

By: Senator(s) Hopson, Polk, Blackwell,
Frazier, Williams

To: Appropriations

SENATE BILL NO. 2951
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022.

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, 2021, and ending June 30, 2022.....
9\$ 21,620,702.00.

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, 2021, and ending
16 June 30, 2022.....\$ 146,088,496.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 this act, the following positions are authorized:



19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time.....	212
21		Part Time.....	2
22	Time-Limited:	Full Time.....	56
23		Part Time.....	0

24 With the funds herein appropriated, it shall be the agency's
25 responsibility to make certain that funds required to be
26 appropriated for "Personal Services" for Fiscal Year 2023 do not
27 exceed Fiscal Year 2022 funds appropriated for that purpose unless
28 programs or positions are added to the agency's Fiscal Year 2022
29 budget by the Mississippi Legislature. Based on data provided by
30 the Legislative Budget Office, the State Personnel Board shall
31 determine and publish the projected annual cost to fully fund all
32 appropriated positions in compliance with the provisions of this
33 act. Absent a special situation or circumstance approved by the
34 State Personnel Board, or unless otherwise authorized by this act,
35 no state agency shall take any action to promote or otherwise
36 award salary increases through reallocation or realignment. If
37 the State Personnel Board determines a special situation or
38 circumstance exists and approves an action, then the agency and
39 the State Personnel Board shall provide a monthly report of each
40 action approved by the State Personnel Board to the Chairmen of
41 the Accountability, Efficiency and Transparency Committees of the
42 Senate and House of Representatives and the Chairmen of the
43 Appropriations Committees of the Senate and House of



44 Representatives. It shall be the responsibility of the agency
45 head to ensure that no single personnel action increases this
46 projected annual cost and/or the Fiscal Year 2022 appropriations
47 for "Personal Services" when annualized, with the exception of
48 escalated funds and the award of benchmarks. If, at the time the
49 agency takes any action to change "Personal Services," the State
50 Personnel Board determines that the agency has taken an action
51 which would cause the agency to exceed this projected annual cost
52 or the Fiscal Year 2022 "Personal Services" appropriated level,
53 when annualized, then only those actions which reduce the
54 projected annual cost and/or the appropriation requirement will be
55 processed by the State Personnel Board until such time as the
56 requirements of this provision are met.

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

66 No general funds authorized to be expended herein shall be
67 used to replace federal funds and/or other special funds which are



68 being used for salaries authorized under the provisions of this
69 act and which are withdrawn and no longer available.

70 None of the funds herein appropriated shall be used in
71 violation of Internal Revenue Service's Publication 15-A relating
72 to the reporting of income paid to contract employees, as
73 interpreted by the Office of the State Auditor.

74 Funds have been appropriated herein for the purpose of
75 implementation and funding Project SEC2 of the Colonel Guy Groff
76 State Variable Compensation Plan beginning January 1, 2022, and
77 ending June 30, 2022. It shall be the agency's responsibility to
78 make certain that each person, excluding executive directors,
79 agency heads, and elected judges, shall receive no more than a
80 three percent (3%) annual increase in salary which shall not
81 exceed the market rate established by the State Personnel Board
82 pursuant to the Colonel Guy Groff State Variable Compensation Plan
83 for each classification.

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

91		FY2022
92	<u>Performance Measures</u>	<u>Target</u>



93	Global Business	
94	National recruitment contacts	1,000
95	International investment contracts	1,800
96	International trade contacts	1,000
97	Qualified national prospects	225
98	Return on investment (ROI)	10.00
99	Number of new businesses - Global contacts	15
100	Number of new jobs from Global contacts	3,000
101	Minority & Small Business Dev	
102	Minority & Small Business contacts	8,000
103	Minority Business certification	
104	applications processed	150
105	Technical assistance to disadvantaged	
106	contacts	2,300
107	State contracting with Minority	
108	Businesses (\$)	45,000,000.00
109	Financial Resources	
110	Requests for financing or incentives	250
111	Existing Industry & Business	
112	Interactions with interested businesses	2,500
113	Number of qualified contacts	750
114	Number of expansions	30
115	Jobs created from expansions	3,000
116	Energy	
117	Energy Efficiency & Renewable Energy	



118	Direct Contacts	12,000
119	Community Services	
120	Awarded Grants and Loans for Community	
121	and Economic Development (\$)	50,000,000.00
122	Number of grants and loans awarded	100
123	Support Services	
124	Administration as a percent of Total Budget	9.50
125	Tourism	
126	Number of tourist inquiries generated	37,875
127	Number of visitors per year	25,000,000
128	Travel Revenue (Billions)	6.80
129	Welcome Centers	
130	Tourist Registered (Persons)	2,226,000

131 A reporting of the degree to which the performance targets
132 set above have been or are being achieved shall be provided in the
133 agency's budget request submitted to the Joint Legislative Budget
134 Committee for Fiscal Year 2023.

