SENATE BILL NO. 2940
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2004.

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

SECTION 1. The following sum of money, or so much thereof as
may be necessary, is hereby appropriated out of any money in the
State General Fund not otherwise appropriated, to defray the
expenses of the Mississippi Development Authority for the fiscal
year beginning July 1, 2003, and ending June 30, 2004..............

................................................................. $ 18,709,154.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
Treasury to the credit of the Mississippi Development Authority or
the appropriate special fund for the purpose of defraying the
expenses incurred in the operation of the various divisions of the
authority for the fiscal year beginning July 1, 2003, and ending
June 30, 2004................................. $ 152,075,130.00.

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

AUTHORIZED POSITIONS:

Permanant: Full Time............. 309
Part Time.................... 2

Time-Limitad: Full Time........... 30
Part Time..................... 1

With the funds herein appropriated, it is the intention of
the Legislature that it shall be the agency's responsibility to
make certain that funds required to be appropriated for "Personal
Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2005 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2004 appropriation for "Personal Services" when annualized. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2004 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

**SECTION 5.** Of the funds appropriated under the provisions of Section 2, Seven Million Dollars ($7,000,000.00) shall be derived from the Budget Contingency Fund created in Section 27-103-301, Mississippi Code of 1972.
SECTION 6. The acceptance and expenditure of funds, and interest on such funds, received from, or by virtue of consent or other orders of or agreements involving any agency, instrumentality, or judicial tribunal of any state or the United States for petroleum price compliance and allocation which may become available during the fiscal year for the support of the Mississippi Development Authority or any programs sponsored under the terms of the receipt of these funds are hereby authorized not to exceed Two Million Dollars ($2,000,000.00) and approved, provided such receipts and expenditures are reported and otherwise accounted for in accordance with Section 27-103-101 et seq., and Section 27-104-1 et seq., Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget and expend funds from any source not to exceed Five Million Dollars ($5,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2003. It is further the intention of the Legislature that the agency’s budget request for Fiscal Year 2005 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 2004 budget request process.

SECTION 9. Of the funds appropriated in Sections 1 and 2, the amount of Six Million Four Hundred Sixty-two Thousand Dollars ($6,462,000.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2004. The expenditure
of funds authorized in this section shall be exempt from Section 25-9-120, Mississippi Code of 1972.

SECTION 10. Of the funds appropriated in Sections 1 and 2, the amount of One Million Five Hundred Sixty-seven Thousand Dollars ($1,567,000.00), or so much thereof as may be necessary, is provided for the purpose of supporting, marketing, and facilitating Mississippi business growth for Fiscal Year 2004. The expenditure of funds authorized in this section shall be exempt from Section 25-9-120, Mississippi Code of 1972.

SECTION 11. In addition to all other sums herein appropriated, 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, to the Mississippi Development Authority for the purpose of providing funds for Mississippi Technology Alliance, for the fiscal year beginning July 1, 2003, and ending June 30, 2004 ............ $1,300,000.00. The funds appropriated under the provisions of this section are provided for the specific purpose of providing state funds for support of Mississippi Technology Alliance to strengthen the business environment in Mississippi to spur the creation and growth of technology-based industries, thus creating many more high-paying jobs and a more diversified, competitive Mississippi economy. The funds herein appropriated shall be held separate and apart from all other funds appropriated to the Mississippi Development Authority.

SECTION 12. In addition to all other sums herein appropriated, 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, to the Mississippi Development Authority for the purpose of providing funds to support the Stennis Space Center - Space Commerce Initiative, for the fiscal year beginning July 1, 2003, and ending June 30, 2004......................... $ 1,209,130.00.
The funds herein appropriated shall be held separate and apart from all other funds appropriated to the Mississippi Development Authority.

**SECTION 13.** None of the funds appropriated in Section 2 shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate representing such districts are notified at least five (5) days prior to the awarding of Community Development Block Grants or any other grants to their districts.

**SECTION 14.** 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 15.** This act shall take effect and be in force from and after July 1, 2003.