

House Amendments to Senate Bill No. 3038

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, 2022, and ending
10 June 30, 2023.....\$ 7,580,212.00.

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, 2022, and ending
16 June 30, 2023.....\$ 1,652,921.00.

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.....	106
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 for Personal
26 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds
27 appropriated for that purpose unless programs or positions are
28 added to the agency's Fiscal Year 2023 budget by the Mississippi
29 Legislature. The Legislature shall determine the agency's
30 personal services appropriation, which shall be published by the
31 State Personnel Board. Additionally, the State Personnel Board
32 shall determine and publish the projected annualized payroll costs
33 based on current employees. It shall be the responsibility of the
34 agency head to ensure that actual personnel expenditures for
35 Fiscal Year 2023 do not exceed the data provided by the
36 Legislative Budget Office. If the agency's Fiscal Year 2023
37 projected cost exceeds the annualized costs, no salary actions
38 shall be processed by the State Personnel Board with the exception
39 of new hires that are determined to be essential for the agency.

40 Any transfers or escalations shall be made in accordance with
41 the terms, conditions and procedures established by law or
42 allowable under the terms set forth within this act. The State
43 Personnel Board shall not escalate positions without written
44 approval from the Department of Finance and Administration. The
45 Department of Finance and Administration shall not provide written
46 approval to escalate any funds for salaries and/or positions

47 without proof of availability of new or additional funds above the
48 appropriated level.

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52 act and which are withdrawn and no longer available.

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

57 Funds have been appropriated herein for the purpose of
58 funding Project SEC2 minimum salaries for all employees covered
59 under the Colonel Guy Groff/Neville Kenning Variable Compensation
60 Plan. It shall be the agency's responsibility to ensure that the
61 funds are used to increase all employees' salaries up to the
62 minimum level as determined by the State Personnel Board.

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 under the Gaming Control Act, which shall be deposited

73 into a special fund created by the Department of Finance and
74 Administration and may be expended by the commission for the
75 purpose of investigating, permitting, interagency fees, and
76 providing fingerprint analysis by the Department of Public Safety.

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

85 **SECTION 7.** It is the intention of the Legislature that the
86 Gaming Commission shall maintain complete accounting and personnel
87 records related to the expenditure of all funds appropriated under
88 this act and that such records shall be in the same format and
89 level of detail as maintained for Fiscal Year 2022. It is further
90 the intention of the Legislature that the agency's budget request
91 for Fiscal Year 2024 shall be submitted to the Joint Legislative
92 Budget Committee in a format and level of detail comparable to the
93 format and level of detail provided during the Fiscal Year 2023
94 budget request process.

95 **SECTION 8.** In compliance with the "Mississippi Performance
96 Budget and Strategic Planning Act of 1994," it is the intent of
97 the Legislature that the funds provided herein shall be utilized
98 in the most efficient and effective manner possible to achieve the

99 intended mission of this agency. Based on the funding authorized,
100 this agency shall make every effort to attain the targeted
101 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
Riverboat Gaming	
Annual State Riverboat Gaming Revenues	2,000,000,000.00
Number of Casinos Regulated	26
Average Cost per Employee to Total State	
Riverboat Gaming Revenues	18,476,000.00
Charitable Bingo	
Number of Bingo Applications Received	25
Number of Bingo Halls Regulated	68
Average Cost per Employee to Total State	
Charitable Bingo Revenues	4,676,905.00

114 A reporting of the degree to which the performance targets
115 set above have been or are being achieved shall be provided in the
116 agency's budget request submitted to the Joint Legislative Budget
117 Committee for Fiscal Year 2024.

118 **SECTION 9.** It is the intention of the Legislature that the
119 funds herein appropriated shall be expended in compliance with
120 Section 27-104-25, Mississippi Code of 1972, that no state agency
121 shall incur obligations or indebtedness in excess of their
122 appropriation and that the responsible officers, either personally
123 or upon their official bonds, shall be held responsible for
124 actions contrary to this provision.

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

131 **SECTION 11.** This act shall take effect and be in force from
132 and after July 1, 2022, and shall stand repealed from and after
133 June 29, 2022.

HR13\SB3038A.J

Andrew Ketchings
Clerk of the House of Representatives