

REPORT OF CONFERENCE COMMITTEE

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MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 453: Mississippi Tourism Recovery Fund - Round 2 and Mississippi Destination Development Fund; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

28 **SECTION 1.** The COVID-19 public health emergency has had a
29 significant negative impact on Mississippi's tourism industry and
30 its nonprofit museums. American Rescue Plan Act funds are
31 specifically targeted toward assisting in the recovery of the
32 tourism and hospitality sectors. The funds provided in this act
33 are necessary expenditures related to COVID-19, the purpose of
34 which is to publicize the resumption of tourism activities and
35 steps taken to ensure a safe tourism experience and to support the
36 travel and hospitality economy of Mississippi.

37 **SECTION 2.** (1) As used in this section, the following words
38 and phrases shall have the meanings ascribed in this section
39 unless the context clearly indicates otherwise:

40 (a) "Destination marketing organization" means:

41 (i) Special local governmental units created by
42 local and private laws of the State of Mississippi for the purpose
43 of tourism promotion, funded by special local tax levies, and
44 staffed with professionals engaged in out-of-state tourism
45 marketing and tourism product development for municipalities,
46 counties and/or regions; or

47 (ii) Publicly-funded local organizations that
48 engage in out-of-state tourism marketing and tourism development
49 for municipalities, counties and/or regions.

50 (b) "Marketing activities" means multimedia marketing
51 and advertising, including digital media, broadcast media and
52 printed media, including travel publications, production, travel
53 market sector analysis, consumer travel sentiment, public
54 relations, communication strategy, direct sales bookings, group
55 tour bookings, tourism development and administrative costs to
56 execute marketing activities related to the business disruption
57 effects of the Coronavirus Disease 2019 as expressed in Section 1
58 of this act.

59 (2) (a) The Department of Finance and Administration shall
60 establish a program for the purpose of providing funds to assist
61 destination marketing organizations in paying costs for marketing
62 activities as provided in this section. Monies disbursed by the
63 Department of Finance and Administration under this section shall
64 be disbursed in compliance with all requirements and/or conditions
65 on funds appropriated from the Coronavirus State Fiscal Recovery

66 Fund for the program established under this section. The
67 Department of Finance and Administration shall determine, in
68 conjunction with the destination marketing organizations, the
69 allocation of funds under this section and shall disburse funds as
70 follows:

71 (i) Not more than Nine Million Four Hundred
72 Twenty-seven Thousand Five Hundred Fifty-seven Dollars
73 (\$9,427,557.00) of such monies shall be allocated to destination
74 marketing organizations in a manner that will provide monies to a
75 destination marketing organization in an amount equal to
76 seventy-five percent (75%) of the destination marketing
77 organization's marketing and advertising expenditures during the
78 2019 fiscal year, and

79 (ii) Not more than Twenty Million Five Hundred
80 Seventy-two Thousand Four Hundred Forty-three Dollars
81 (\$20,572,443.00) of such monies shall be allocated to destination
82 marketing organizations based on the proportion that a destination
83 marketing organization's contribution toward total tourism
84 visitors in the state according to the 2019 Fiscal Year Visit
85 Mississippi Visitors Profile Report bears to all destination
86 marketing organizations' contributions toward total tourism
87 visitors in the state according to the 2019 Fiscal Year Visit
88 Mississippi Visitors Profile Report. However, a destination
89 marketing organization shall not receive an amount less than Two

90 Hundred Fifty Thousand Dollars (\$250,000.00) under this
91 subparagraph (ii).

92 (b) Within fifteen (15) days after the effective date
93 of this act, the Department of Finance and Administration shall
94 distribute the funds allocated under paragraph (a) of this
95 subsection (2) to eligible destination marketing organizations.
96 Before receiving funds under this subsection (2), a destination
97 marketing organization must certify to the Department of Finance
98 and Administration that:

99 (i) The funds will only be used for marketing
100 activities, and

101 (ii) The destination marketing organization will
102 comply with applicable federal and state regulations and
103 requirements related to American Rescue Plan Act funds, and

104 (iii) The destination marketing organization will
105 obligate all funds by December 31, 2024 and fully expend all funds
106 by December 31, 2026.

107 (c) Destination marketing organizations receiving funds
108 under this subsection (2) shall keep and maintain records related
109 to expenditures. Destination marketing organizations receiving
110 funds under this subsection (2) shall also track impacts of their
111 marketing activities through special levy tax receipts, hotel
112 occupancy indicators, other tourism industry metrics, and
113 analytics from marketing campaigns, as appropriate. Such
114 destination marketing organizations shall provide semi-annual

115 reports on expenditures and economic impacts of their marketing
116 activities to the Department of Finance and Administration, the
117 Governor, the Lieutenant Governor, the Speaker of the House of
118 Representatives and the Department of Audit.

