

House Amendments to Senate Bill No. 3026

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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, 2006, and ending June 30, 2007.....
9 \$ 16,942,301.00.

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..... \$ 96,284,233.00.

17 **SECTION 3.** With the funds appropriated under the provisions
18 of Sections 1 and 2, not more than the amounts set forth below
19 shall 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.. \$ 14,076,515.00
24 Travel and Subsistence..... 1,448,585.00
25 Contractual Services..... 11,835,584.00
26 Commodities..... 1,428,186.00

27 Capital Outlay:

28 Other Than Equipment..... 0.00
29 Equipment..... 234,805.00

30 Subsidies, Loans and Grants..... 84,202,859.00
 31 Total..... \$ 113,226,534.00

32 FUNDING:

33 General Funds..... \$ 16,942,301.00
 34 Special Funds..... 96,284,233.00
 35 Total..... \$ 113,226,534.00

36 AUTHORIZED POSITIONS:

37 Permanent: Full Time..... 252
 38 Part Time..... 2
 39 Time-Limited: Full Time..... 14
 40 Part Time..... 1

41 For the fiscal year beginning on July 1, 2006, funds are
 42 provided herein to adjust the annual compensation of each employee
 43 who has been employed for twelve (12) months or longer by an
 44 amount equal to One Thousand Dollars (\$1,000.00), effective on
 45 July 1, 2006.

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 2008 do not exceed Fiscal Year 2007
 50 funds appropriated for that purpose, unless programs or positions
 51 are added to the agency's Fiscal Year 2008 budget by the
 52 Mississippi Legislature. Based on data provided by the
 53 Legislative Budget Office, the State Personnel Board shall
 54 determine and publish the projected annual cost to fully fund all
 55 appropriated positions in compliance with the provisions of this
 56 act. It shall be the responsibility of the agency head to insure
 57 that no single personnel action increases this projected annual
 58 cost and/or the Fiscal Year 2007 appropriation for "Personal
 59 Services" when annualized, with the exception of escalated funds.
 60 If, at the time the agency takes any action to change "Personal
 61 Services," the State Personnel Board determines that the agency
 62 has taken an action which would cause the agency to exceed this
 63 projected annual cost or the Fiscal Year 2007 "Personal Services"
 64 appropriated level, when annualized, then only those actions which

65 reduce the projected annual cost and/or the appropriation
66 requirement will be processed by the State Personnel Board until
67 such time as the requirements of this provision are met.

68 Any transfers or escalations shall be made in accordance with
69 the terms, conditions and procedures established by law or
70 allowable under the terms set forth within this act. The State
71 Personnel Board shall not escalate positions without written
72 approval from the Department of Finance and Administration. The
73 Department of Finance and Administration shall not provide written
74 approval to escalate any funds for salaries and/or positions
75 without proof of availability of new or additional funds above the
76 appropriated level.

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

81 **SECTION 4.** In compliance with the "Mississippi Performance
82 Budget and Strategic Planning Act of 1994," it is the intent of
83 the Legislature that the funds provided herein shall be utilized
84 in the most efficient and effective manner possible to achieve the
85 intended mission of this agency. Based on the funding authorized,
86 this agency shall make every effort to attain the targeted
87 performance measures provided below:

	FY07
<u>Performance Measures</u>	<u>Target</u>
Business Development & Trade	
National Recruitment Contacts (Actions)	2,900
International Investment Contacts (Actions)	200
International Trade Contacts (Actions)	925
Qualified National Prospects (Prospects)	250
Minority & Small Business Dev	
Minority & Small Business Contacts (Contacts)	7,500
Minority Business Certifications (Actions)	498
Financial Resources	
Request for Financing or Incentives (Actions)	600

100	Existing Industry & Business	
101	Interactions with Interstate	
102	Businesses (Actions)	6,300
103	Number of Qualified Contacts	2,000
104	Tourism Services	
105	Tourist Inquiries Generated (Number)	1,297,040
106	Welcome Centers	
107	Tourists Registered (Persons)	2,986,242
108	Energy	
109	BTUs Saved (Units in Trillions)	71.67
110	Clients Served (Entities)	34,650
111	Community Services	
112	Amount of Grants Awarded (\$)	66,000,000
113	Grants & Loans Awarded (Items)	220
114	Community Programs Delivered (Programs)	400
115	Regional Services	
116	Community Customer Contacts	500
117	Cost per Program Contact (\$)	2,511

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

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

127 **SECTION 6.** The acceptance and expenditure of funds, and
128 interest on such funds, received from, or by virtue of consent or
129 other orders of or agreements involving any agency,
130 instrumentality, or judicial tribunal of any state or the United
131 States for petroleum price compliance and allocation which may
132 become available during the fiscal year for the support of the
133 Mississippi Development Authority or any programs sponsored under
134 the terms of the receipt of these funds are hereby authorized not

135 to exceed Two Million Dollars (\$2,000,000.00) and approved,
136 provided such receipts and expenditures are reported and otherwise
137 accounted for in accordance with Section 27-103-101 et seq., and
138 Section 27-104-1 et seq., Mississippi Code of 1972.

