

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 3038**

**BY: Committee**

**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.

