

By: Senator(s) Gordon, Little, Kirby,  
Cuevas, Flowers, Lee (35th), Turner

To: Appropriations

SENATE BILL NO. 3126

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2005.

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, 2004, and ending June 30, 2005.....  
9 ..... \$ 18,471,363.00.

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, 2004, and ending  
16 June 30, 2005..... \$ 144,393,913.00.

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.....	295
21		Part Time.....	2
22	Time-Limited:	Full Time.....	24
23		Part Time.....	1

24 With the funds herein appropriated, it is the intention of  
25 the Legislature that it shall be the agency's responsibility to  
26 make certain that funds required to be appropriated for "Personal  
27 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005

28 funds appropriated for that purpose, unless programs or positions  
29 are added to the agency's Fiscal Year 2006 budget by the  
30 Mississippi Legislature. Based on data provided by the  
31 Legislative Budget Office, the State Personnel Board shall  
32 determine and publish the projected annual cost to fully fund all  
33 appropriated positions in compliance with the provisions of this  
34 act. It shall be the responsibility of the agency head to insure  
35 that no single personnel action increases this projected annual  
36 cost and/or the Fiscal Year 2005 appropriation for "Personal  
37 Services" when annualized, with the exception of escalated funds.  
38 If, at the time the agency takes any action to change "Personal  
39 Services," the State Personnel Board determines that the agency  
40 has taken an action which would cause the agency to exceed this  
41 projected annual cost or the Fiscal Year 2005 "Personal Services"  
42 appropriated level, when annualized, then only those actions which  
43 reduce the projected annual cost and/or the appropriation  
44 requirement will be processed by the State Personnel Board until  
45 such time as the requirements of this provision are met.

46 Any transfers or escalations shall be made in accordance with  
47 the terms, conditions and procedures established by law or  
48 allowable under the terms set forth within this act. The State  
49 Personnel Board shall not escalate positions without written  
50 approval from the Department of Finance and Administration. The  
51 Department of Finance and Administration shall not provide written  
52 approval to escalate any funds for salaries and/or positions  
53 without proof of availability of new or additional funds above the  
54 appropriated level.

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

59 **SECTION 4.** In compliance with the "Mississippi Performance  
60 Budget and Strategic Planning Act of 1994," it is the intent of

61 the Legislature that the funds provided herein shall be utilized  
 62 in the most efficient and effective manner possible to achieve the  
 63 intended mission of this agency. Based on the funding authorized,  
 64 this agency shall make every effort to attain the targeted  
 65 performance measures provided below:

	FY2005
<u>Performance Measures</u>	<u>Target</u>
68 Business Development & Trade	
69       National Recruitment Contacts (Actions)	3,100
70       International Investment Contacts (Actions)	400
71       International Trade Contacts (Actions)	1,500
72       Qualified National Prospects (Prospects)	200
73 Minority Business	
74       Minority Business Contacts (Contacts)	6,500
75       Minority Business Certifications (Actions)	399
76 Financial Resources	
77       Request for Financing or Incentives (Actions)	525
78 Existing Industry & Business	
79       Interactions with Interstate	
80           Businesses (Actions)	5,300
81       Businesses Assisted (Entities)	2,900
82 Tourism Services	
83       Tourist Inquiries Generated (Number)	977,224
84 Welcome Centers	
85       Tourists Registered (Persons)	2,898,701
86 Energy	
87       BTUs Saved (Units in Trillions)	71.67
88       Clients Served (Entities)	34,650
89 Community Services	
90       Amount of Grants Awarded (\$)	60,000,000
91       Grants & Loans Awarded (Items)	210
92       Community Programs Delivered (Programs)	385
93 Employment Training	

94	Successful Program Completion	
95	by Clients (%)	78
96	Clients Served (Persons)	45,000

97 A reporting of the degree to which the performance targets  
98 set above have been or are being achieved shall be provided in the  
99 agency's budget request submitted to the Joint Legislative Budget  
100 Committee for Fiscal Year 2006.

101 **SECTION 5.** Of the funds appropriated in Section 2, the  
102 amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) shall  
103 be provided from the Motor Carrier Regulation Account to defray  
104 the expenses of the Mississippi Development Authority in operating  
105 the state welcome centers.