135 **SECTION 5.** Of the funds appropriated in Section 2, the
136 amount of Eight Hundred Thousand Dollars (\$800,000.00) shall be
137 provided from the Mississippi Department of Transportation to
138 defray the expenses of the Mississippi Development Authority in
139 operating the state welcome centers.

140 **SECTION 6.** It is the intention of the Legislature that the
141 Mississippi Development Authority shall maintain complete
142 accounting and personnel records related to the expenditure of all



143 funds appropriated under this act and that such records shall be
144 in the same format and level of detail as maintained for Fiscal
145 Year 2021. It is further the intention of the Legislature that
146 the agency's budget request for Fiscal Year 2023 shall be
147 submitted to the Joint Legislative Budget Committee in a format
148 and level of detail comparable to the format and level of detail
149 provided during the Fiscal Year 2022 budget request process.

150 **SECTION 7.** Of the funds appropriated in Sections 1 and 2,
151 the amount of Four Million Eight Hundred Seventy-six Thousand Two
152 Hundred Ninety-eight Dollars (\$4,876,298.00), or so much thereof
153 as may be necessary, is provided for the purpose of supporting
154 Mississippi Tourism Advertising and Promotion for Fiscal Year
155 2022, and shall not be expended for any type of cultural exchange
156 program. Of the funds appropriated herein and allocated within
157 this section, Two Hundred Ninety-nine Thousand Dollars
158 (\$299,000.00) is provided for Tourism Grant Development Awards.

159 **SECTION 8.** It is the intention of the Legislature that none
160 of the funds appropriated above shall be expended unless members
161 of the Mississippi House of Representatives and Mississippi Senate
162 are notified at least five (5) days prior to a public ceremony
163 announcing the award of any grant in their district or any public
164 announcement or ceremony regarding the groundbreaking or opening
165 of a facility, roadway or bridge for which the Legislature has
166 made funds available. Any signage regarding any public event or
167 any new facility, roadway or bridge shall include the following



168 language: "Funds were made available for this project by the
169 Mississippi State Legislature."

170 **SECTION 9.** It is the intention of the Legislature that
171 whenever two (2) or more bids are received by this agency for the
172 purchase of commodities or equipment, and whenever all things
173 stated in such received bids are equal with respect to price,
174 quality and service, the Mississippi Industries for the Blind
175 shall be given preference. A similar preference shall be given to
176 the Mississippi Industries for the Blind whenever purchases are
177 made without competitive bids.

178 **SECTION 10.** Of the funds appropriated in Section 1, One
179 Hundred Thousand Dollars (\$100,000.00) is provided for the
180 Mississippi Delta National Heritage Areas.

181 **SECTION 11.** Of the funds appropriated in Section 1, One
182 Hundred Thousand Dollars (\$100,000.00) is provided for the
183 Mississippi Hills National Heritage Area.

184 **SECTION 12.** Of the funds appropriated under the provisions
185 of Section 2, Four Hundred Fifty Thousand Dollars (\$450,000.00),
186 or so much thereof, shall be derived out of any money in the State
187 Treasury to the credit of the Capital Expense Fund, as created in
188 Section 27-103-303, Mississippi Code of 1972, and allocated in a
189 manner as determined by the Treasurer's Office. These funds are
190 provided for such purposes as follows:

191 Skills Foundation of Mississippi.....\$ 400,000.00
192 Mississippi Book Festival.....\$ 50,000.00



193 **SECTION 13.** Of the funds appropriated under the provisions
194 of Section 2, Ten Million Dollars (\$10,000,000.00), or so much
195 thereof, shall be derived out of any money in the State Treasury
196 to the credit of the Capital Expense Fund, as created in Section
197 27-103-303, Mississippi Code of 1972, and allocated in a manner as
198 determined by the Treasurer's Office. These funds shall be
199 provided to the MDA Site Development Grant Program Fund and are
200 for the purpose of making grants to assist eligible entities with
201 site development and site infrastructure.