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

145 **SECTION 8.** It is the intention of the Legislature that the
146 Mississippi Development Authority shall maintain complete
147 accounting and personnel records related to the expenditure of all
148 funds appropriated under this act and that such records shall be
149 in the same format and level of detail as maintained for Fiscal
150 Year 2006. It is further the intention of the Legislature that
151 the agency's budget request for Fiscal Year 2008 shall be
152 submitted to the Joint Legislative Budget Committee in a format
153 and level of detail comparable to the format and level of detail
154 provided during the Fiscal Year 2007 budget request process.

155 **SECTION 9.** Of the funds appropriated in Sections 1 and 2,
156 the amount of Six Million Four Hundred Sixty-two Thousand Dollars
157 (\$6,462,000.00), or so much thereof as may be necessary, is
158 provided for the purpose of supporting Mississippi Tourism
159 Advertising and Promotion for Fiscal Year 2007, and shall not be
160 expended for any type of cultural exchange program. The
161 expenditure of funds authorized in this section shall be exempt
162 from Section 25-9-120, Mississippi Code of 1972.

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

170 **SECTION 11.** In addition to all other sums herein
171 appropriated, the following sum, or so much thereof as may be
172 necessary, is hereby appropriated out of any money in the State
173 General Fund not otherwise appropriated, to the Mississippi
174 Development Authority for the purpose of providing funds for
175 Mississippi Technology Alliance, for the fiscal year beginning
176 July 1, 2006, and ending June 30, 2007.....
177 \$ 1,153,071.00.

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

187 **SECTION 12.** In addition to all other sums herein
188 appropriated, the following sum, or so much thereof as may be
189 necessary, is hereby appropriated out of any money in the State
190 General Fund not otherwise appropriated, to the Mississippi
191 Development Authority for the purpose of providing funds to
192 support the Enterprise for Geospatial Solutions, for the
193 fiscal year beginning July 1, 2006, and ending June 30, 2007...
194\$ 595,324.00.

195 The funds herein appropriated shall be held separate and
196 apart from all other funds appropriated to the Mississippi
197 Development Authority.

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

204 **SECTION 14.** It is the intention of the Legislature that none
 205 of the funds appropriated above shall be expended unless members
 206 of the Mississippi House of Representatives and Mississippi Senate
 207 are notified at least five (5) days prior to a public ceremony
 208 announcing the award of any grant in their district or any public
 209 announcement or ceremony regarding the groundbreaking or opening
 210 of a facility, roadway or bridge for which the Legislature has
 211 made funds available. Any signage regarding any public event or
 212 any new facility, roadway or bridge shall include the following
 213 language: "Funds were made available for this project by the
 214 Mississippi State Legislature."

215 **SECTION 15.** In addition to all other sums herein
 216 appropriated, the following sum, or so much thereof as may be
 217 necessary, is hereby appropriated out of any money in the State
 218 Treasury to the credit of the Mississippi Telecommunication
 219 Conference and Training Center Fund #3424, for the purpose of
 220 defraying the expenses of the Mississippi Telecommunication
 221 Conference and Training Center Commission, for the fiscal year
 222 beginning July 1, 2006, and ending June 30, 2007.....
 223 \$ 2,116,299.00.

224 The funds appropriated in this section shall be derived from any
 225 revenues collected by the commission from fees, rates or charges
 226 for the use of the Telecommunication Conference and Training
 227 Center, as authorized in Section 31-31-9, Mississippi Code of
 228 1972.

229 Of the funds appropriated under the provisions of this
 230 section, not more than the amounts set forth below shall be
 231 expended for the respective major objects or purposes of
 232 expenditure.

233 **MAJOR OBJECTS OF EXPENDITURE:**

234 Personal Services:

235 Salaries, Wages and Fringe Benefits..	\$	0.00
236 Travel and Subsistence.....		5,000.00
237 Contractual Services.....		533,364.00
238 Commodities.....		822,300.00

239	Capital Outlay:	
240	Other Than Equipment.....	37,500.00
241	Equipment.....	5,114.00
242	Subsidies, Loans and Grants.....	<u>713,021.00</u>
243	Total.....	\$ 2,116,299.00

244	FUNDING:	
245	General Funds.....	\$ 0.00
246	Special Funds.....	<u>2,116,299.00</u>
247	Total.....	\$ 2,116,299.00

248	AUTHORIZED POSITIONS:	
249	Permanent: Full Time.....	0
250	Part Time.....	0
251	Time-Limited: Full Time.....	0
252	Part Time.....	0

253 **SECTION 16.** Of the funds appropriated in Section 15, the
254 following sum, or so much thereof as may be necessary, is hereby
255 appropriated out of any money in the State Treasury to the credit
256 of the Mississippi Telecommunication Conference and Training
257 Facility Reserve Fund #3425, to the Mississippi Telecommunication
258 Conference and Training Center Commission for the purpose of
259 paying debt service and maintaining, renovating, improving or
260 making additions to the Telecommunication Conference and Training
261 facility for the fiscal year beginning July 1, 2006, and ending
262 June 30, 2007..... \$ 737,934.00.

