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Chapter No. 48
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SENATE BILL NO. 2875

Originated in Senate

Lkwelch

Secretary

SENATE BILL NO. 2875

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2014.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014
..... \$ 21,537,660.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014 \$ 481,816,041.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time	244
	Part Time	4
Time-Limited:	Full Time	76
	Part Time	1

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2015 do not exceed Fiscal Year 2014 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2014 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2014 appropriations for "Personal Services" when annualized, with the exception of escalated funds. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2014 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation

requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Unless otherwise authorized in this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation, reclassification, realignment, educational benchmark, career ladder, equity salary adjustment, or any other means to increase salaries of employees or positions unless specifically exempted by the following conditions: the award of teacher salary increments; the advancement of a trainee/cadet to the next level of a bona fide career ladder; the award of an educational benchmark for the attainment of a Certified Public Accountant License or higher level professional certification; the immediate replacement of a departing employee with an employee from within state service at a salary level of the departing employee or the FY2014 promotional formula, whichever is less; the emergency appointment of nurses, pharmacists or other health care and child protection professionals at a salary to be determined by the State Personnel Board or any other requested action of the agency that has been specifically authorized by the Legislature.

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

Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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

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

<u>Performance Measures</u>	<u>FY2014 Target</u>
Global Business	
National Recruitment Contacts (Actions)	1,500
International Investment	
Contacts (Actions)	600
International Trade Contacts (Actions)	1,300
Qualified National Prospects (Prospects)	225
Minority & Small Business Dev	
Minority & Small Business	

Contacts (Contacts)	8,100
Minority Business	
Certifications (Actions)	200
Financial Resources	
Request for Financing or	
Incentives (Actions)	400
Existing Industry & Business	
Interactions with Interstate	
Businesses (Actions)	3,700
Number of Qualified Contacts	2,400
PriorityOne Survey	850
Industry Visitation	1,000
Energy	
BTUs Saved (Units in Trillions)	0
Clients Served (Entities)	1,500
Community Services	
Amount of Grants Awarded (\$)	60,000,000
Grants & Loans Awarded (Items)	200
Tourism	
Number of Tourist Inquires	
Generated	3,683,024
Welcome Centers	
Tourist Registered (Persons)	2,987,872

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the

agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2015.

SECTION 5. Of the funds appropriated in Section 2, the amount of Seven Hundred Thousand Dollars (\$700,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers. Of the funds provided in this Section, One Hundred Thousand Dollars (\$100,000.00) is for the purpose of repair and renovation of the Visitor Center in Natchez, Mississippi.

SECTION 6. The acceptance and expenditure of funds, and interest on such funds, received from, or by virtue of consent or other orders of or agreements involving any agency, instrumentality, or judicial tribunal of any state or the United States for petroleum price compliance and allocation which may become available during the fiscal year for the support of the Mississippi Development Authority or any programs sponsored under the terms of the receipt of these funds are hereby authorized not to exceed Two Million Dollars (\$2,000,000.00) and approved, provided such receipts and expenditures are reported and otherwise accounted for in accordance with Section 27-103-101 et seq. and Section 27-104-1 et seq., Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget and expend funds from any source not to exceed

Five Million Dollars (\$5,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2013. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2015 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2014 budget request process.

SECTION 9. Of the funds appropriated in Sections 1 and 2, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars (\$4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2014, and shall not be expended for any type of cultural exchange program.

SECTION 10. It is the intention of the Legislature, that the Mississippi Development Authority may fund a portion of a feasibility study for a rail system for the Port of Gulfport. It is the intent of the Legislature, that the Mississippi Department

of Transportation may provide a grant or other funds for part or all of this feasibility study.

SECTION 11. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. Of the funds provided in Section 2, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Budget Contingency Fund, and allocated in a manner as

determined by the Treasurer's Office, to defray the expenses of Innovate Mississippi for the period beginning July 1, 2013, and through the fiscal year ending June 30, 2014.....\$ 1,300,000.00.

SECTION 14. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Delta National Heritage Areas, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Hills National Heritage Area Alliance.

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

SECTION 16. The Mississippi Development Authority shall provide a final report on all Disaster Recovery Programs funded through the Community Development Block Grant (CDBG) funds to the Chairmen of the House and Senate Appropriations and all members of the Legislature who represent the coastal Counties of Harrison, Hancock, Jackson, Pearl River, George, and Stone. The authority shall provide an annual strategic plan that includes how the remaining CDBG funds shall be expended with summary information on each program that will include up-to-date timelines for the programs and allocations of the funds.

SECTION 17. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any escalation of Community Development Block Grant funds received

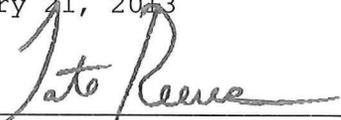
for Hurricane Katrina disaster recovery to the Chairman of Appropriations in the House and Senate and the Legislative Budget Office.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

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

SECTION 20. This act shall take effect and be in force from and after July 1, 2013.

PASSED BY THE SENATE
February 21, 2013



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 13, 2013



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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