202 **SECTION 14.** It is the intention of the Legislature that the
203 Mississippi Development Authority is hereby authorized to
204 escalate, budget, and expend funds from any source not to exceed
205 Ten Million Dollars (\$10,000,000.00) in accordance with rules and
206 regulations of the Department of Finance and Administration in a
207 manner consistent with the escalation of federal funds.

208 **SECTION 15.** It is the intention of the Legislature that the
209 Mississippi Development Authority shall submit a notification of
210 any General Fund Transfers out of the major category Subsidies
211 into any other major categories to the Legislative Budget Office.

212 **SECTION 16.** Of the funds appropriated in Section 1, Twenty
213 Thousand Twenty-five Dollars (\$20,025.00) shall be provided for
214 the support of the Mississippi River Parkway Commission.

215 **SECTION 17.** Of the funds appropriated in Section 1, Five
216 Hundred Fifty Thousand Dollars (\$550,000.00) shall be transferred
217 to Innovate Mississippi.



218 **SECTION 18.** Of the funds appropriated in Section 1, One
219 Hundred Fifty-six Thousand Dollars (\$156,000.00) is provided for
220 the Energy High School Academy, established by Senate Bill No.
221 2928, 2019 Regular Session.

222 **SECTION 19.** The following sum, or so much thereof as may be
223 necessary, is reappropriated out of any money in the Capital
224 Expense Fund not otherwise appropriated, for the Mississippi
225 Development Authority for the purpose of reauthorizing the
226 expenditure of Capital Expense Funds for the Air Service
227 Development Act, as authorized in Senate Bill No. 2977, 2020
228 Regular Session, for the fiscal year beginning July 1, 2021, and
229 ending June 30, 2022.....\$ 321,579.00.

230 Notwithstanding the amount reappropriated under the
231 provisions of this section, in no event shall the amount expended
232 exceed the unexpended balance of June 30, 2021.

233 **SECTION 20.** Of the funds appropriated under the provisions
234 of Section 2, Fifty-two Million Seven Hundred Ninety-three
235 Thousand Dollars (\$52,793,000.00), or so much thereof, shall be
236 derived out of any money in the State Treasury to the credit of
237 the Gulf Coast Restoration Fund, as created in Section 57-119-1,
238 Mississippi Code of 1972. These funds are provided for projects
239 as outlined in Section 57-119-9, Mississippi Code of 1972, for
240 assistance to local units of government, nongovernmental
241 organizations, institutions of higher learning, community
242 colleges, ports, airports, public-private partnerships, private



243 for-profit entities, private nonprofit entities and local economic
244 development entities. These funds will be reappropriated each
245 year until the project is completed.

246 Of the funds appropriated in this section the following sums
247 are provided for projects:

248 (a) To assist the Mississippi State
249 University Mississippi Cyber Center.....\$ 13,500,000.00.

250 (b) To assist the University of Southern
251 Mississippi Ocean Enterprise.....\$ 4,500,000.00.

252 (c) To assist the Stone County Board of
253 Supervisors with the Piney Wood Pellet Mill
254 road, rail and bypass.....\$ 2,500,000.00.

255 (d) To assist the Gulfport Redevelopment
256 Commission for Phase I of a planned 3-phase
257 project of downtown redevelopment to be used on
258 a public use project so as to leverage public
259 and private investment.....\$ 2,500,000.00.

260 (e) To assist the City of Ocean Springs
261 and the OHOS Development LLC with a
262 Public/Private Development.....\$ 6,000,000.00.

263 (f) To assist the Pascagoula Redevelopment
264 with downtown revitalization project.....\$ 3,000,000.00.

265 (g) To assist Long Beach High School with
266 the Long Beach High School Career and Technical
267 Education Center.....\$ 2,500,000.00.



