

By: Senator(s) Gordon, Thames, Scoper,
Walls, Burton, Cuevas, Dawkins, Huggins,
Turner

To: Appropriations

SENATE BILL NO. 3146
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2003.

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

4 **SECTION 1.** The following sum of money, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 State General Fund not otherwise appropriated, to defray the
7 expenses of the Mississippi Development Authority for the fiscal
8 year beginning July 1, 2002, and ending June 30, 2003.....
9 \$ 18,833,051.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Mississippi Development Authority or
13 the appropriate special fund for the purpose of defraying the
14 expenses incurred in the operation of the various divisions of the
15 authority for the fiscal year beginning July 1, 2002, and ending
16 June 30, 2003..... \$ 152,158,387.00.

17 **SECTION 3.** With the funds appropriated under the provisions
18 of Sections 1 and 2, the following positions are authorized:

19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time.....	309
21		Part Time.....	2
22	Time-Limited:	Full Time.....	30
23		Part Time.....	1

24 Funds are provided herein to adjust the Variable Compensation
25 Plan to ensure that all full-time employees receive a pay increase
26 equal to fifty percent (50%) of the realignment component of the



27 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
28 whichever is greater, beginning on January 1, 2003.

29 With the funds herein appropriated, it is the intention of
30 the Legislature that it shall be the agency's responsibility to
31 make certain that funds required to be appropriated for "Personal
32 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
33 funds appropriated for that purpose, unless programs, positions or
34 pay increases are added to the agency's budget by the Mississippi
35 Legislature. Based on data provided by the Legislative Budget
36 Office, the State Personnel Board shall, on July 1, 2002, publish
37 separate annual projection reports, based on July 1, 2002 data,
38 for the period of July 1, 2002 through December 31, 2002, and
39 January 1, 2003 through June 30, 2003, that project the annual
40 cost to fully fund all appropriated positions in compliance with
41 the provisions of this act. It shall be the responsibility of the
42 agency head to ensure that no single personnel action increases
43 this projected cost and/or the Fiscal Year 2003 appropriation for
44 "Personal Services," as annualized on a semi-annual basis in
45 accordance with the provisions of this act. If, at the end of any
46 calendar month, the State Personnel Board determines that the
47 agency has taken action(s) which would cause the agency to exceed
48 this projected annual cost or the Fiscal Year 2003 "Personal
49 Services" appropriated level, when annualized in compliance with
50 the provisions of this act, then only those actions which reduce
51 the projected annual cost and/or the appropriation requirement
52 will be processed by the State Personnel Board until such time as
53 the requirements of this provision are met.

54 Any transfers or escalations shall be made in accordance with
55 the terms, conditions, and procedures established by law.

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



60 **SECTION 4.** Of the funds appropriated in Section 2, the
61 amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) shall
62 be provided from the Motor Carrier Regulation Account to defray
63 the expenses of the Mississippi Development Authority in operating
64 the state welcome centers.

65 **SECTION 5.** Of the funds appropriated under the provisions of
66 Section 2, One Million Nine Hundred Twenty-eight Thousand Four
67 Hundred Six Dollars (\$1,928,406.00) shall be derived from the
68 Budget Contingency Fund created in Section 27-103-301, Mississippi
69 Code of 1972.

70 **SECTION 6.** Of the funds appropriated under the provisions of
71 Section 2, Five Million Dollars (\$5,000,000.00) shall be derived
72 from the Mississippi Department of Transportation and is allocated
73 in this act as follows:

74 for Mississippi Tourism Advertising and
75 Promotion in Section 10.....\$ 2,000,000.00.
76 for supporting, marketing, and facilitating
77 Mississippi business growth in
78 Section 11.....\$ 500,000.00.
79 for defraying the expenses of the
80 Mississippi Development Authority\$ 2,500,000.00.

81 **SECTION 7.** The acceptance and expenditure of funds, and
82 interest on such funds, received from, or by virtue of consent or
83 other orders of or agreements involving any agency,
84 instrumentality, or judicial tribunal of any state or the United
85 States for petroleum price compliance and allocation which may
86 become available during the fiscal year for the support of the
87 Mississippi Development Authority or any programs sponsored under
88 the terms of the receipt of these funds are hereby authorized not
89 to exceed Two Million Dollars (\$2,000,000.00) and approved,
90 provided such receipts and expenditures are reported and otherwise
91 accounted for in accordance with Section 27-103-101 et seq., and
92 Section 27-104-1 et seq., Mississippi Code of 1972.



93 **SECTION 8.** It is the intention of the Legislature that the
94 Mississippi Development Authority is hereby authorized to
95 escalate, budget and expend funds from any source not to exceed
96 Five Million Dollars (\$5,000,000.00) in accordance with rules and
97 regulations of the Department of Finance and Administration in a
98 manner consistent with the escalation of federal funds.

99 **SECTION 9.** It is the intention of the Legislature that the
100 Mississippi Development Authority shall maintain complete
101 accounting and personnel records related to the expenditure of all
102 funds appropriated under this act and that such records shall be
103 in the same format and level of detail as maintained for Fiscal
104 Year 2002. It is further the intention of the Legislature that
105 the agency's budget request for Fiscal Year 2004 shall be
106 submitted to the Joint Legislative Budget Committee in a format
107 and level of detail comparable to the format and level of detail
108 provided during the Fiscal Year 2003 budget request process.

