

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

To: Appropriations

SENATE BILL NO. 3026
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEARS 2006 AND 2007.

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, 2006, and ending June 30, 2007.....
9 \$ 23,020,189.00.

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, 2006, and ending
16 June 30, 2007..... \$ 92,323,081.00.

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..... | 264 |
| 21 | | Part Time..... | 2 |
| 22 | Time-Limited: | Full Time..... | 13 |
| 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 the realignment component of the Variable Compensation
27 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,

28 with not more than one-half (1/2) to be awarded on July 1, 2006,
29 with the remainder to be awarded on January 1, 2007.

30 With the funds herein appropriated, it is the intention of
31 the Legislature that it shall be the agency's responsibility to
32 make certain that funds required to be appropriated for "Personal
33 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
34 funds appropriated for that purpose, unless programs or positions
35 are added to the agency's Fiscal Year 2008 budget by the
36 Mississippi Legislature. Based on data provided by the
37 Legislative Budget Office, the State Personnel Board shall
38 determine and publish the projected annual cost to fully fund all
39 appropriated positions in compliance with the provisions of this
40 act. It shall be the responsibility of the agency head to insure
41 that no single personnel action increases this projected annual
42 cost and/or the Fiscal Year 2007 appropriation for "Personal
43 Services" when annualized, with the exception of escalated funds.
44 If, at the time the agency takes any action to change "Personal
45 Services," the State Personnel Board determines that the agency
46 has taken an action which would cause the agency to exceed this
47 projected annual cost or the Fiscal Year 2007 "Personal Services"
48 appropriated level, when annualized, then only those actions which
49 reduce the projected annual cost and/or the appropriation
50 requirement will be processed by the State Personnel Board until
51 such time as the requirements of this provision are met.

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

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

65 **SECTION 4.** In compliance with the "Mississippi Performance
 66 Budget and Strategic Planning Act of 1994," it is the intent of
 67 the Legislature that the funds provided herein shall be utilized
 68 in the most efficient and effective manner possible to achieve the
 69 intended mission of this agency. Based on the funding authorized,
 70 this agency shall make every effort to attain the targeted
 71 performance measures provided below:

| | FY07 |
|--|---------------|
| <u>Performance Measures</u> | <u>Target</u> |
| 74 Business Development & Trade | |
| 75 National Recruitment Contacts (Actions) | 2,900 |
| 76 International Investment Contacts (Actions) | 200 |
| 77 International Trade Contacts (Actions) | 925 |
| 78 Qualified National Prospects (Prospects) | 250 |
| 79 Minority & Small Business Dev | |
| 80 Minority & Small Business Contacts (Contacts) | 7,500 |
| 81 Minority Business Certifications (Actions) | 498 |
| 82 Financial Resources | |
| 83 Request for Financing or Incentives (Actions) | 600 |
| 84 Existing Industry & Business | |
| 85 Interactions with Interstate | |
| 86 Businesses (Actions) | 6,300 |
| 87 Number of Qualified Contacts | 2,000 |
| 88 Tourism Services | |
| 89 Tourist Inquiries Generated (Number) | 1,297,040 |
| 90 Welcome Centers | |
| 91 Tourists Registered (Persons) | 2,986,242 |
| 92 Energy | |
| 93 BTUs Saved (Units in Trillions) | 71.67 |

| | | |
|-----|---|------------|
| 94 | Clients Served (Entities) | 34,650 |
| 95 | Community Services | |
| 96 | Amount of Grants Awarded (\$) | 66,000,000 |
| 97 | Grants & Loans Awarded (Items) | 220 |
| 98 | Community Programs Delivered (Programs) | 400 |
| 99 | Regional Services | |
| 100 | Community Customer Contacts | 500 |
| 101 | Cost per Program Contact (\$) | 2,511 |

102 A reporting of the degree to which the performance targets
103 set above have been or are being achieved shall be provided in the
104 agency's budget request submitted to the Joint Legislative Budget
105 Committee for Fiscal Year 2008.

106 **SECTION 5.** Of the funds appropriated in Section 2, the
107 amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) shall
108 be provided from the Mississippi Department of Transportation to
109 defray the expenses of the Mississippi Development Authority in
110 operating the state welcome centers.

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

123 **SECTION 7.** It is the intention of the Legislature that the
124 Mississippi Development Authority is hereby authorized to
125 escalate, budget and expend funds from any source not to exceed
126 Five Million Dollars (\$5,000,000.00) in accordance with rules and

127 regulations of the Department of Finance and Administration in a
128 manner consistent with the escalation of federal funds.

