

By: Senator(s) Hopson, Polk, Blackwell,
Simmons (13th), Williams

To: Appropriations

SENATE BILL NO. 3048
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023.

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, 2022, and ending June 30, 2023.....
9\$ 22,024,526.00.

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, 2022, and ending
16 June 30, 2023.....\$ 94,232,101.00.

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



19 AUTHORIZED HEADCOUNT:

20 Permanent: 213

21 Time-Limited: 56

22 With the funds herein appropriated, it shall be the agency's
23 responsibility to make certain that funds required for Personal
24 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds
25 appropriated for that purpose unless programs or positions are
26 added to the agency's Fiscal Year 2023 budget by the Mississippi
27 Legislature. The Legislature shall determine the agency's
28 personal services appropriation, which shall be published by the
29 State Personnel Board. Additionally, the State Personnel Board
30 shall determine and publish the projected annualized payroll costs
31 based on current employees. It shall be the responsibility of the
32 agency head to ensure that actual personnel expenditures for
33 Fiscal Year 2023 do not exceed the data provided by the
34 Legislative Budget Office. If the agency's Fiscal Year 2023
35 projected cost exceeds the annualized costs, no salary actions
36 shall be processed by the State Personnel Board with the exception
37 of new hires that are determined to be essential for the agency.

38 Any transfers or escalations shall be made in accordance with
39 the terms, conditions and procedures established by law or
40 allowable under the terms set forth within this act. The State
41 Personnel Board shall not escalate positions without written
42 approval from the Department of Finance and Administration. The
43 Department of Finance and Administration shall not provide written



44 approval to escalate any funds for salaries and/or positions
45 without proof of availability of new or additional funds above the
46 appropriated level.

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

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

55 Funds have been appropriated herein for the purpose of
56 funding Project SEC2 minimum salaries for all employees covered
57 under the Colonel Guy Groff/Neville Kenning Variable Compensation
58 Plan. It shall be the agency's responsibility to ensure that the
59 funds are used to increase all employees' salaries up to the
60 minimum level as determined by the State Personnel Board.

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

68

FY2023



69 <u>Performance Measures</u>	<u>Target</u>
70 Global Business	
71 Number of National Recruitment Contacts	1,000
72 Number of International Investment Contracts	1,800
73 Number of International Trade Contracts	1,000
74 Number of Qualified National Prospects	225
75 Return on Investment (ROI)	10.00
76 Number of New Businesses - Global Contacts	15
77 Number of New Jobs from Global Contacts	3,000
78 Minority & Small Business Dev	
79 Number of Minority & Small Business Contacts	8,000
80 Number of Minority Business	
81 Certification Applications Processed	190
82 Technical Assistance to Disadvantaged	
83 Contacts	2,300
84 State Contracting with Minority Business (\$)	45,000,000.00
85 Financial Resources	
86 Number of Requests for Financing or	
87 Incentives	225
88 Existing Industry & Business	
89 Number of Interactions with Interested	
90 Businesses	2,500
91 Number of Qualified Contacts	750
92 Number of Expansions	30
93 Number of Jobs Created from Expansions	3,000



94	Energy	
95	Number of Energy Efficiency & Renewable	
96	Energy Direct Contacts	12,000
97	Community Services	
98	Awarded Grants & Loans for Community &	
99	Economic Development (\$)	50,000,000.00
100	Number of Grants & Loans Awarded	100
101	Support Services	
102	Administration as a Percent of Total Budget	9.50
103	Tourism	
104	Number of Tourist Inquiries Generated	37,875
105	Number of Visitors per Year	26,000,000
106	Travel Revenue (\$ in Billions)	6.67
107	Welcome Centers	
108	Number of Tourists Registered	2,448,600
109	A reporting of the degree to which the performance targets	
110	set above have been or are being achieved shall be provided in the	
111	agency's budget request submitted to the Joint Legislative Budget	
112	Committee for Fiscal Year 2024.	

