

By: Senator(s) Gordon, Little, Kirby,  
Cuevas, Flowers, Lee (35th), Turner

To: Appropriations

SENATE BILL NO. 3026

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

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, 2006, and ending June 30, 2007.....  
9 ..... \$ 17,217,018.00.

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..... \$ 91,386,367.00.

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.....	252
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 Twelve Hundred Dollars (\$1,200.00), whichever is greater,  
28 beginning on July 1, 2006.

29 Pursuant to policies established by the State Personnel  
30 Board, agency heads may, on a case by case basis and within funds  
31 available, recommend equity salary adjustments to Fiscal Year 2006  
32 agency appropriation acts where application of limitations result  
33 in awarding one employee a salary increase greater than another  
34 employee within the same agency, with the same job classification  
35 series and greater longevity.

36 With the funds herein appropriated, it is the intention of  
37 the Legislature that it shall be the agency's responsibility to  
38 make certain that funds required to be appropriated for "Personal  
39 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
40 funds appropriated for that purpose, unless programs or positions  
41 are added to the agency's Fiscal Year 2008 budget by the  
42 Mississippi Legislature. Based on data provided by the  
43 Legislative Budget Office, the State Personnel Board shall  
44 determine and publish the projected annual cost to fully fund all  
45 appropriated positions in compliance with the provisions of this  
46 act. It shall be the responsibility of the agency head to insure  
47 that no single personnel action increases this projected annual  
48 cost and/or the Fiscal Year 2007 appropriation for "Personal  
49 Services" when annualized, with the exception of escalated funds.  
50 If, at the time the agency takes any action to change "Personal  
51 Services," the State Personnel Board determines that the agency  
52 has taken an action which would cause the agency to exceed this  
53 projected annual cost or the Fiscal Year 2007 "Personal Services"  
54 appropriated level, when annualized, then only those actions which  
55 reduce the projected annual cost and/or the appropriation  
56 requirement will be processed by the State Personnel Board until  
57 such time as the requirements of this provision are met.

58 Any transfers or escalations shall be made in accordance with  
59 the terms, conditions and procedures established by law or

60 allowable under the terms set forth within this act. The State  
 61 Personnel Board shall not escalate positions without written  
 62 approval from the Department of Finance and Administration. The  
 63 Department of Finance and Administration shall not provide written  
 64 approval to escalate any funds for salaries and/or positions  
 65 without proof of availability of new or additional funds above the  
 66 appropriated level.

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

71 **SECTION 4.** In compliance with the "Mississippi Performance  
 72 Budget and Strategic Planning Act of 1994," it is the intent of  
 73 the Legislature that the funds provided herein shall be utilized  
 74 in the most efficient and effective manner possible to achieve the  
 75 intended mission of this agency. Based on the funding authorized,  
 76 this agency shall make every effort to attain the targeted  
 77 performance measures provided below:

	FY07
<u>Performance Measures</u>	<u>Target</u>
80 Business Development & Trade	
81 National Recruitment Contacts (Actions)	2,900
82 International Investment Contacts (Actions)	200
83 International Trade Contacts (Actions)	925
84 Qualified National Prospects (Prospects)	250
85 Minority & Small Business Dev	
86 Minority & Small Business Contacts (Contacts)	7,500
87 Minority Business Certifications (Actions)	498
88 Financial Resources	
89 Request for Financing or Incentives (Actions)	600
90 Existing Industry & Business	
91 Interactions with Interstate	
92 Businesses (Actions)	6,300

93	Number of Qualified Contacts	2,000
94	Tourism Services	
95	Tourist Inquiries Generated (Number)	1,297,040
96	Welcome Centers	
97	Tourists Registered (Persons)	2,986,242
98	Energy	
99	BTUs Saved (Units in Trillions)	71.67
100	Clients Served (Entities)	34,650
101	Community Services	
102	Amount of Grants Awarded (\$)	66,000,000
103	Grants & Loans Awarded (Items)	220
104	Community Programs Delivered (Programs)	400
105	Regional Services	
106	Community Customer Contacts	500
107	Cost per Program Contact (\$)	2,511

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

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

117 **SECTION 6.** The acceptance and expenditure of funds, and  
118 interest on such funds, received from, or by virtue of consent or  
119 other orders of or agreements involving any agency,  
120 instrumentality, or judicial tribunal of any state or the United  
121 States for petroleum price compliance and allocation which may  
122 become available during the fiscal year for the support of the  
123 Mississippi Development Authority or any programs sponsored under  
124 the terms of the receipt of these funds are hereby authorized not  
125 to exceed Two Million Dollars (\$2,000,000.00) and approved,

126 provided such receipts and expenditures are reported and otherwise  
127 accounted for in accordance with Section 27-103-101 et seq., and  
128 Section 27-104-1 et seq., Mississippi Code of 1972.