106 **SECTION 6.** The acceptance and expenditure of funds, and  
107 interest on such funds, received from, or by virtue of consent or  
108 other orders of or agreements involving any agency,  
109 instrumentality, or judicial tribunal of any state or the United  
110 States for petroleum price compliance and allocation which may  
111 become available during the fiscal year for the support of the  
112 Mississippi Development Authority or any programs sponsored under  
113 the terms of the receipt of these funds are hereby authorized not  
114 to exceed Two Million Dollars (\$2,000,000.00) and approved,  
115 provided such receipts and expenditures are reported and otherwise  
116 accounted for in accordance with Section 27-103-101 et seq., and  
117 Section 27-104-1 et seq., Mississippi Code of 1972.

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

124 **SECTION 8.** It is the intention of the Legislature that the  
125 Mississippi Development Authority shall maintain complete  
126 accounting and personnel records related to the expenditure of all

127 funds appropriated under this act and that such records shall be  
128 in the same format and level of detail as maintained for Fiscal  
129 Year 2004. It is further the intention of the Legislature that  
130 the agency's budget request for Fiscal Year 2006 shall be  
131 submitted to the Joint Legislative Budget Committee in a format  
132 and level of detail comparable to the format and level of detail  
133 provided during the Fiscal Year 2005 budget request process.

134       **SECTION 9.** Of the funds appropriated in Sections 1 and 2,  
135 the amount of Four Million Four Hundred Sixty-two Thousand Dollars  
136 (\$4,462,000.00), or so much thereof as may be necessary, is  
137 provided for the purpose of supporting Mississippi Tourism  
138 Advertising and Promotion for Fiscal Year 2005. The expenditure  
139 of funds authorized in this section shall be exempt from Section  
140 25-9-120, Mississippi Code of 1972.

141       **SECTION 10.** Of the funds appropriated in Sections 1 and 2,  
142 the amount of One Million Sixty-seven Thousand Dollars  
143 (\$1,067,000.00), or so much thereof as may be necessary, is  
144 provided for the purpose of supporting, marketing, and  
145 facilitating Mississippi business growth for Fiscal Year 2005.  
146 The expenditure of funds authorized in this section shall be  
147 exempt from Section 25-9-120, Mississippi Code of 1972.

148       **SECTION 11.** In addition to all other sums herein  
149 appropriated, the following sum, or so much thereof as may be  
150 necessary, is hereby appropriated out of any money in the State  
151 General Fund not otherwise appropriated, to the Mississippi  
152 Development Authority for the purpose of providing funds for  
153 Mississippi Technology Alliance, for the fiscal year beginning  
154 July 1, 2004, and ending June 30, 2005 ..... \$1,250,000.00.

155       The funds appropriated under the provisions of this section  
156 are provided for the specific purpose of providing state funds for  
157 support of Mississippi Technology Alliance to strengthen the  
158 business environment in Mississippi to spur the creation and  
159 growth of technology-based industries, thus creating many more

160 high-paying jobs and a more diversified, competitive Mississippi  
161 economy. The funds herein appropriated shall be held separate and  
162 apart from all other funds appropriated to the Mississippi  
163 Development Authority.

164       **SECTION 12.** 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 to  
169 support the Stennis Space Center - Space Commerce  
170 Initiative, for the fiscal year beginning July 1, 2004, and ending  
171 June 30, 2005..... \$ 1,169,706.00.

172       The funds herein appropriated shall be held separate and  
173 apart from all other funds appropriated to the Mississippi  
174 Development Authority.

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

181       **SECTION 14.** The money herein appropriated shall be paid by  
182 the State Treasurer out of any money in the State Treasury to the  
183 credit of the proper fund or funds as set forth in this act, upon  
184 warrants issued by the State Fiscal Officer; and the State Fiscal  
185 Officer shall issue his warrants upon requisitions signed by the  
186 proper person, officer or officers, in the manner provided by law.

187       **SECTION 15.** This act shall take effect and be in force from  
188 and after July 1, 2004.