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

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

274 Conference and Training Center Fund #3424 not otherwise
275 appropriated, for the purpose of defraying the expenses of the
276 Mississippi Telecommunication Conference and Training Center
277 Commission, for the period beginning upon passage, for the fiscal
278 year ending June 30, 2006..... \$ 926,892.00.

279 **SECTION 18.** Of the funds appropriated under the provisions
280 of Section 2, Five Million Dollars (\$5,000,000.00) shall be
281 derived from the Budget Contingency Fund, as created in Section
282 27-103-301, Mississippi Code of 1972.

283 **SECTION 19.** It is the intention of the Legislature that
284 whenever two (2) or more bids are received by this agency for the
285 purchase of commodities or equipment, and whenever all things
286 stated in such received bids are equal with respect to price,
287 quality and service, the Mississippi Industries for the Blind
288 shall be given preference. A similar preference shall be given to
289 the Mississippi Industries for the Blind whenever purchases are
290 made without competitive bids.

291 **SECTION 20.** All expenditures of funds appropriated by this
292 act for the purposes of advertising through the media shall comply
293 with the provisions of this section. All notices, advertisements,
294 or announcements designed to accomplish distribution of vital
295 information paid for wholly or in part through funds appropriated
296 by this act and distributed through the media shall be placed
297 according to a formula based upon the following criteria:

298 (a) Outlets of the Mississippi Public Broadcasting
299 System shall receive twenty percent (20%) of all expenditures
300 allotted for any advertising campaign undertaken by the agency to
301 which funds are appropriated by this act. All distribution of
302 information undertaken by the Mississippi Broadcasting System
303 under these requirements shall conform to the accepted standards
304 of information distribution common to public media.

305 (b) Media outlets, other than outlets of the
306 Mississippi Public Broadcasting System, shall receive placement of
307 such notices through the following method of distribution and
308 based upon commonly accepted boundaries of distribution:

309 (i) Newspapers. Newspapers demonstrating
310 established market reach through verifiable and auditable
311 circulation numbers shall receive twenty-five percent (25%) of all
312 expenditures allotted for distribution of vital information, and
313 such expenditures to the individual newspapers shall be determined
314 and prorated based upon the verifiable and auditable share of
315 total circulation within the individual counties. This
316 requirement does not replace the requirements and systems
317 currently in place regarding legal notices in the newspapers.

318 (ii) Radio. Radio stations demonstrating
319 established market reach through verifiable and auditable market
320 share information as recorded through reputable and established
321 rating services shall receive twenty percent (20%) of all
322 expenditures allotted for such distribution of vital information,
323 and such expenditures to the individual stations shall be
324 determined and prorated based upon the verifiable and auditable
325 share of total market reach within the individual counties.

326 (iii) Television. Television stations and
327 television cable outlets demonstrating established market reach
328 through verifiable and auditable market share information as
329 recorded through reputable and established rating services shall
330 receive twenty percent (20%) of all expenditures allotted for such
331 distribution of vital information, and such expenditures to the
332 individual stations shall be determined and prorated based upon
333 the verifiable and auditable share of total market reach within
334 the individual demonstrated market reach area of the station or
335 cable outlet.

336 (iv) Magazines. Magazines demonstrating
337 established market reach through verifiable and auditable
338 circulation numbers shall receive ten percent (10%) of all
339 expenditures allotted for such distribution of vital information,
340 and such expenditures to the individual magazines shall be
341 determined and prorated based upon the verifiable and auditable
342 circulation numbers within the counties. If no magazine exists
343 which meets the criteria stated above, the portion of those funds

344 so allotted shall be distributed among the other media outlets
345 equally.

346 (v) Electronic media. Electronic media
347 demonstrating established market reach through verifiable and
348 auditable circulation numbers shall receive five percent (5%) of
349 all expenditures allotted for such distribution of vital
350 information, and such expenditures to the individual electronic
351 media outlets shall be determined and prorated based upon the
352 verifiable and auditable circulation numbers within the counties.
353 If no electronic media exists which meets the criteria stated
354 above, the portion of those funds so allotted shall be distributed
355 equally among the other media outlets.

356 Provisions of this section do not apply to the placement of
357 advertisements in national media outlets to recruit economic
358 development or to promote tourism in the state.

359 **SECTION 21.** The money herein appropriated shall be paid by
360 the State Treasurer out of any money in the State Treasury to the
361 credit of the proper fund or funds as set forth in this act, upon
362 warrants issued by the State Fiscal Officer; and the State Fiscal
363 Officer shall issue his warrants upon requisitions signed by the
364 proper person, officer or officers, in the manner provided by law.

365 **SECTION 22.** This act shall take effect and be in force from
366 and after July 1, 2006, with the exception of Section 17 which
367 shall take effect and be in force from and after its passage.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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

HR03\SB3026PH.J

Don Richardson
Clerk of the House of Representatives