129 **SECTION 8.** It is the intention of the Legislature that the
130 Mississippi Development Authority shall maintain complete
131 accounting and personnel records related to the expenditure of all
132 funds appropriated under this act and that such records shall be
133 in the same format and level of detail as maintained for Fiscal
134 Year 2006. It is further the intention of the Legislature that
135 the agency's budget request for Fiscal Year 2008 shall be
136 submitted to the Joint Legislative Budget Committee in a format
137 and level of detail comparable to the format and level of detail
138 provided during the Fiscal Year 2007 budget request process.

139 **SECTION 9.** Of the funds appropriated in Sections 1 and 2,
140 the amount of Six Million Four Hundred Sixty-two Thousand Dollars
141 (\$6,462,000.00), or so much thereof as may be necessary, is
142 provided for the purpose of supporting Mississippi Tourism
143 Advertising and Promotion for Fiscal Year 2007, and shall not be
144 expended for any type of cultural exchange program. The
145 expenditure of funds authorized in this section shall be exempt
146 from Section 25-9-120, Mississippi Code of 1972.

147 **SECTION 10.** Of the funds appropriated in Sections 1 and 2,
148 the amount of One Million Five Hundred Sixty-seven Thousand
149 Dollars (\$1,567,000.00), or so much thereof as may be necessary,
150 is provided for the purpose of supporting, marketing, and
151 facilitating Mississippi business growth for Fiscal Year 2007.
152 The expenditure of funds authorized in this section shall be
153 exempt from Section 25-9-120, Mississippi Code of 1972.

154 **SECTION 11.** In addition to all other sums herein
155 appropriated, the following sum, or so much thereof as may be
156 necessary, is hereby appropriated out of any money in the State
157 General Fund not otherwise appropriated, to the Mississippi
158 Development Authority for the purpose of providing funds for

159 Mississippi Technology Alliance, for the fiscal year beginning
160 July 1, 2006, and ending June 30, 2007.....
161 \$ 1,202,294.00.

162 The funds appropriated under the provisions of this section
163 are provided for the specific purpose of providing state funds for
164 support of Mississippi Technology Alliance to strengthen the
165 business environment in Mississippi to spur the creation and
166 growth of technology-based industries, thus creating many more
167 high-paying jobs and a more diversified, competitive Mississippi
168 economy. The funds herein appropriated shall be held separate and
169 apart from all other funds appropriated to the Mississippi
170 Development Authority.

171 **SECTION 12.** In addition to all other sums herein
172 appropriated, the following sum, or so much thereof as may be
173 necessary, is hereby appropriated out of any money in the State
174 General Fund not otherwise appropriated, to the Mississippi
175 Development Authority for the purpose of providing funds to
176 support the Enterprise for Geospatial Solutions, for the
177 fiscal year beginning July 1, 2006, and ending June 30, 2007...
178\$ 931,027.00.

179 The funds herein appropriated shall be held separate and
180 apart from all other funds appropriated to the Mississippi
181 Development Authority.

182 **SECTION 13.** It is the intention of the Legislature that of
183 the funds appropriated in Sections 1 and 2, not more than Twenty
184 Thousand (\$20,000.00) may be expended for Mississippi Development
185 Authority employee travel associated with business recruitment
186 activities conducted at the Mississippi event located in New York
187 City's Central Park.

188 **SECTION 14.** It is the intention of the Legislature that none
189 of the funds appropriated above shall be expended unless members
190 of the Mississippi House of Representatives and Mississippi Senate
191 are notified at least five (5) days prior to a public ceremony

192 announcing the award of any grant in their district or any public
193 announcement or ceremony regarding the groundbreaking or opening
194 of a facility, roadway or bridge for which the Legislature has
195 made funds available. Any signage regarding any public event or
196 any new facility, roadway or bridge shall include the following
197 language: "Funds were made available for this project by the
198 Mississippi State Legislature."

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 money in the State
202 Treasury to the credit of the Mississippi Telecommunication
203 Conference and Training Center Fund #3424, for the purpose of
204 defraying the expenses of the Mississippi Telecommunication
205 Conference and Training Center Commission, for the fiscal year
206 beginning July 1, 2006, and ending June 30, 2007.....
207 \$ 2,116,299.00.

