

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

Senate Bill NO. 3146

By Representative(s) Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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 \$ 19,061,457.00.

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..... \$ 145,229,981.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 Sections 1 and 2, not more than the amounts set forth below shall
19 be expended for the respective major objects or purposes of
20 expenditure:

21 MAJOR OBJECTS OF EXPENDITURE:

22 Personal Services:

23 Salaries, Wages and Fringe Benefits.. \$ 15,068,430.00

24	Travel and Subsistence.....	819,566.00
25	Contractual Services.....	12,119,633.00
26	Commodities.....	1,505,000.00
27	Capital Outlay:	
28	Other Than Equipment.....	10,500.00
29	Equipment.....	100,000.00
30	Subsidies, Loans and Grants.....	<u>134,668,309.00</u>
31	Total.....	\$ 164,291,438.00

32 FUNDING:

33	General Funds.....	\$ 19,061,457.00
34	Special Funds.....	<u>145,229,981.00</u>
35	Total.....	\$ 164,291,438.00

36 AUTHORIZED POSITIONS:

37	Permanent: Full Time.....	279
38	Part Time.....	3
39	Time-Limited: Full Time.....	28
40	Part Time.....	2

41 Funds are provided herein to adjust the Variable Compensation
42 Plan to ensure that all full-time employees receive a pay increase
43 equal to fifty percent (50%) of the realignment component of the
44 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
45 whichever is greater, beginning on January 1, 2003.

46 With the funds herein appropriated, it is the intention of
47 the Legislature that it shall be the agency's responsibility to
48 make certain that funds required to be appropriated for "Personal
49 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
50 funds appropriated for that purpose, unless programs, positions or
51 pay increases are added to the agency's budget by the Mississippi
52 Legislature. Based on data provided by the Legislative Budget
53 Office, the State Personnel Board shall, on July 1, 2002, publish
54 separate annual projection reports, based on July 1, 2002 data,
55 for the period of July 1, 2002 through December 31, 2002, and
56 January 1, 2003 through June 30, 2003, that project the annual
57 cost to fully fund all appropriated positions in compliance with
58 the provisions of this act. It shall be the responsibility of the

59 agency head to ensure that no single personnel action increases
60 this projected cost and/or the Fiscal Year 2003 appropriation for
61 "Personal Services," as annualized on a semi-annual basis in
62 accordance with the provisions of this act. If, at the end of any
63 calendar month, the State Personnel Board determines that the
64 agency has taken action(s) which would cause the agency to exceed
65 this projected annual cost or the Fiscal Year 2003 "Personal
66 Services" appropriated level, when annualized in compliance with
67 the provisions of this act, then only those actions which reduce
68 the projected annual cost and/or the appropriation requirement
69 will be processed by the State Personnel Board until such time as
70 the requirements of this provision are met.

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

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

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

82 **SECTION 5.** The acceptance and expenditure of funds, and
83 interest on such funds, received from, or by virtue of consent or
84 other orders of or agreements involving any agency,
85 instrumentality, or judicial tribunal of any state or the United
86 States for petroleum price compliance and allocation which may
87 become available during the fiscal year for the support of the
88 Mississippi Development Authority or any programs sponsored under
89 the terms of the receipt of these funds are hereby authorized not
90 to exceed Two Million Dollars (\$2,000,000.00) and approved,
91 provided such receipts and expenditures are reported and otherwise
92 accounted for in accordance with Section 27-103-101 et seq., and
93 Section 27-104-1 et seq., Mississippi Code of 1972.

94 **SECTION 6.** It is the intention of the Legislature that the
95 Mississippi Development Authority is hereby authorized to
96 escalate, budget and expend funds from any source not to exceed
97 Five Million Dollars (\$5,000,000.00) in accordance with rules and
98 regulations of the Department of Finance and Administration in a
99 manner consistent with the escalation of federal funds.

100 **SECTION 7.** It is the intention of the Legislature that the
101 Mississippi Development Authority shall maintain complete
102 accounting and personnel records related to the expenditure of all
103 funds appropriated under this act and that such records shall be
104 in the same format and level of detail as maintained for Fiscal
105 Year 2002. It is further the intention of the Legislature that
106 the agency's budget request for Fiscal Year 2004 shall be
107 submitted to the Joint Legislative Budget Committee in a format
108 and level of detail comparable to the format and level of detail
109 provided during the Fiscal Year 2003 budget request process.

110 **SECTION 8.** Of the funds appropriated in Sections 1 and 2,
111 the amount of Four Million Four Hundred Sixty-two Thousand Dollars
112 (\$4,462,000.00), or so much thereof as may be necessary, is
113 provided for the purpose of supporting Mississippi Tourism
114 Advertising and Promotion for Fiscal Year 2003. The expenditure
115 of funds authorized in this section shall be exempt from Section
116 25-9-120, Mississippi Code of 1972.

117 **SECTION 9.** Of the funds appropriated in Sections 1 and 2,
118 the amount of One Million Sixty-seven Thousand Dollars
119 (\$1,067,000.00), or so much thereof as may be necessary, is
120 provided for the purpose of supporting, marketing, and
121 facilitating Mississippi business growth for Fiscal Year 2003.
122 The expenditure of funds authorized in this section shall be
123 exempt from Section 25-9-120, Mississippi Code of 1972.

