

House Amendments to Senate Bill No. 3123

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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

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..... \$ 3,516,961.00.

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..... \$ 6,180,707.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 1 and Section 2, the following positions are authorized:

20 **AUTHORIZED POSITIONS:**

21	Permanent:	Full Time.....	136
22		Part Time.....	0
23	Time-Limited:	Full Time.....	0
24		Part Time.....	0

25 With the funds herein appropriated, it is the intention of
26 the Legislature that it shall be the agency's responsibility to
27 make certain that funds required to be appropriated for "Personal
28 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
29 funds appropriated for that purpose, unless programs or positions
30 are added to the agency's Fiscal Year 2006 budget by the

31 Mississippi Legislature. Based on data provided by the
32 Legislative Budget Office, the State Personnel Board shall
33 determine and publish the projected annual cost to fully fund all
34 appropriated positions in compliance with the provisions of this
35 act. It shall be the responsibility of the agency head to insure
36 that no single personnel action increases this projected annual
37 cost and/or the Fiscal Year 2005 appropriation for "Personal
38 Services" when annualized, with the exception of escalated funds.
39 If, at the time the agency takes any action to change "Personal
40 Services," the State Personnel Board determines that the agency
41 has taken an action which would cause the agency to exceed this
42 projected annual cost or the Fiscal Year 2005 "Personal Services"
43 appropriated level, when annualized, then only those actions which
44 reduce the projected annual cost and/or the appropriation
45 requirement will be processed by the State Personnel Board until
46 such time as the requirements of this provision are met.

47 Any transfers or escalations shall be made in accordance with
48 the terms, conditions and procedures established by law or
49 allowable under the terms set forth within this act. The State
50 Personnel Board shall not escalate positions without written
51 approval from the Department of Finance and Administration. The
52 Department of Finance and Administration shall not provide written
53 approval to escalate any funds for salaries and/or positions
54 without proof of availability of new or additional funds above the
55 appropriated level.

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

60 **SECTION 4.** The funds authorized herein shall be used to fund
61 all operations of the agency with the following prohibitions:

62 (1) The agency shall not fill any current or future vacant
63 positions;

64 (2) The agency shall not take any action to promote or
65 otherwise award salary increases through reallocation,

66 reclassification, realignment, education benchmark, career ladder,
67 or any other means to increase salaries of employees or positions
68 except as allowed under the provisions set forth in House Bill No.
69 1279, 2004 Regular Session;

70 (3) The agency shall not expend funds for out-of-state
71 travel except as allowed under the provisions set forth in House
72 Bill No. 1279, 2004 Regular Session;

73 (4) The agency shall not expend funds for the purchase of or
74 contract for cellular phones, two-way radios or pagers, except for
75 support of employees in the Department of Public Safety and the
76 Bureau of Narcotics as recommended by Information Technology
77 Services or as allowed under the provisions set forth in House
78 Bill No. 1279, 2004 Regular Session;

79 (5) The agency shall not expend funds to publish or
80 distribute any annual reports or other publications;

81 (6) The agency shall not expend funds for public relation
82 activities regarding the functions, programs or services of the
83 agency except as allowed under the provisions set forth in House
84 Bill No. 1279, 2004 Regular Session;

85 (7) The agency shall not advertise the functions, programs
86 or services of the agency except that the Mississippi Development
87 Authority is authorized to expend funds for advertising to carry
88 out the purposes of key programs administered by the authority;

89 (8) The agency shall not expend funds for staff development
90 or training services;

91 (9) The agency shall not expend funds for the purchase of
92 new or replacement equipment or furniture, excluding lease
93 purchase payments on agreements in effect upon passage of this
94 appropriation bill, except as allowed under the provisions set
95 forth in House Bill No. 1279, 2004 Regular Session.

96 **SECTION 5.** It is the intention of the Legislature that none
97 of the funds appropriated above shall be expended unless members
98 of the Mississippi House of Representatives and Mississippi Senate
99 are notified at least five (5) days prior to a public ceremony
100 announcing the award of any grant in their district or any public

101 announcement or ceremony regarding the groundbreaking or opening
102 of a facility, roadway or bridge for which the Legislature has
103 made funds available. Any signage regarding any public event or
104 any new facility, roadway or bridge shall include the following
105 language: "Funds were made available for this project by the
106 Mississippi State Legislature."

107 **SECTION 6.** It is the intention of the Legislature that the
108 Mississippi Gaming Commission shall maintain complete accounting
109 and personnel records related to the expenditure of all funds
110 appropriated under this act and that such records shall be in the
111 same format and level of detail as maintained for Fiscal Year
112 2004. It is further the intention of the Legislature that the
113 agency's budget request for Fiscal Year 2006 shall be submitted to
114 the Joint Legislative Budget Committee in a format and level of
115 detail comparable to the format and level of detail provided
116 during the Fiscal Year 2005 budget request process.

117 **SECTION 7.** Of the funds appropriated in Section 2, One
118 Hundred Thousand Dollars (\$100,000.00) is hereby authorized to be
119 transferred to the Mississippi Council on Compulsive Gambling, a
120 nonprofit organization.

121 **SECTION 8.** The money herein appropriated shall be paid by
122 the State Treasurer out of any money in the State Treasury to the
123 credit of the proper fund or funds as set forth in this act, upon
124 warrants issued by the State Fiscal Officer; and the State Fiscal
125 Officer shall issue his warrants upon requisitions signed by the
126 proper person, officer or officers in the manner provided by law.

127 **SECTION 9.** This act shall take effect and be in force from
128 and after July 1, 2004.

HR05\SB3123A.J

Don Richardson
Clerk of the House of Representatives