208 The funds appropriated in this section shall be derived from
209 any revenues collected by the commission from fees, rates or
210 charges for the use of the Telecommunication Conference and
211 Training Center, as authorized in Section 31-31-9, Mississippi
212 Code of 1972.

213 Of the funds appropriated under the provisions of this
214 section, not more than the amounts set forth below shall be
215 expended for the respective major objects or purposes of
216 expenditure.

217 **MAJOR OBJECTS OF EXPENDITURE:**

218 Personal Services:

219 Salaries, Wages and Fringe Benefits.. \$ 0.00
220 Travel and Subsistence..... 5,000.00
221 Contractual Services..... 533,364.00
222 Commodities..... 822,300.00

223 Capital Outlay:

224 Other Than Equipment..... 37,500.00

| | | |
|-----|----------------------------------|---------------------|
| 225 | Equipment..... | 5,114.00 |
| 226 | Subsidies, Loans and Grants..... | <u>713,021.00</u> |
| 227 | Total..... | \$ 2,116,299.00 |
| 228 | FUNDING: | |
| 229 | General Funds..... | \$ 0.00 |
| 230 | Special Funds..... | <u>2,116,299.00</u> |
| 231 | Total..... | \$ 2,116,299.00 |

232 AUTHORIZED POSITIONS:

| | | |
|-----|------------------------------|---|
| 233 | Permanent: Full Time..... | 0 |
| 234 | Part Time..... | 0 |
| 235 | Time-Limited: Full Time..... | 0 |
| 236 | Part Time..... | 0 |

237 **SECTION 16.** Of the funds appropriated in Section 15, the
238 following sum, or so much thereof as may be necessary, is hereby
239 appropriated out of any money in the State Treasury to the credit
240 of the Mississippi Telecommunication Conference and Training
241 Facility Reserve Fund #3425, to the Mississippi Telecommunication
242 Conference and Training Center Commission for the purpose of
243 paying debt service and maintaining, renovating, improving or
244 making additions to the Telecommunication Conference and Training
245 facility for the fiscal year beginning July 1, 2006, and ending
246 June 30, 2007..... \$ 737,934.00.

247 It is the intention of the Legislature that not more than
248 Twenty-five Thousand Dollars (\$25,000.00) of the funds
249 appropriated in this section shall be used by the commission for
250 the maintenance and operation of the facility, provided that this
251 sum of money remains available in the fund after transferring
252 amounts to the State Treasurer to pay debt service, as prescribed
253 in Section 31-31-11(5), Mississippi Code of 1972.

254 **SECTION 17.** In addition to all other sums herein
255 appropriated, the following sums, or so much thereof as may be
256 necessary, are hereby appropriated out of any money in the State
257 Treasury to the credit of the Mississippi Telecommunication

258 Conference and Training Center Fund #3424 not otherwise
259 appropriated, for the purpose of defraying the expenses of the
260 Mississippi Telecommunication Conference and Training Center
261 Commission, for the period beginning upon passage, for the fiscal
262 year ending June 30, 2006..... \$ 926,892.00.

263 **SECTION 18.** It is the intention of the Legislature that
264 whenever two (2) or more bids are received by this agency for the
265 purchase of commodities or equipment, and whenever all things
266 stated in such received bids are equal with respect to price,
267 quality and service, the Mississippi Industries for the Blind
268 shall be given preference. A similar preference shall be given to
269 the Mississippi Industries for the Blind whenever purchases are
270 made without competitive bids.

271 **SECTION 19.** It is legislative intent to ensure beneficial
272 information reaches as many Mississippians as possible. Further,
273 it is legislative intent that the expenditure of public funds for
274 this purpose be accomplished in an efficient and effective manner.

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

- 277 (1) Develop goals and desired result for a campaign.
- 278 (2) Evaluate effectiveness through respected advertising
279 standards, including market reach and cost effectiveness.
- 280 (3) Seek public service announcements, which would be aired
281 by media without cost.
- 282 (4) Itemize and justify professional assistance and related
283 expenses for creative and production costs outside of the actual
284 media expenditures.
- 285 (5) Utilize Mississippi owned media companies when feasible.

286 **SECTION 20.** The money herein appropriated shall be paid by
287 the State Treasurer out of any money in the State Treasury to the
288 credit of the proper fund or funds as set forth in this act, upon
289 warrants issued by the State Fiscal Officer; and the State Fiscal

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

292 **SECTION 21.** This act shall take effect and be in force from
293 and after July 1, 2006, with the exception of Section 17 which
294 shall take effect and be in force from and after its passage.