119 (d) Subject to applicable purchasing laws, destination
120 marketing organizations will give preference, when available and
121 practical, to Mississippi-based companies for any new contracts
122 entered into for marketing activities.

123 (3) The Department of Finance and Administration and the
124 Department of Audit shall have all powers necessary for the
125 implementation of this section.

126 **SECTION 3.** (1) The Department of Finance and Administration
127 shall establish a program for the purpose of providing assistance
128 to Mississippi nonprofit museums as provided in this section.
129 Monies disbursed by the Department of Finance and Administration
130 under this section shall be disbursed in compliance with all
131 requirements and/or conditions on funds appropriated from the
132 Coronavirus State Fiscal Recovery Fund for the program established
133 under this section. The Department of Finance and Administration
134 shall disburse funds under this section to nonprofit museums
135 located in municipalities with a population of not more than Fifty
136 Thousand (50,000) according to the latest federal decennial census
137 to assist in paying costs associated with advertising and other
138 forms of promoting and publicizing nonprofit museums and museum
139 related activities, and repairs and renovations of and upgrades

140 and improvements to such museums for health and safety purposes
141 related to the Coronavirus Disease 19. Of the monies disbursed by
142 the Department of Finance and Administration under this section,
143 twenty-five percent (25%) of such monies shall be used to provide
144 assistance for requests for assistance of less than Three Hundred
145 Thousand Dollars (\$300,000.00); thirty-five percent (35%) of such
146 monies shall be used to provide assistance for requests for
147 assistance of Three Hundred Thousand Dollars (\$300,000.00) or more
148 but less than Seven Hundred Thousand Dollars (\$700,000.00) and
149 forty percent (40%) of such monies shall be used to provide
150 assistance for requests for assistance of Seven Hundred Thousand
151 Dollars (\$700,000.00) or more. A museum desiring assistance under
152 this section must submit an application to the Department of
153 Finance and Administration. The application must include a
154 description of the purposes for which the assistance is requested,
155 the amount of the assistance requested and any other information
156 required by the department.

157 (2) The Department of Finance and Administration shall have
158 all powers necessary for the implementation of this section.

159 **SECTION 4.** (1) The Department of Finance and Administration
160 shall establish a program for the purpose of providing funds to
161 Mississippi Main Street Association as provided in this section.
162 Monies disbursed by the Department of Finance and Administration
163 under this section shall be disbursed in compliance with all
164 requirements and/or conditions on funds appropriated from the

165 Coronavirus State Fiscal Recovery Fund for the program established
166 under this section. The Department of Finance and Administration
167 shall disburse funds under this section to Mississippi Main Street
168 Association to be used for the purpose of making revitalization
169 grants to Mississippi communities as follows:

| 2020 | Number of | Grant | Total |
|----------------------|--------------------|---------------|------------------------|
| <u>population</u> | <u>communities</u> | <u>amount</u> | <u>grants</u> |
| More than 25,000 | 8 | \$ 125,000.00 | \$ 1,000,000.00 |
| Not more than 25,000 | 40 | \$ 100,000.00 | <u>\$ 4,000,000.00</u> |
| Total | | | \$ 5,000,000.00 |

175 (2) The Department of Finance and Administration shall have
176 all powers necessary for the implementation of this section.

177 **SECTION 5.** (1) The Legislature finds that:

178 (a) The State of Mississippi is known as the
179 "Birthplace of America's Music," and is credited for producing
180 Elvis Presley, the "King of Rock and Roll," Jimmie Rodgers, the
181 "Father of Country Music," and B.B. King, the "King of the Blues,"
182 and these Mississippi trailblazers, alongside hundreds of others,
183 have impacted and influenced the music industry like no others in
184 modern history; and

185 (b) That many states of the United States have two (2)
186 or more official state songs, including: Tennessee; West
187 Virginia; Arkansas; Florida; Louisiana and South Carolina; and

188 (c) Mississippi's musical heritage has positioned the
189 Magnolia State as a true renaissance of musical genres, scaling

190 past, present and even future trends, and from rock and roll,
191 country and the blues, to gospel, opera and everything in between,
192 Mississippi has not only transformed the course of America's
193 music, it has revolutionized it, and because of this, it is
194 important that the official songs of the State of Mississippi
195 truly reflect the state's phenomenal musical heritage, while
196 enthusiastically looking forward to its future; and

197 (d) The Legislature desires to provide the state with
198 numerous state songs so that Mississippians may enjoy state songs
199 that are appropriate for all occasions, events and daily
200 activities.

201 (2) The lyrics and music to the song "One Mississippi,"
202 written by Steve Azar, are designated as the contemporary music
203 genre official song of the State of Mississippi.

204 **SECTION 6.** (1) There is established the Mississippi State
205 Songs Study Committee for the purpose of developing and reporting
206 to the Legislature its recommendation for various genres of
207 official songs of the State of Mississippi, including, but not
208 limited to, country, rhythm and blues, rock and roll and gospel.
209 The official songs of the State of Mississippi shall honor the
210 past while embracing the promise of the future.