109 **SECTION 10.** Of the funds appropriated in Sections 1 and 2,
110 the amount of Six Million Four Hundred Sixty-two Thousand Dollars
111 (\$6,462,000.00), or so much thereof as may be necessary, is
112 provided for the purpose of supporting Mississippi Tourism
113 Advertising and Promotion for Fiscal Year 2003. The expenditure
114 of funds authorized in this section shall be exempt from Section
115 25-9-120, Mississippi Code of 1972.

116 **SECTION 11.** Of the funds appropriated in Sections 1 and 2,
117 the amount of One Million Five Hundred Sixty-seven Thousand
118 Dollars (\$1,567,000.00), or so much thereof as may be necessary,
119 is provided for the purpose of supporting, marketing, and
120 facilitating Mississippi business growth for Fiscal Year 2003.
121 The expenditure of funds authorized in this section shall be
122 exempt from Section 25-9-120, Mississippi Code of 1972.

123 **SECTION 12.** In compliance with the "Mississippi Performance
124 Budget and Strategic Planning Act of 1994," it is the intent of
125 the Legislature that the funds provided herein shall be utilized



126 in the most efficient and effective manner possible to achieve the
 127 intended mission of this agency. Based on the funding authorized,
 128 this agency shall make every effort to attain the targeted
 129 performance measures provided below:

	FY2003
<u>Performance Measures</u>	<u>Target</u>
132 International/national	
133 National Recruitment Contacts (Actions)	3,100
134 International Investment Contacts (Actions)	400
135 International Trade Contacts (Actions)	1,500
136 Qualified National Prospects (Prospects)	200
137 Minority Business	
138 Minority Business Contacts (Contacts)	4,650
139 Minority Business Certifications (Actions)	316
140 Financial Resources	
141 Request for Financing or Incentives (Actions)	300
142 Existing Industry & Business	
143 Interactions with Interstate	
144 Businesses (Actions)	6,000
145 Businesses Assisted (Entities)	3,000
146 Tourism Services	
147 Tourist Inquiries Generated (Number)	734,302
148 Welcome Centers	
149 Tourists Registered (Persons)	3,083,726
150 Energy	
151 BTUs Saved (Units in Trillions)	71.67
152 Clients Served (Entities)	34,650
153 Community Services	
154 Amount of Grants Awarded (\$)	60,000,000
155 Grants & Loans Awarded (Items)	205
156 Community Programs Delivered (Programs)	265
157 Employment Training	
158 Successful Program Completion by Clients (%)	78



159 Clients Served (Persons) 12,000

160 A reporting of the degree to which the performance targets
161 set above have been or are being achieved shall be provided in the
162 agency's budget request submitted to the Joint Legislative Budget
163 Committee for Fiscal Year 2004.

164 **SECTION 13.** In addition to all other sums herein
165 appropriated, the following sum, or so much thereof as may be
166 necessary, is hereby appropriated out of any money in the State
167 General Fund not otherwise appropriated, to the Mississippi
168 Development Authority for the purpose of providing funds for
169 Mississippi Technology Alliance, for the fiscal year beginning
170 July 1, 2002, and ending June 30, 2003
171 \$ 1,333,670.00.

172 The funds appropriated under the provisions of this section
173 are provided for the specific purpose of providing state funds for
174 support of Mississippi Technology Alliance to strengthen the
175 business environment in Mississippi to spur the creation and
176 growth of technology-based industries, thus creating many more
177 high-paying jobs and a more diversified, competitive Mississippi
178 economy. The funds herein appropriated shall be held separate and
179 apart from all other funds appropriated to the Mississippi
180 Development Authority.

181 **SECTION 14.** In addition to all other sums herein
182 appropriated, the following sum, or so much thereof as may be
183 necessary, is hereby appropriated out of any money in the State
184 General Fund not otherwise appropriated, to the Mississippi
185 Development Authority for the purpose of providing funds to
186 support the Stennis Space Center - Space Commerce
187 Initiative, for the fiscal year beginning July 1, 2002, and ending
188 June 30, 2003..... \$ 1,234,880.00.

189 The funds herein appropriated shall be held separate and
190 apart from all other funds appropriated to the Mississippi
191 Development Authority. As a condition for the expenditure of



192 funds appropriated in this Section, the Mississippi Space Commerce
193 Initiative (MSCI) shall prepare a plan that sets out the MSCI
194 mission and identifies the methodology through which MSCI will
195 interface with other Mississippi agencies, institutions and
196 federal agencies. This plan shall be presented to the Chairmen of
197 the Appropriations Committees of the Senate and House of
198 Representatives on or before October 1, 2002.

199 **SECTION 15.** In addition to all other sums herein
200 appropriated, the following sum, or so much thereof as may be
201 necessary, is hereby appropriated out of any special source funds
202 not otherwise appropriated, for the purpose of providing funds to
203 support the Stennis Space Center - Space Commerce Initiative, for
204 the fiscal year beginning July 1, 2002, and ending June 30, 2003
205 \$ 4,000,000.00.

206 **SECTION 16.** None of the funds appropriated in Section 2
207 shall be expended unless members of the Mississippi House of
208 Representatives and Mississippi Senate representing such districts
209 are notified at least ten (10) days prior to the awarding of
210 Community Development Block Grants or any other grants to their
211 districts.

212 **SECTION 17.** The money herein appropriated shall be paid by
213 the State Treasurer out of any money in the State Treasury to the
214 credit of the proper fund or funds as set forth in this act, upon
215 warrants issued by the State Fiscal Officer; and the State Fiscal
216 Officer shall issue his warrants upon requisitions signed by the
217 proper person, officer or officers, in the manner provided by law.

218 **SECTION 18.** This act shall take effect and be in force from
219 and after July 1, 2002.

