

By: Senator(s) Ferris

To: Education

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2276

1 AN ACT TO AMEND SECTION 75-76-34, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE PUBLIC COMMUNITY/JUNIOR COLLEGES AND THE STATE  
3 INSTITUTIONS OF HIGHER LEARNING TO OFFER LIMITED GAMING-RELATED  
4 COURSES AND NOT BE SUBJECT TO REGULATION BY THE MISSISSIPPI GAMING  
5 COMMISSION; TO AMEND SECTIONS 37-29-1 AND 37-29-63, MISSISSIPPI  
6 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR  
7 RELATED PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE  
8 OF MISSISSIPPI:

9  
10 SECTION 1. Section 75-76-34, Mississippi Code of 1972, is  
11 amended as follows:

12 75-76-34. (1) Except as otherwise provided herein, the  
13 Mississippi Gaming Commission is authorized to regulate all  
14 schools or training institutions that teach or train gaming  
15 employees. Such schools shall only be located in counties where  
16 gaming is legal aboard a cruise vessel or vessel or in counties  
17 where cruise vessels were legally operating out of a port at the  
18 time of passage of the Mississippi Gaming Control Act pursuant to  
19 Section 19-3-79, unless the schools, courses or training is  
20 offered by a public community/junior college or a state  
21 institution of higher learning. No such school shall be located  
22 on publicly owned property unless the property is under the  
23 jurisdiction of a public community/junior college or a state  
24 institution of higher learning, and no public school shall teach  
25 or train persons to be gaming dealers. The gaming activities of  
26 schools or training institutions regulated by the commission, and  
27 those excepted from such regulation as provided herein, shall be  
28 deemed to be legal under the laws of the State of Mississippi.  
29 Any person desiring to operate a school or training institution

30 must file a license application with the executive director to be  
31 licensed by the commission.

32 (2) The commission may adopt regulations it deems necessary  
33 to regulate schools and training institutions. Public  
34 community/junior colleges and state institutions of higher  
35 learning are not subject to regulation of the commission for the  
36 purposes of this section. These regulations shall, without  
37 limiting the general powers of the commission, include the  
38 following:

39 (a) Prescribing the method and form of application  
40 which any applicant for a school or training institution must  
41 follow and complete before consideration of his application by the  
42 executive director or commission.

43 (b) Prescribing the information to be furnished by the  
44 applicant relating to his employees.

45 (c) Requiring fingerprinting of the applicant,  
46 employees and students of the school or institution or other  
47 methods of identification and the forwarding of all fingerprints  
48 taken pursuant to regulation of the Federal Bureau of  
49 Investigation.

50 (d) Requiring any applicant to pay all or part of the  
51 fees and costs of investigation of the applicant as may be  
52 determined by the commission.

53 (e) Prescribing the manner and method of collection and  
54 payment of fees and costs and issuance of licenses to schools or  
55 training institutions.

56 (f) Prescribing under what conditions a licensee  
57 authorized by this section may be deemed subject to revocation or  
58 suspension of his license.

59 (g) Defining the curriculum of the school or training  
60 institution, the games and devices permitted, the use of tokens  
61 only for instruction purposes, and the method of operation of  
62 games and devices.

63 (h) Requiring the applicant to submit its location of  
64 the school or training institution, which shall be at least four  
65 hundred (400) feet from any church, school, kindergarten or  
66 funeral home. However, within an area zoned commercial or

67 business, the minimum distance shall not be less than one hundred  
68 (100) feet.

69 (i) Requiring that all employees and students of the  
70 school or training institution be at least twenty-one (21) years  
71 of age and be a resident of the State of Mississippi.

72 (j) Requiring all employees and students of the school  
73 or training institution to wear identification cards issued by the  
74 commission while on the premises of the school or training  
75 institution.

76 (k) Requiring the commission to investigate each  
77 applicant, employee and student and determine that the individual  
78 does not fall within any one (1) of the following categories:

79 (i) Is under indictment for, or has been convicted  
80 in any court of, a felony;

81 (ii) Is a fugitive from justice;

82 (iii) Is an unlawful user of any controlled  
83 substance, is addicted to any controlled substance or alcoholic  
84 beverage, or is an habitual drunkard;

85 (iv) Is a mental defective, has been committed to  
86 a mental institution, or has been voluntarily committed to a  
87 mental institution on more than one (1) occasion;

88 (v) Has been discharged from the Armed Forces  
89 under dishonorable conditions; or

90 (vi) Has been found at any time by the executive  
91 director or commission to have falsified any information.