113 **SECTION 5.** Of the funds appropriated in Section 2 of this
114 act, the amount of Eight Hundred Thousand Dollars (\$800,000.00)
115 shall be provided from the Mississippi Department of
116 Transportation to defray the expenses of the Mississippi
117 Development Authority in operating the state welcome centers.



118 **SECTION 6.** It is the intention of the Legislature that the
119 Mississippi Development Authority shall maintain complete
120 accounting and personnel records related to the expenditure of all
121 funds appropriated under this act and that such records shall be
122 in the same format and level of detail as maintained for Fiscal
123 Year 2022. It is further the intention of the Legislature that
124 the agency's budget request for Fiscal Year 2024 shall be
125 submitted to the Joint Legislative Budget Committee in a format
126 and level of detail comparable to the format and level of detail
127 provided during the Fiscal Year 2023 budget request process.

128 **SECTION 7.** Of the funds appropriated in Sections 1 and 2 of
129 this act, the amount of Four Million Eight Hundred Seventy-six
130 Thousand Two Hundred Ninety-eight Dollars (\$4,876,298.00), or so
131 much thereof as may be necessary, is provided for the purpose of
132 supporting Mississippi Tourism Advertising and Promotion for
133 Fiscal Year 2023, and shall not be expended for any type of
134 cultural exchange program. Of the funds appropriated herein and
135 allocated within this section, Two Hundred Ninety-nine Thousand
136 Dollars (\$299,000.00) is provided for Tourism Grant Development
137 Awards.

138 **SECTION 8.** It is the intention of the Legislature that none
139 of the funds appropriated above shall be expended unless members
140 of the Mississippi House of Representatives and Mississippi Senate
141 are notified at least five (5) days prior to a public ceremony
142 announcing the award of any grant in their district or any public



143 announcement or ceremony regarding the groundbreaking or opening
144 of a facility, roadway or bridge for which the Legislature has
145 made funds available. Any signage regarding any public event or
146 any new facility, roadway or bridge shall include the following
147 language: "Funds were made available for this project by the
148 Mississippi State Legislature."

149 **SECTION 9.** It is the intention of the Legislature that
150 whenever two (2) or more bids are received by this agency for the
151 purchase of commodities or equipment, and whenever all things
152 stated in such received bids are equal with respect to price,
153 quality and service, the Mississippi Industries for the Blind
154 shall be given preference. A similar preference shall be given to
155 the Mississippi Industries for the Blind whenever purchases are
156 made without competitive bids.

157 **SECTION 10.** Of the funds appropriated in Section 1 of this
158 act, One Hundred Thousand Dollars (\$100,000.00) is provided for
159 the Mississippi Delta National Heritage Areas.

160 **SECTION 11.** Of the funds appropriated in Section 1 of this
161 act, One Hundred Thousand Dollars (\$100,000.00) is provided for
162 the Mississippi Hills National Heritage Area.

163 **SECTION 12.** It is the intention of the Legislature that the
164 Mississippi Development Authority is hereby authorized to
165 escalate, budget, and expend funds from any source not to exceed
166 Ten Million Dollars (\$10,000,000.00) in accordance with rules and



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

169 **SECTION 13.** It is the intention of the Legislature that the
170 Mississippi Development Authority shall submit a notification of
171 any General Fund Transfers out of the major category Subsidies
172 into any other major categories to the Legislative Budget Office.

173 **SECTION 14.** Of the funds appropriated in Section 1 of this
174 act, Twenty Thousand Twenty-five Dollars (\$20,025.00) shall be
175 provided for the support of the Mississippi River Parkway
176 Commission.

177 **SECTION 15.** Of the funds appropriated in Section 1 of this
178 act, One Million Dollars (\$1,000,000.00) shall be transferred to
179 Innovate Mississippi.

