

House Amendments to Senate Bill No. 3037

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, 2019, and ending
10 June 30, 2020.....\$ 8,246,526.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Mississippi Gaming
14 Commission, for the purpose of defraying the expenses of the
15 commission for the fiscal year beginning July 1, 2019, and ending
16 June 30, 2020.....\$ 441,537.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 this act, the following positions are authorized:

19 AUTHORIZED POSITIONS:

| | | | |
|----|------------|----------------|-----|
| 20 | Permanent: | Full Time..... | 127 |
| 21 | | Part Time..... | 0 |

22 Time-Limited: Full Time..... 0
23 Part Time..... 0

24 With the funds herein appropriated, it shall be the agency's
25 responsibility to make certain that funds required to be
26 appropriated for "Personal Services" for Fiscal Year 2021 do not
27 exceed Fiscal Year 2020 funds appropriated for that purpose,
28 unless programs or positions are added to the agency's Fiscal Year
29 2020 budget by the Mississippi Legislature. Based on data
30 provided by the Legislative Budget Office, the State Personnel
31 Board shall determine and publish the projected annual cost to
32 fully fund all appropriated positions in compliance with the
33 provisions of this act. It shall be the responsibility of the
34 agency head to ensure that no single personnel action increases
35 this projected annual cost and/or the Fiscal Year 2020
36 appropriations for "Personal Services" when annualized, with the
37 exception of escalated funds and the award of benchmarks. If, at
38 the time the agency takes any action to change "Personal
39 Services," the State Personnel Board determines that the agency
40 has taken an action which would cause the agency to exceed this
41 projected annual cost or the Fiscal Year 2020 "Personal Services"
42 appropriated level, when annualized, then only those actions which
43 reduce the projected annual cost and/or the appropriation
44 requirement will be processed by the State Personnel Board until
45 such time as the requirements of this provision are met.

46 Any transfers or escalations shall be made in accordance with
47 the terms, conditions and procedures established by law or

48 allowable under the terms set forth within this act. The State
49 Personnel Board shall not escalate positions without written
50 approval from the Department of Finance and Administration. The
51 Department of Finance and Administration shall not provide written
52 approval to escalate any funds for salaries and/or positions
53 without proof of availability of new or additional funds above the
54 appropriated level.

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

59 None of the funds herein appropriated shall be used in
60 violation of Internal Revenue Service's Publication 15-A relating
61 to the reporting of income paid to contract employees, as
62 interpreted by the Office of the State Auditor.

63 **SECTION 4.** Of the funds appropriated in Section 2, a portion
64 shall be derived from the amount of forfeited property that is
65 seized by the Gaming Commission, which shall be deposited into a
66 special fund created by the Department of Finance and
67 Administration and may be expended by the commission for the
68 specific purpose of increasing law enforcement resources as
69 outlined in Section 41-29-185, Mississippi Code 1972.

70 **SECTION 5.** Of the funds appropriated in Section 2, a portion
71 shall be derived from the amount that is received by the Gaming
72 Commission for fingerprinting persons under the Gaming Control
73 Act, which shall be deposited into a special fund created by the

74 Department of Finance and Administration and may be expended by
75 the commission for the purpose of providing fingerprint analysis
76 by the Department of Public Safety. None of the funds collected
77 for the purpose of fingerprinting will be spent for any purpose
78 other than providing fingerprint analysis by the Department of
79 Public Safety.

80 **SECTION 6.** It is the intention of the Legislature that
81 whenever two (2) or more bids are received by this agency for the
82 purchase of commodities or equipment, and whenever all things
83 stated in such received bids are equal with respect to price,
84 quality and service, the Mississippi Industries for the Blind
85 shall be given preference. A similar preference shall be given to
86 the Mississippi Industries for the Blind whenever purchases are
87 made without competitive bids.

88 **SECTION 7.** It is the intention of the Legislature that the
89 Gaming Commission shall maintain complete accounting and personnel
90 records related to the expenditure of all funds appropriated under
91 this act and that such records shall be in the same format and
92 level of detail as maintained for Fiscal Year 2019. It is further
93 the intention of the Legislature that the agency's budget request
94 for Fiscal Year 2021 shall be submitted to the Joint Legislative
95 Budget Committee in a format and level of detail comparable to the
96 format and level of detail provided during the Fiscal Year 2020
97 budget request process.

98 **SECTION 8.** In compliance with the "Mississippi Performance
99 Budget and Strategic Planning Act of 1994," it is the intent of

100 the Legislature that the funds provided herein shall be utilized
 101 in the most efficient and effective manner possible to achieve the
 102 intended mission of this agency. Based on the funding authorized,
 103 this agency shall make every effort to attain the targeted
 104 performance measures provided below:

| | FY2020 |
|---|------------------|
| <u>Performance Measures</u> | <u>Target</u> |
| Riverboat Gaming | |
| Annual State Riverboat Gaming Revenues (\$) | 2,169,380,793.00 |
| Casinos Regulated (Number of) | 28.00 |
| Average Cost per Employee to Total State | |
| Riverboat Gaming Revenues (\$) | 19,198,060.00 |
| Charitable Bingo | |
| Bingo Applications Received (Number of) | 50.00 |
| Bingo Halls Regulated (Number of) | 68.00 |
| Average Cost per Employee to Total State | |
| Charitable Bingo Revenues (\$) | 5,000,000.00 |

117 A reporting of the degree to which the performance targets
 118 set above have been or are being achieved shall be provided in the
 119 agency's budget request submitted to the Joint Legislative Budget
 120 Committee for Fiscal Year 2021.

121 **SECTION 9.** It is the intention of the Legislature that the
 122 funds herein appropriated shall be expended in compliance with
 123 Section 27-104-25, Mississippi Code of 1972, that no state agency
 124 shall incur obligations or indebtedness in excess of their
 125 appropriation and that the responsible officers, either personally

126 or upon their official bonds, shall be held responsible for
127 actions contrary to this provision.

128 **SECTION 10.** The money herein appropriated shall be paid by
129 the State Treasurer out of any money in the State Treasury to the
130 credit of the proper fund or funds as set forth in this act, upon
131 warrants issued by the State Fiscal Officer; and the State Fiscal
132 Officer shall issue his warrants upon requisitions signed by the
133 proper person, officer or officers in the manner provided by law.

134 **SECTION 11.** This act shall take effect and be in force from
135 and after July 1, 2019, and stand repealed June 30, 2019.

HR13\SB3037A.J

Andrew Ketchings
Clerk of the House of Representatives