

House Amendments to Senate Bill No. 3134

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, 2007, and ending June 30, 2008.....
9 \$ 23,132,012.00.

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, 2007, and ending
16 June 30, 2008..... \$ 2,431,487,790.00.

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.....	254
21		Part Time.....	2
22	Time-Limited:	Full Time.....	14
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 One Thousand Five Hundred Dollars (\$1,500.00), whichever
28 is greater.

29 With the funds herein appropriated, it is the intention of
30 the Legislature that it shall be the agency's responsibility to
31 make certain that funds required to be appropriated for "Personal
32 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
33 funds appropriated for that purpose, unless programs or positions
34 are added to the agency's Fiscal Year 2009 budget by the
35 Mississippi Legislature. Based on data provided by the
36 Legislative Budget Office, the State Personnel Board shall
37 determine and publish the projected annual cost to fully fund all
38 appropriated positions in compliance with the provisions of this
39 act. It shall be the responsibility of the agency head to insure
40 that no single personnel action increases this projected annual
41 cost and/or the Fiscal Year 2008 appropriation for "Personal
42 Services" when annualized, with the exception of escalated funds.
43 If, at the time the agency takes any action to change "Personal
44 Services," the State Personnel Board determines that the agency
45 has taken an action which would cause the agency to exceed this
46 projected annual cost or the Fiscal Year 2008 "Personal Services"
47 appropriated level, when annualized, then only those actions which
48 reduce the projected annual cost and/or the appropriation
49 requirement will be processed by the State Personnel Board until
50 such time as the requirements of this provision are met.

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

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

64 The agency shall not take any action to promote or otherwise
65 award salary increases through reallocation, reclassification,
66 realignment, education benchmark, career ladder, or any other
67 means to increase salaries of employees or positions unless
68 specifically exempted by the following conditions: the award of
69 teacher pay increases, the advancement of a trainee/cadet to the
70 next level of a bona fide career ladder, the award of an
71 educational benchmark for the attainment of Certified Public
72 Accountant License or higher level professional certification as
73 determined by the State Personnel Board, the immediate replacement
74 of a departing employee with an individual from within state
75 service or a new hire at a salary level equivalent to that of the
76 departing employee, and the emergency appointment of nurses,
77 pharmacists or other health care professionals at a salary to be
78 determined by the State Personnel Board, unless otherwise
79 authorized in this act.

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

	FY08
<u>Performance Measures</u>	<u>Target</u>
89 Global Business	
90 National Recruitment Contacts (Actions)	2,900
91 International Investment Contacts (Actions)	200
92 International Trade Contacts (Actions)	1,000
93 Qualified National Prospects (Prospects)	250
94 Minority & Small Business Dev	
95 Minority & Small Business	
96 Contacts (Contacts)	11,000
97 Minority Business Certifications (Actions)	250
98 Financial Resources	

99	Request for Financing or	
100	Incentives (Actions)	600
101	Existing Industry & Business	
102	Interactions with Interstate	
103	Businesses (Actions)	3,800
104	Number of Qualified Contacts	1,200
105	Tourism Services	
106	Tourist Inquiries Generated (Number)	3,083,977
107	Welcome Centers	
108	Tourists Registered (Persons)	2,986,242
109	Energy	
110	BTUs Saved (Units in Trillions)	71.67
111	Clients Served (Entities)	34,650
112	Community Services	
113	Amount of Grants Awarded (\$)	66,000,000
114	Grants & Loans Awarded (Items)	220
115	Regional Services	
116	Regional Deve Organizations (Surveyed)	7
117	A reporting of the degree to which the performance targets	
118	set above have been or are being achieved shall be provided in the	
119	agency's budget request submitted to the Joint Legislative Budget	
120	Committee for Fiscal Year 2009.	

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

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

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

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

144 **SECTION 8.** It is the intention of the Legislature that the
145 Mississippi Development Authority shall maintain complete
146 accounting and personnel records related to the expenditure of all
147 funds appropriated under this act and that such records shall be
148 in the same format and level of detail as maintained for Fiscal
149 Year 2007. It is further the intention of the Legislature that
150 the agency's budget request for Fiscal Year 2009 shall be
151 submitted to the Joint Legislative Budget Committee in a format
152 and level of detail comparable to the format and level of detail
153 provided during the Fiscal Year 2008 budget request process.