268 (h) To assist the City of Diamondhead with
 269 the Town Center District - Commercial District
 270 Project.....\$ 2,000,000.00.
 271 (i) To assist Stone County School District
 272 with the Stone County High School Career and
 273 Technical Education Center.....\$ 3,200,000.00.
 274 (j) To assist Hancock County Port and
 275 Harbor Assault Landing Strip.....\$ 2,500,000.00.
 276 (k) To assist the City of Gulfport with
 277 flood control and/or drainage for the
 278 Forest Heights Project.....\$ 2,100,000.00.
 279 (l) To assist the City of Moss Point with
 280 the Interstate 10 Frontage Roads, North and
 281 South.....\$ 2,000,000.00.
 282 (m) To assist the City of Picayune with the
 283 Friendship Park Revitalization Project.....\$ 1,900,000.00.
 284 (n) To assist Pearl River Community College
 285 PRCC Aviation Aerospace Academy.....\$ 1,900,000.00.
 286 (o) To assist the City of Bay St. Louis with
 287 the Court Street Parking facility, expansion and
 288 improvements.....\$ 1,000,000.00.
 289 (p) To assist the Walter Anderson Museum with
 290 Phase 3 and Phase 4.....\$ 636,000.00.
 291 (q) To assist the City of Lucedale with
 292 Ventura Drive Improvements.....\$ 577,000.00.



293 (r) To assist George County with the Scott
294 Road Project, widening and infrastructure.....\$ 480,000.00.

295 **SECTION 21.** The following sum, or so much thereof as may be
296 necessary, is reappropriated out of any money in the Gulf Coast
297 Restoration Fund not otherwise appropriated for the Mississippi
298 Development Authority for the purpose of reauthorizing the
299 expenditure of Gulf Coast Restoration Fund, as authorized in
300 Senate Bill No. 2977, 2020 Regular Session, for the fiscal year
301 beginning July 1, 2021, and ending June 30, 2022...\$59,687,545.00.

302 Notwithstanding the amount reappropriated under the
303 provisions of this section, in no event shall the amount expended
304 exceed the unexpended balance as of June 30, 2021.

305 Of the funds reappropriated in this section, the following
306 sums are provided for projects recommended by the department and
307 projects that meet the criteria outlined in Section 57-119-9,
308 Mississippi Code of 1972:

309 (a) To assist the City of Gautier
310 with the Gautier Town Center Development.....\$ 3,500,000.00.

311 (b) To assist Power Dynamics Innovations,
312 LLC with Equipment and Facility Upgrades.....\$ 1,550,000.00.

313 (c) To assist the City of Bay St. Louis
314 with the Old Town Police Department.....\$ 1,000,000.00.

315 (d) To assist the City of Bay St. Louis
316 with the Old Town Depot Revitalization
317 District.....\$ 1,500,000.00.



318 (e) To assist the City of Diamondhead
319 with the Commercial District Transformation
320 Project.....\$ 1,500,000.00.

321 (f) To assist the Stone County School
322 District with the Stone County High School
323 Career and Technical Education Center.....\$ 3,200,000.00.

324 (g) To assist the University of Southern
325 Mississippi with the Ocean Enterprise Phase I.....\$ 7,000,000.00.

326 (h) To assist the Walter Anderson Museum
327 Creative Complex Phase I and begin Phase II.....\$ 750,000.00.

328 (i) To assist the City of Ocean Springs
329 and the OHOS Development LLC with a
330 Public/Private Development.....\$ 2,000,000.00.

331 (j) To assist the Gulfport School with
332 a STEM Exploration Lab.....\$ 100,000.00.

333 (k) To assist the City of Biloxi with
334 downtown revitalization at the Saenger Theater....\$ 2,000,000.00.

335 (l) To assist Hancock County Port and
336 Harbor Commission with the multiuser
337 aero strip at Stennis Airport.....\$ 2,500,000.00.

338 Of the funds appropriated in this section, the following sums
339 are provided for projects that meet the criteria outlined in
340 Section 57-119-9, Mississippi Code of 1972:

341 (a) To assist Harrison County with
342 the Harrison County Law Enforcement



343 Training Academy.....\$ 3,000,000.00.

344 (b) To assist George Regional Health System

345 with a multi-specialty medical office complex.....\$ 2,157,035.00.

346 (c) To assist George Regional Health System

347 with a cafeteria expansion and renovation.....\$ 1,080,510.00.

348 (d) To assist Mississippi State University

349 with the Mississippi Cyber Center.....\$ 3,500,000.00.

350 (e) To assist the Port of Pascagoula

351 with the North Rail Connector.....\$ 6,600,000.00.

