

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

To: Appropriations

SENATE BILL NO. 3132

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION, FOR FISCAL YEAR
3 2008.

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, 2007, and ending
10 June 30, 2008..... \$ 3,757,205.00.

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, 2007, and ending
17 June 30, 2008..... \$ 6,722,852.00.

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.. \$ 7,185,465.00
25 Travel and Subsistence..... 450,000.00
26 Contractual Services..... 2,373,724.00
27 Commodities..... 107,961.00

28	Capital Outlay:		
29	Other Than Equipment.....		0.00
30	Equipment.....		102,607.00
31	Vehicles.....		160,000.00
32	Wireless Communication Devices.....		0.00
33	Subsidies, Loans and Grants.....		<u>100,300.00</u>
34	Total.....	\$	10,480,057.00

35 FUNDING:

36	General Funds.....	\$	3,757,205.00
37	Special Funds.....		<u>6,722,852.00</u>
38	Total.....	\$	10,480,057.00

39 AUTHORIZED POSITIONS:

40	Permanent:	Full Time.....	135
41		Part Time.....	0
42	Time-Limited:	Full Time.....	0
43		Part Time.....	0

44 Funds are provided herein to adjust the Variable Compensation
45 Plan to ensure that all full-time employees receive a pay increase
46 equal to the realignment component of the Variable Compensation
47 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)
48 whichever is greater, to be awarded on July 1, 2007.

49 With the funds herein appropriated, it is the intention of
50 the Legislature that it shall be the agency's responsibility to
51 make certain that funds required to be appropriated for "Personal
52 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
53 funds appropriated for that purpose, unless programs or positions
54 are added to the agency's Fiscal Year 2009 budget by the
55 Mississippi Legislature. Based on data provided by the
56 Legislative Budget Office, the State Personnel Board shall
57 determine and publish the projected annual cost to fully fund all
58 appropriated positions in compliance with the provisions of this
59 act. It shall be the responsibility of the agency head to insure
60 that no single personnel action increases this projected annual

61 cost and/or the Fiscal Year 2008 appropriation for "Personal
62 Services" when annualized, with the exception of escalated funds.
63 If, at the time the agency takes any action to change "Personal
64 Services," the State Personnel Board determines that the agency
65 has taken an action which would cause the agency to exceed this
66 projected annual cost or the Fiscal Year 2008 "Personal Services"
67 appropriated level, when annualized, then only those actions which
68 reduce the projected annual cost and/or the appropriation
69 requirement will be processed by the State Personnel Board until
70 such time as the requirements of this provision are met.

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

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

84 The agency shall not take any action to promote or otherwise
85 award salary increases through reallocation, reclassification,
86 realignment, education benchmark, career ladder, or any other
87 means to increase salaries of employees or positions unless
88 specifically exempted by the following conditions: the award of
89 teacher pay increases, the advancement of a trainee/cadet to the
90 next level of a bona fide career ladder, the award of an
91 educational benchmark for the attainment of Certified Public
92 Accountant License or higher level professional certification as
93 determined by the State Personnel Board, the immediate replacement

94 of a departing employee with an individual from within state
95 service or a new hire at a salary level equivalent to that of the
96 departing employee, and the emergency appointment of nurses,
97 pharmacists or other health care professionals at a salary to be
98 determined by the State Personnel Board, unless otherwise
99 authorized in this act.

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

104 **SECTION 5.** It is the intention of the Legislature that
105 whenever two (2) or more bids are received by this agency for the
106 purchase of commodities or equipment, and whenever all things
107 stated in such received bids are equal with respect to price,
108 quality and service, the Mississippi Industries for the Blind
109 shall be given preference. A similar preference shall be given to
110 the Mississippi Industries for the Blind whenever purchases are
111 made without competitive bids.

112 **SECTION 6.** It is the intention of the Legislature that the
113 Mississippi Gaming Commission shall have the authority to escalate
114 and expend funds from any proceeds arising from the participation
115 in seizures of illegal gaming activities not to exceed One Hundred
116 Fifty Thousand Dollars (\$150,000.00).

117 **SECTION 7.** The money herein appropriated shall be paid by
118 the State Treasurer out of any money in the State Treasury to the
119 credit of the proper fund or funds as set forth in this act, upon
120 warrants issued by the State Fiscal Officer; and the State Fiscal
121 Officer shall issue his warrants upon requisitions signed by the
122 proper person, officer or officers in the manner provided by law.

123 **SECTION 8.** This act shall take effect and be in force from
124 and after July 1, 2007.