legislature that  
88 whenever two (2) or more bids are received by this agency for the  
89 purchase of commodities or equipment, and whenever all things  
90 stated in such received bids are equal with respect to price,  
91 quality and service, the Mississippi Industries for the Blind  
92 shall be given preference. A similar preference shall be given to  
93 the Mississippi Industries for the Blind whenever purchases are  
94 made without competitive bids.

95           **SECTION 5.** Of the funds appropriated in Section 1 and  
96 authorized for expenditure in Section 2, it is the intention of  
97 the Legislature that Twenty-two Thousand Dollars (\$22,000.00)  
98 shall be transferred to the Fair Commission - County Livestock  
99 Shows, and for the following allocation: Twelve Thousand Dollars  
100 (\$12,000.00) is provided for Traditional Groom Shows and Ten  
101 Thousand Dollars (\$10,000.00) is provided for NCHA Eastern  
102 National Championships.

103           **SECTION 6.** It is the intention of the Legislature that the  
104 Mississippi Fair Commission shall have the authority to escalate  
105 its budget and expend funds from any source not to exceed One  
106 Million Five Hundred Thousand Dollars (\$1,500,000.00) in  
107 accordance with rules and regulations of the Department of Finance  
108 and Administration in a manner consistent with the escalation of  
109 federal funds.

110           **SECTION 7.** It is legislative intent to ensure beneficial  
111 information reaches as many Mississippians as possible. Further,  
112 it is legislative intent that the expenditure of public funds for  
113 this purpose be accomplished in an efficient and effective manner.

114           Therefore, state agencies as standard procedure, will observe  
115 the following criteria:

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

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

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

121           (4) Itemize and justify professional assistance and related  
122 expenses for creative and production costs outside of the actual  
123 media expenditures.

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

125           **SECTION 8.** The money herein appropriated shall be paid by  
126 the State Treasurer out of any money in the State Treasury to the  
127 credit of the proper fund or funds as set forth in this act, upon

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

131       **SECTION 9.** This act shall take effect and be in force from  
132 and after July 1, 2007, except for Section 6 which shall take  
133 effect and be in force from and after passage.