92 SECTION 2. Section 37-29-1, Mississippi Code of 1972, is  
93 amended as follows:

94 37-29-1. (1) The creation, establishment, maintenance and  
95 operation of community and junior colleges is authorized. From  
96 and after May 1, 1998, community and junior colleges may admit  
97 students if they have earned one (1) unit less than the number of  
98 units required for high school graduation established by State  
99 Board of Education policy or have earned a General Education

100 Diploma (GED) in courses correlated to those of senior colleges or  
101 professional schools. Subject to the provisions of Section  
102 75-76-34, they shall offer education and training preparatory for  
103 occupations such as agriculture, industry, business, homemaking  
104 and for other occupations on the semi-professional and  
105 vocational-technical level. They may offer courses and services  
106 to students regardless of their previous educational attainment or  
107 further academic plans.

108 (2) The boards of trustees of the community and junior  
109 college districts are authorized to establish a dual enrollment  
110 program under which high school students meeting the requirements  
111 prescribed herein may enroll at a community or junior college  
112 while they are still attending high school and enrolled in high  
113 school courses. Students may be admitted to enroll in community  
114 or junior college courses under the dual enrollment program if  
115 they meet the following recommended admission requirements:

116 (a) Students must have completed a minimum of fourteen  
117 (14) core high school units;

118 (b) Students must have a minimum ACT composite score of  
119 twenty-one (21) or the equivalent SAT score;

120 (c) Students must have a 3.0 grade point average on a  
121 4.0 scale, or better, on all high school courses, as documented by  
122 an official high school transcript; a home-schooled student must  
123 submit a transcript prepared by a parent, guardian or custodian  
124 with a signed, sworn affidavit to meet the requirement of this  
125 paragraph (c); and

126 (d) Students must have an unconditional written  
127 recommendation from their high school principal and/or guidance  
128 counselor. A home-schooled student must submit a parent, legal  
129 guardian or custodian's written recommendation to meet the  
130 requirement of this paragraph (d).

131 Students may be considered for the dual enrollment program  
132 who have not completed the minimum of fourteen (14) core high

133 school units if they have a minimum ACT composite score of thirty  
134 (30) or the equivalent SAT score, and have the required grade  
135 point average and recommendations prescribed above.

136 Students admitted in the dual enrollment program shall be  
137 counted for minimum program funding purposes in the average daily  
138 attendance of the public school district in which they attend high  
139 school. Any additional transportation required by a student to  
140 participate in the dual enrollment program shall be the  
141 responsibility of the parents or legal guardians of the student.  
142 Grades and college credits earned by students admitted to the dual  
143 enrollment program shall be recorded on the college transcript at  
144 the community or junior college where the student attends classes.

145 The transcript of such college course work may be released to  
146 another institution or used for college graduation requirements  
147 only after the student has received his high school diploma.

148 (3) The boards of trustees of the community and junior  
149 college districts are authorized to establish an early admission  
150 program under which applicants meeting all requirements prescribed  
151 in subsection (2)(a), (c) and (d) and have a minimum ACT composite  
152 score of twenty-six (26) or the equivalent SAT score may be  
153 admitted as full-time college students if the principal or  
154 guidance counsellor of the student recommends in writing that it  
155 is in the best educational interest of the student. Such  
156 recommendation shall also state that the student's age will not  
157 keep him from being a successful full-time college student.  
158 Students admitted in the early admission program shall not be  
159 counted for minimum program funding purposes in the average daily  
160 attendance of the school district in which they reside, and  
161 transportation required by a student to participate in the early  
162 admission program shall be the responsibility of the parents or  
163 legal guardians of the student. Grades and college credits earned  
164 by students admitted to the early admission program shall be  
165 recorded on the college transcript at the community or junior

166 college where the student attends classes, and may be released to  
167 another institution or used for college graduation requirements  
168 only after the student has successfully completed one (1) full  
169 semester of course work.

170 (4) In addition to the foregoing, the community and junior  
171 colleges shall provide, through courses or other acceptable  
172 educational measures, the general education necessary to  
173 individuals and groups which will tend to make them capable of  
174 living satisfactory lives consistent with the ideals of a  
175 democratic society.

176 SECTION 3. Section 37-29-63, Mississippi Code of 1972, is  
177 amended as follows:

178 37-29-63. The president of any junior college shall have the  
179 power to recommend to the board of trustees all teachers to be  
180 employed in the district. He may remove or suspend any member of  
181 the faculty subject to the approval of the trustees. He shall be  
182 the general manager of all fiscal and administrative affairs of  
183 the district with full authority to select, direct, employ and  
184 discharge any and all employees other than teachers; however, the  
185 board may make provisions and establish policies for leave for  
186 faculty members and other key personnel.

187 The president shall have the authority, subject to the  
188 provisions of Section 75-76-34 and Sections 37-29-1 through  
189 37-29-273 and the approval of the trustees, to arrange and survey  
190 courses of study, fix schedules, and establish and enforce rules  
191 and discipline for the governing of teachers and students. He  
192 shall be the general custodian of the property of the district.

193 SECTION 4. This act shall take effect and be in force from  
194 and after July 1, 1999.