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

135       **SECTION 8.** It is the intention of the Legislature that the  
136 Mississippi Development Authority shall maintain complete  
137 accounting and personnel records related to the expenditure of all  
138 funds appropriated under this act and that such records shall be  
139 in the same format and level of detail as maintained for Fiscal  
140 Year 2006. It is further the intention of the Legislature that  
141 the agency's budget request for Fiscal Year 2008 shall be  
142 submitted to the Joint Legislative Budget Committee in a format  
143 and level of detail comparable to the format and level of detail  
144 provided during the Fiscal Year 2007 budget request process.

145       **SECTION 9.** Of the funds appropriated in Sections 1 and 2,  
146 the amount of Four Million Four Hundred Sixty-two Thousand Dollars  
147 (\$4,462,000.00), or so much thereof as may be necessary, is  
148 provided for the purpose of supporting Mississippi Tourism  
149 Advertising and Promotion for Fiscal Year 2007, and shall not be  
150 expended for any type of cultural exchange program. The  
151 expenditure of funds authorized in this section shall be exempt  
152 from Section 25-9-120, Mississippi Code of 1972.

153       **SECTION 10.** Of the funds appropriated in Sections 1 and 2,  
154 the amount of One Million Sixty-seven Thousand Dollars  
155 (\$1,067,000.00), or so much thereof as may be necessary, is  
156 provided for the purpose of supporting, marketing, and  
157 facilitating Mississippi business growth for Fiscal Year 2007.

158 The expenditure of funds authorized in this section shall be  
159 exempt from Section 25-9-120, Mississippi Code of 1972.

160       **SECTION 11.** In addition to all other sums herein  
161 appropriated, the following sum, or so much thereof as may be  
162 necessary, is hereby appropriated out of any money in the State  
163 General Fund not otherwise appropriated, to the Mississippi  
164 Development Authority for the purpose of providing funds for  
165 Mississippi Technology Alliance, for the fiscal year beginning  
166 July 1, 2006, and ending June 30, 2007 ..... \$1,203,522.00.

167       The funds appropriated under the provisions of this section  
168 are provided for the specific purpose of providing state funds for  
169 support of Mississippi Technology Alliance to strengthen the  
170 business environment in Mississippi to spur the creation and  
171 growth of technology-based industries, thus creating many more  
172 high-paying jobs and a more diversified, competitive Mississippi  
173 economy. The funds herein appropriated shall be held separate and  
174 apart from all other funds appropriated to the Mississippi  
175 Development Authority.

176       **SECTION 12.** In addition to all other sums herein  
177 appropriated, the following sum, or so much thereof as may be  
178 necessary, is hereby appropriated out of any money in the State  
179 General Fund not otherwise appropriated, to the Mississippi  
180 Development Authority for the purpose of providing funds to  
181 support the Enterprise for Geospatial Solutions, for the  
182 fiscal year beginning July 1, 2006, and ending June 30, 2007...  
183 .....\$                   613,543.00.

184       The funds herein appropriated shall be held separate and  
185 apart from all other funds appropriated to the Mississippi  
186 Development Authority.

187       **SECTION 13.** It is the intention of the Legislature that of  
188 the funds appropriated in Sections 1 and 2, not more than Twenty  
189 Thousand (\$20,000.00) may be expended for Mississippi Development  
190 Authority employee travel associated with business recruitment

191 activities conducted at the Mississippi event located in New York  
192 City's Central Park.

193       **SECTION 14.** It is the intention of the Legislature that none  
194 of the funds appropriated above shall be expended unless members  
195 of the Mississippi House of Representatives and Mississippi Senate  
196 are notified at least five (5) days prior to a public ceremony  
197 announcing the award of any grant in their district or any public  
198 announcement or ceremony regarding the groundbreaking or opening  
199 of a facility, roadway or bridge for which the Legislature has  
200 made funds available. Any signage regarding any public event or  
201 any new facility, roadway or bridge shall include the following  
202 language: "Funds were made available for this project by the  
203 Mississippi State Legislature."

204       **SECTION 15.** The money herein appropriated shall be paid by  
205 the State Treasurer out of any money in the State Treasury to the  
206 credit of the proper fund or funds as set forth in this act, upon  
207 warrants issued by the State Fiscal Officer; and the State Fiscal  
208 Officer shall issue his warrants upon requisitions signed by the  
209 proper person, officer or officers, in the manner provided by law.

210       **SECTION 16.** This act shall take effect and be in force from  
211 and after July 1, 2006.