5/12 9'18a

Chapter No. 5
10/SS02/A421SG
JW / pt/si

SENATE BILL NO. 3123

Originated in Senate [signature] Secretary

SENATE BILL NO. 3123

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2011.

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

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2010, and ending June 30, 2011 ..... $ 26,294,669.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2010, and ending June 30, 2011 ..... $ 15,247,698.00.

SECTION 3. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Home Economics, 4-H and Community Resource Development in each county.

SECTION 5. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services of any attorney who

was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2012 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2011 budget request process.

SECTION 7. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2011 Regular Session of the Mississippi Legislature.

SECTION 8. Of the funds appropriated in Section 2, Nine Hundred Seventy-five Thousand Two Hundred Forty-five Dollars ($975,245.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2011 Target
Agric & Natural Resources	

Published Information (Items)	4,000
Mass Media Exposure (Items)	3,250
Educational Contacts (Persons)	830,000
Cost per Educational Contact ($)	32.50
Family & Consumer Education	
Published Information (Items)	17,202
Educational Contacts (Persons)	767,500
Cost per Educational Contact ($)	10.93
Enterprise & Community Res Dev	
Educational Contacts (Persons)	140,000
Cost per Educational Contact ($)	16.02
4-H Youth Development	
Educational Contacts (Persons)	620,000
Cost per Educational Contact ($)	16.67

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2012.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is legislative intent to ensure beneficial information reaches as many Mississippians as possible. Further, it is legislative intent that the expenditure of public funds for this purpose be accomplished in an efficient and effective manner.

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

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

(b) Evaluate effectiveness through respected advertising standards, including market reach and cost-effectiveness.

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

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

(e) Utilize Mississippi-owned media companies when feasible.

SECTION 12. It is the intention of the Legislature that the agency shall compile cell phone usage records of any cellular phone (wireless communication device) that is assigned, issued or made available to any officer or employee in accordance with Section 25-53-191, Mississippi Code of 1972, and these records shall be made publicly available at the expense of the agency.

SECTION 13. It is the intention of the Legislature that this agency shall have the authority to receive, budget and expend funds from any source that may become available to them as a result of the passage of the American Recovery and Reinvestment Act of 2009 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Executive Director of the Department of Finance and Administration shall have the authority to approve escalations of funds and employee positions using funds from any source available due to the passage of the American Recovery and Reinvestment Act of 2009.

The Executive Director of the Department of Finance and Administration shall immediately send notice of the approval of such budget escalation to the House of Representatives Appropriations Committee, the Senate Appropriations Committee and the Legislative Budget Office. Within fifteen (15) days of such

approval, the Executive Director of the Department of Finance and Administration shall ensure that the Legislative Budget Office receives detailed and accurate information about the amount and use of federal and special source funds by state agencies as a result of the passage of the American Recovery and Reinvestment Act of 2009.

SECTION 14. Of the funds provided within this act, no former employee who is receiving State of Mississippi retirement benefits shall be hired under contract for an amount exceeding Twenty Thousand Dollars ($20,000.00) a year without prior approval by an agency's proper governing board or authority. Upon approval of such contracts a written report shall be submitted detailing the cost and need of contract services to the Chairmen and members of the Senate and House Appropriation Committees.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2010.

PASSED BY THE SENATE
April 21, 2010

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 21, 2010

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

GOVERNOR

5/12/10 9:18a