211 (2) The committee shall consist of the following members:

212 (a) The Director of the Division of Tourism of the
213 Mississippi Development Authority;

214 (b) The Executive Director of the Mississippi Tourism
215 Association;

216 (c) The Chair of the House of Representatives Tourism
217 Committee;

218 (d) The Chair of the Senate Tourism Committee;

219 (e) The Executive Director of the Mississippi Arts
220 Commission; and

221 (f) The Director of the Two Mississippi Museums.

222 The chair of the committee shall be chosen by majority vote
223 of the members of the committee. The committee shall meet as soon
224 as practicable after the effective date of this act upon the joint
225 call of the Speaker of the House of Representatives and the
226 Lieutenant Governor, and shall organize for business. A majority
227 vote of the members of the committee shall be required for the
228 adoption of any reports and recommendations.

229 (3) The committee shall have the following functions and
230 duties:

231 (a) To hold regular public meetings when and where it
232 sees fit;

233 (b) To receive written public comments in a manner and
234 under the terms and conditions as it sees fit;

235 (c) To collect, examine and consider all information
236 that it determines may be helpful in making a recommendation for
237 the various genres of official songs for the State of Mississippi;

238 (d) To consult with experts, representatives of
239 organizations and associations, and others, as it sees fit, whose
240 knowledge or expertise may assist the committee in making its
241 recommendation;

242 (e) To make any inquiries and conduct any business that
243 may assist the committee in developing the various genres of
244 official songs for the State of Mississippi;

245 (f) Keep minutes of its meetings, and make those
246 minutes available to the public; and

247 (g) To make a written recommendation for the various
248 genres of official songs for the State of Mississippi, which shall
249 be presented to the Legislature not later than December 31, 2022.

250 (4) Members of the committee shall receive no compensation
251 for their service on the committee, but may receive reimbursement
252 for mileage and actual expenses as provided in Section 25-3-41,
253 Mississippi Code of 1972, to the extent that funds are available
254 for that purpose.

255 **SECTION 7.** Chapter 654, Laws of 1962, which designated "Go
256 Mississippi" as the official song of the State of Mississippi, is
257 repealed.

258 **SECTION 8.** This act shall take effect and be in force from
259 and after July 1, 2022.

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

1 AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND
2 ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING
3 FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING
4 COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE TERMS
5 "DESTINATION MARKETING ORGANIZATIONS" AND "MARKETING ACTIVITIES"
6 FOR THE PURPOSES OF THIS ACT; TO REQUIRE THE DEPARTMENT OF FINANCE
7 AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF
8 PROVIDING FUNDS TO CERTAIN NONPROFIT MUSEUMS TO ASSIST IN PAYING
9 COSTS ASSOCIATED WITH ADVERTISING AND OTHER FORMS OF PROMOTING AND
10 PUBLICIZING NONPROFIT MUSEUMS AND MUSEUM RELATED ACTIVITIES, AND
11 REPAIRS AND RENOVATIONS OF AND UPGRADES AND IMPROVEMENTS TO SUCH
12 MUSEUMS FOR HEALTH AND SAFETY PURPOSES RELATED TO THE CORONAVIRUS
13 DISEASE 19; TO REQUIRE THE DEPARTMENT OF FINANCE AND
14 ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING
15 FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION TO BE USED FOR THE
16 PURPOSE OF MAKING REVITALIZATION GRANTS TO MISSISSIPPI
17 COMMUNITIES; TO DESIGNATE "ONE MISSISSIPPI," WRITTEN BY STEVE
18 AZAR, AS THE CONTEMPORARY MUSIC GENRE OFFICIAL STATE SONG; TO
19 ESTABLISH THE MISSISSIPPI STATE SONGS STUDY COMMITTEE TO DEVELOP
20 VARIOUS GENRES OF OFFICIAL SONGS FOR THE STATE OF MISSISSIPPI; TO
21 PRESCRIBE THE MEMBERSHIP OF THE COMMITTEE AND TO PROVIDE FOR ITS
22 ORGANIZATION AND MEETINGS; TO REQUIRE THE COMMITTEE TO SUBMIT A
23 REPORT OF ITS FINDINGS TO THE LEGISLATURE NO LATER THAN DECEMBER
24 31, 2022; TO REPEAL CHAPTER 654, LAWS OF 1962, WHICH DESIGNATED
25 "GO MISSISSIPPI" AS THE OFFICIAL STATE SONG; AND FOR RELATED
26 PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X (SIGNED)
Currie

X (SIGNED)
Chassaniol

X (SIGNED)
Oliver

X (SIGNED)
Polk

X (SIGNED)
Lamar

X (SIGNED)
Williams