

By: Senator(s) Gordon, Little, Kirby,
Cuevas, Flowers, Lee (35th), Turner, Jackson
(11th)

To: Appropriations

SENATE BILL NO. 3132
(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 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..... \$ 3,780,711.00.

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..... \$ 6,792,705.00.

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..	\$	7,278,824.00
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.....	\$	10,573,416.00

35 FUNDING:

36	General Funds.....	\$	3,780,711.00
37	Special Funds.....		<u>6,792,705.00</u>
38	Total.....	\$	10,573,416.00

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 Five Hundred Dollars (\$1,500.00), whichever
48 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 2008 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 appropriations for "Personal
62 Services" when annualized, with the exception of escalated funds
63 and educational benchmarks. If, at the time the agency takes any
64 action to change "Personal Services," the State Personnel Board
65 determines that the agency has taken an action which would cause
66 the agency to exceed this projected annual cost or the Fiscal Year
67 2008 "Personal Services" appropriated level, when annualized, then
68 only those actions which reduce the projected annual cost and/or
69 the appropriation requirement will be processed by the State
70 Personnel Board until such time as the requirements of this
71 provision are met. On January 1, 2008, the State Personnel Board
72 will make adjustments to the structure side of the compliance
73 report based on data provided by the Legislative Budget Office in
74 order for agencies to award educational benchmarks.

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

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87 act and which are withdrawn and no longer available.

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

92 **SECTION 5.** It is the intention of the Legislature that
93 whenever two (2) or more bids are received by this agency for the

94 purchase of commodities or equipment, and whenever all things
95 stated in such received bids are equal with respect to price,
96 quality and service, the Mississippi Industries for the Blind
97 shall be given preference. A similar preference shall be given to
98 the Mississippi Industries for the Blind whenever purchases are
99 made without competitive bids.

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

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

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