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

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

169 **SECTION 11.** In addition to all other sums herein
170 appropriated, the following sum, or so much thereof as may be
171 necessary, is hereby appropriated out of any money in the State
172 General Fund not otherwise appropriated, to the Mississippi
173 Development Authority for the purpose of providing funds for
174 Mississippi Technology Alliance, for the fiscal year beginning
175 July 1, 2007, and ending June 30, 2008.....
176 \$ 1,151,153.00.

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

186 **SECTION 12.** In addition to all other sums herein
187 appropriated, the following sum, or so much thereof as may be
188 necessary, is hereby appropriated out of any money in the State
189 General Fund not otherwise appropriated, to the Mississippi
190 Development Authority for the purpose of providing funds to
191 support the Enterprise for Geospatial Solutions, for the
192 fiscal year beginning July 1, 2007, and ending June 30, 2008...
193\$ 945,386.00.

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

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

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

214 **SECTION 15.** In addition to all other sums herein
 215 appropriated, the following sum, or so much thereof as may be
 216 necessary, is hereby appropriated out of any money in the State
 217 Treasury to the credit of the Mississippi Telecommunication
 218 Conference and Training Center Fund #3424, for the purpose of
 219 defraying the expenses of the Mississippi Telecommunication
 220 Conference and Training Center Commission, for the fiscal year
 221 beginning July 1, 2007, and ending June 30, 2008.....
 222 \$ 2,116,299.00.

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

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

232 **MAJOR OBJECTS OF EXPENDITURE:**

233 Personal Services:

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

238	Capital Outlay:		
239	Other Than Equipment.....		37,500.00
240	Equipment.....		5,114.00
241	Vehicles.....		0.00
242	Wireless Communication Devices.....		0.00
243	Subsidies, Loans and Grants.....		<u>713,021.00</u>
244	Total.....	\$	2,116,299.00

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

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

254 **SECTION 16.** Of the funds appropriated herein for the purpose
255 of defraying the expenses of the Mississippi Telecommunications
256 Conference and Training Center Commission, it is the intention of
257 the Legislature that Seven Hundred Thirty-seven Thousand Nine
258 Hundred Thirty-four Dollars (\$737,934.00) shall be used for the
259 purpose of paying debt service and maintaining, renovating,
260 improving or making additions to the facility.

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

268 **SECTION 17.** It is the intention of the Legislature that
269 whenever two (2) or more bids are received by this agency for the
270 purchase of commodities or equipment, and whenever all things
271 stated in such received bids are equal with respect to price,
272 quality and service, the Mississippi Industries for the Blind

273 shall be given preference. A similar preference shall be given to
274 the Mississippi Industries for the Blind whenever purchases are
275 made without competitive bids.

276 **SECTION 18.** It is legislative intent to ensure beneficial
277 information reaches as many Mississippians as possible. Further,
278 it is legislative intent that the expenditure of public funds for
279 this purpose be accomplished in an efficient and effective manner.

280 Therefore, state agencies as standard procedure, will observe
281 the following criteria:

282 (1) Develop goals and desired result for a campaign.

283 (2) Evaluate effectiveness through respected advertising
284 standards, including market reach and cost effectiveness.

285 (3) Seek public service announcements, which would be aired
286 by media without cost.

287 (4) Itemize and justify professional assistance and related
288 expenses for creative and production costs outside of the actual
289 media expenditures.

290 (5) Utilize Mississippi owned media companies when feasible.

291 **SECTION 19.** The money herein appropriated shall be paid by
292 the State Treasurer out of any money in the State Treasury to the
293 credit of the proper fund or funds as set forth in this act, upon
294 warrants issued by the State Fiscal Officer; and the State Fiscal
295 Officer shall issue his warrants upon requisitions signed by the
296 proper person, officer or officers, in the manner provided by law.

297 **SECTION 20.** This act shall take effect and be in force from
298 and after July 1, 2007.

HR05\SB3134A.J

Don Richardson
Clerk of the House of Representatives