124 **SECTION 10.** In compliance with the "Mississippi Performance
125 Budget and Strategic Planning Act of 1994," it is the intent of
126 the Legislature that the funds provided herein shall be utilized
127 in the most efficient and effective manner possible to achieve the
128 intended mission of this agency. Based on the funding authorized,

129 this agency shall make every effort to attain the targeted
130 performance measures provided below:

	FY2003
<u>Performance Measures</u>	<u>Target</u>
International/national	
National Recruitment Contacts (Actions)	3,100
International Investment Contacts (Actions)	400
International Trade Contacts (Actions)	1,500
Qualified National Prospects (Prospects)	200
Minority Business	
Minority Business Contacts (Contacts)	4,650
Minority Business Certifications (Actions)	316
Financial Resources	
Request for Financing or Incentives (Actions)	300
Existing Industry & Business	
Interactions with Interstate	
Businesses (Actions)	6,000
Businesses Assisted (Entities)	3,000
Tourism Services	
Tourist Inquiries Generated (Number)	734,302
Welcome Centers	
Tourists Registered (Persons)	3,083,726
Energy	
BTUs Saved (Units in Trillions)	71.67
Clients Served (Entities)	34,650
Community Services	
Amount of Grants Awarded (\$)	60,000,000
Grants & Loans Awarded (Items)	205
Community Programs Delivered (Programs)	265
Employment Training	
Successful Program Completion by Clients (%)	78
Clients Served (Persons)	12,000

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

164 Committee for Fiscal Year 2004.

165 **SECTION 11.** It is the intention of the Legislature that the
166 Executive Director of the Mississippi Development Authority may
167 authorize increases in major objects of expenditure in total
168 amounts not to exceed twenty-five percent (25%) of the
169 appropriated amount of each major object of expenditure, provided
170 that other major objects of expenditure are decreased by a
171 corresponding dollar amount. However, no transfers shall be
172 authorized which increase the major object of expenditure
173 "Salaries, Wages and Fringe Benefits."

174 **SECTION 12.** In addition to all other sums herein
175 appropriated, the following sum, or so much thereof as may be
176 necessary, is hereby appropriated out of any money in the State
177 General Fund not otherwise appropriated, to the Mississippi
178 Development Authority for the purpose of providing funds for the
179 Institute for Technology Development, for the fiscal year
180 beginning July 1, 2002, and ending June 30, 2003.....
181 \$ 500,000.00.

182 The funds appropriated under the provisions of this section
183 are provided for the specific purpose of providing state funds for
184 support of the Institute for Technology Development to equip,
185 operate and maintain a post-graduate, integrated circuit design,
186 engineering training program, known as ComPEET. The funds herein
187 appropriated shall be held separate and apart from all other funds
188 appropriated to the Mississippi Development Authority.

189 **SECTION 13.** In addition to all other sums herein
190 appropriated, the following sum, or so much thereof as may be
191 necessary, is hereby appropriated out of any money in the State
192 General Fund not otherwise appropriated, to the Mississippi
193 Development Authority for the purpose of providing funds for
194 Mississippi Technology Alliance, for the fiscal year beginning
195 July 1, 2002, and ending June 30, 2003.....
196 \$ 850,000.00.

197 The funds appropriated under the provisions of this section
198 are provided for the specific purpose of providing state funds for

199 support of Mississippi Technology Alliance to strengthen the
200 business environment in Mississippi to spur the creation and
201 growth of technology-based industries, thus creating many more
202 high-paying jobs and a more diversified, competitive Mississippi
203 economy. The funds herein appropriated shall be held separate and
204 apart from all other funds appropriated to the Mississippi
205 Development Authority.

206 **SECTION 14.** In addition to all other sums herein
207 appropriated, the following sum, or so much thereof as may be
208 necessary, is hereby appropriated out of any money in the State
209 General Fund not otherwise appropriated, to the Mississippi
210 Development Authority for the purpose of providing funds to
211 support the Stennis Space Center - Space Commerce
212 Initiative, for the fiscal year beginning July 1, 2002, and ending
213 June 30, 2003..... \$ 1,250,000.00.

214 The funds herein appropriated shall be held separate and
215 apart from all other funds appropriated to the Mississippi
216 Development Authority.

217 **SECTION 15.** In addition to all other sums herein
218 appropriated, the following sum, or so much thereof as may be
219 necessary, is hereby appropriated out of any special source funds
220 not otherwise appropriated, for the purpose of providing funds to
221 support the Stennis Space Center - Space Commerce Initiative, for
222 the fiscal year beginning July 1, 2002, and ending June 30, 2003
223 \$ 4,000,000.00.

224 **SECTION 16.** None of the funds appropriated in Section 2
225 shall be expended unless members of the Mississippi House of
226 Representatives and Mississippi Senate representing such districts
227 are notified at least three (3) days prior to the awarding of
228 Community Development Block Grants or any other grants to their
229 districts.

230 **SECTION 17.** The money herein appropriated shall be paid by
231 the State Treasurer out of any money in the State Treasury to the
232 credit of the proper fund or funds as set forth in this act, upon
233 warrants issued by the State Fiscal Officer; and the State Fiscal

234 Officer shall issue his warrants upon requisitions signed by the
235 proper person, officer or officers, in the manner provided by law.

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