180 **SECTION 16.** Of the funds appropriated in Section 1 of this
181 act, One Hundred Fifty-six Thousand Dollars (\$156,000.00) is
182 provided for the Energy High School Academy, established by Senate
183 Bill No. 2928, 2019 Regular Session.

184 **SECTION 17.** Of the funds appropriated in Section 1 of this
185 act, it is the intention of the Legislature that Fifty Thousand
186 Dollars (\$50,000.00) shall be allocated to the Mississippi Book
187 Festival.

188 **SECTION 18.** Of the funds appropriated herein, Five Hundred
189 Thousand Dollars (\$500,000.00) shall be provided to the
190 Mississippi Main Street Association for statewide support and
191 operations.



192 **SECTION 19.** Of the funds appropriated under the provisions
193 of Section 2 of this act, Five Hundred Thousand Dollars
194 (\$500,000.00), or so much thereof, shall be derived out of any
195 money in the State Treasury to the credit of the Gulf Coast
196 Restoration Fund, as created in Section 57-119-1, Mississippi Code
197 of 1972. These funds are provided for administrative expenses at
198 the Mississippi Development Authority as outlined in Section
199 57-119-7, Mississippi Code of 1972. The Mississippi Development
200 Authority shall provide quarterly reports on the status of these
201 projects to the Legislative Budget Office and the Department of
202 Finance and Administration. The Mississippi Development Authority
203 shall provide the Joint Legislative Budget Committee a detailed
204 report and other such related information on each project's
205 expenditures with the subsequent fiscal year's budget submission.

206 **SECTION 20.** The following sum, or so much thereof as may be
207 necessary, is reappropriated out of any money in the Gulf Coast
208 Restoration Fund not otherwise appropriated for the Mississippi
209 Development Authority for the purpose of reauthorizing the
210 expenditure of Gulf Coast Restoration Fund, as provided in Senate
211 Bill No. 2951, 2021 Regular Session, for the fiscal year beginning
212 July 1, 2022, and ending June 30, 2023.....\$ 356,608.00

213 These funds are provided for administrative expenses at the
214 Mississippi Development Authority as outlined in Section 57-119-7,
215 Mississippi Code of 1972.



216 Notwithstanding, the amounts reappropriated under the
217 provisions of this section, in no event shall the amount expended
218 exceed the unexpended balance as of June 30, 2022.

219 **SECTION 21.** Of the funds appropriated under the provisions
220 of Section 2 of this act, Four Hundred Thousand Dollars
221 (\$400,000.00), or so much thereof, shall be derived out of any
222 money in the State Treasury to the credit of the Capital Expense
223 Fund, as created in Section 27-103-303, Mississippi Code of 1972,
224 and allocated in a manner as determined by the Treasurer's Office.
225 These funds are provided to the Skills Foundation of Mississippi.

226 **SECTION 22.** The following sum, or so much thereof as may be
227 necessary, is reappropriated out of any money in the Capital
228 Expense Fund not otherwise appropriated, for the Mississippi
229 Development Authority for the purpose of reauthorizing the
230 expenditure of Capital Expense Funds for the Air Service
231 Development Act, as authorized in Senate Bill No. 2951, 2021
232 Regular Session, for the fiscal year beginning July 1, 2022, and
233 ending June 30, 2023.....\$ 246,431.00.

234 Notwithstanding the amount reappropriated under the
235 provisions of this section, in no event shall the amount expended
236 exceed the unexpended balance of June 30, 2022.

237 **SECTION 23.** Of the funds appropriated in Section 2 of this
238 act, Ten Million Dollars (\$10,000,000.00) shall be provided to the
239 Mississippi Ports Improvement Fund.



240 **SECTION 24.** It is the intention of the Legislature that the
241 Mississippi Development Authority may provide operational support
242 to any park operated by the United States National Park Service in
243 Mississippi during the event of a government shutdown that
244 materially affects the operations of such park.

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

251 **SECTION 26.** This act shall take effect and be in force from
252 and after July 1, 2022.