352 (f) To assist Jackson County Economic

353 Development Foundation with site development and

354 related support of a defense supplier.....\$ 1,400,000.00.

355 (g) To assist the Pascagoula Redevelopment

356 Authority with the Innovation Center.....\$ 1,000,000.00.

357 (h) To assist the Pascagoula Redevelopment

358 Authority with the City Center.....\$ 4,000,000.00.

359 (i) To assist the Institute for Marine

360 Mammal Studies with Educational Classrooms

361 and Dorms.....\$ 3,000,000.00.

362 (j) To assist the City of Pass Christian

363 with redevelopment and revitalization.....\$ 750,000.00.

364 (k) To assist the City of Long Beach

365 with development and revitalization.....\$ 2,000,000.00.

366 (l) To assist the City of Long Beach

367 with the Quarles House.....\$ 2,000,000.00.



368 (m) To assist George County with a rail connection project:
369 (1) George County rail and highway
370 improvements for Enviva project.....\$ 1,600,000.00.
371 (2) Mississippi Export Railroad for
372 the Enviva project.....\$ 1,000,000.00.

373 **SECTION 22.** The following sum, or so much thereof as may be
374 necessary, is reappropriated out of any money in the Gulf Coast
375 Restoration Fund not otherwise appropriated for the Mississippi
376 Development Authority for the purpose of reauthorizing the
377 expenditure of Gulf Coast Restoration Fund, as authorized in
378 Senate Bill No. 2977, 2020 Regular Session, for the fiscal year
379 beginning July 1, 2021, and ending June 30, 2022....\$5,500,000.00.

380 Notwithstanding the amount reappropriated under the
381 provisions of this section, in no event shall the amount expended
382 exceed the unexpended balance as of June 30, 2021.

383 Of the funds reappropriated in this section the following
384 sums are provided for the following programs:

385 (a) For the Mississippi Development Authority
386 and the Air Service Development Incentive
387 Program.....\$2,500,000.00.

388 (b) For the Mississippi Development Authority
389 and the Quality of Place Incentives Program.....\$3,000,000.00.

390 Of these funds, One Million Dollars (\$1,000,000.00) is
391 provided for the development of a South Mississippi defense and



392 space industry strategy for small companies to compete for defense
393 related contracts to include government, industry and academia.

394 **SECTION 23.** The following sum, or so much thereof as may be
395 necessary, is reappropriated out of any money in the Gulf Coast
396 Restoration Fund not otherwise appropriated for the Mississippi
397 Development Authority for the purpose of reauthorizing the
398 expenditure of Gulf Coast Restoration Fund, as authorized in
399 Senate Bill No. 2977, 2020 Regular Session, for the fiscal year
400 beginning July 1, 2021, and ending June 30, 2022.....\$500,000.00.

401 These funds are provided for Mississippi Development
402 Authority's administrative expenses as outlined in Section
403 57-119-7, Mississippi Code of 1972. Prior to expending any funds
404 in this section, the Mississippi Development Authority shall
405 implement a project management system that provides for full
406 tracking and reporting of the amounts appropriated, reappropriated
407 and expended for each project funded by the Gulf Coast Restoration
408 Fund in this act. The Mississippi Development Authority shall
409 provide quarterly reports on the status of these projects to the
410 Legislative Budget Office and the Department of Finance and
411 Administration. The Mississippi Development Authority shall
412 provide the Joint Legislative Budget Committee a detailed report
413 and other such related information on each project's expenditures
414 with the subsequent fiscal year's budget submission.



415 Notwithstanding the amount reappropriated under the
416 provisions of this section, in no event shall the amount expended
417 exceed the unexpended balance as of June 30, 2021.

418 **SECTION 24.** It is the intention of the Legislature that the
419 Mississippi Development Authority may provide operational support
420 to any park operated by the United States National Park Service in
421 Mississippi during the event of a government shutdown that
422 materially affects the operations of such park.

423 **SECTION 25.** The money herein appropriated shall be paid by
424 the State Treasurer out of any money in the State Treasury to the
425 credit of the proper fund or funds as set forth in this act, upon
426 warrants issued by the State Fiscal Officer; and the State Fiscal
427 Officer shall issue his warrants upon requisitions signed by the
428 proper person, officer or officers, in the manner provided by law.

429 **SECTION 26.** This act shall take effect and be in force from
430 and after July 1, 2021.

