

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

To: Appropriations

SENATE BILL NO. 3123
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION, FOR FISCAL YEAR
3 2005.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses of the Mississippi Gaming Commission, for
9 the fiscal year beginning July 1, 2004, and ending

10 June 30, 2005..... \$ 3,657,779.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 funds in the State Treasury to the credit of the Mississippi
14 Gaming Commission which are collected by or otherwise become
15 available for the purpose of defraying the expenses of the
16 Commission for the fiscal year beginning July 1, 2004, and ending

17 June 30, 2005..... \$ 7,092,866.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 1 and Section 2, not more than the amounts set forth below
20 shall be expended for the respective major objects or purposes of
21 expenditure:

22 MAJOR OBJECTS OF EXPENDITURE:

23 Personal Services:

24	Salaries, Wages and Fringe Benefits..	\$ 7,362,125.00
25	Travel and Subsistence.....	500,000.00
26	Contractual Services.....	2,456,239.00
27	Commodities.....	146,981.00

28	Capital Outlay:		
29	Other Than Equipment.....		0.00
30	Equipment.....		185,000.00
31	Subsidies, Loans and Grants.....		<u>100,300.00</u>
32	Total.....	\$	10,750,645.00

33 FUNDING:

34	General Funds.....	\$	3,657,779.00
35	Special Funds.....		<u>7,092,866.00</u>
36	Total.....	\$	10,750,645.00

37 AUTHORIZED POSITIONS:

38	Permanent:	Full Time.....	166
39		Part Time.....	0
40	Time-Limited:	Full Time.....	0
41		Part Time.....	0

42 With the funds herein appropriated, it is the intention of
43 the Legislature that it shall be the agency's responsibility to
44 make certain that funds required to be appropriated for "Personal
45 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
46 funds appropriated for that purpose, unless programs or positions
47 are added to the agency's Fiscal Year 2006 budget by the
48 Mississippi Legislature. Based on data provided by the
49 Legislative Budget Office, the State Personnel Board shall
50 determine and publish the projected annual cost to fully fund all
51 appropriated positions in compliance with the provisions of this
52 act. It shall be the responsibility of the agency head to insure
53 that no single personnel action increases this projected annual
54 cost and/or the Fiscal Year 2005 appropriation for "Personal
55 Services" when annualized, with the exception of escalated funds.
56 If, at the time the agency takes any action to change "Personal
57 Services," the State Personnel Board determines that the agency
58 has taken an action which would cause the agency to exceed this
59 projected annual cost or the Fiscal Year 2005 "Personal Services"
60 appropriated level, when annualized, then only those actions which

61 reduce the projected annual cost and/or the appropriation
62 requirement will be processed by the State Personnel Board until
63 such time as the requirements of this provision are met.

64 Any transfers or escalations shall be made in accordance with
65 the terms, conditions and procedures established by law or
66 allowable under the terms set forth within this act. The State
67 Personnel Board shall not escalate positions without written
68 approval from the Department of Finance and Administration. The
69 Department of Finance and Administration shall not provide written
70 approval to escalate any funds for salaries and/or positions
71 without proof of availability of new or additional funds above the
72 appropriated level.

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

77 **SECTION 4.** Of the funds appropriated in Section 2, One
78 Hundred Thousand Dollars (\$100,000.00) is hereby authorized to be
79 transferred to the Mississippi Council on Compulsive Gambling, a
80 nonprofit organization.

81 **SECTION 5.** The money herein appropriated shall be paid by
82 the State Treasurer out of any money in the State Treasury to the
83 credit of the proper fund or funds as set forth in this act, upon
84 warrants issued by the State Fiscal Officer; and the State Fiscal
85 Officer shall issue his warrants upon requisitions signed by the
86 proper person, officer or officers in the manner provided by law.

87 **SECTION 6.** This act shall take effect and be in force from
88 and after July 1, 2004.