

By: Senator(s) Gordon, Thames, Gollott,  
White (5th), Carlton, Farris, Frazier,  
Harden, Jackson

To: Appropriations

SENATE BILL NO. 3169  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE  
2 EXPENSES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION FOR  
3 FISCAL YEAR 2003.

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 Treasury to the credit of the administrative fund of the  
8 Mississippi Employment Security Commission, for the purpose of  
9 defraying the expenses incurred by said commission for the fiscal  
10 year beginning July 1, 2002, and ending June 30, 2003.....  
11 ..... \$ 83,955,316.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of  
13 Section 1, not more than the amounts set forth below shall be  
14 expended for the respective major objects or purposes of  
15 expenditure:

16 MAJOR OBJECTS OF EXPENDITURE:

17	Personal Services:		
18	Salaries, Wages and Fringe Benefits..	\$	42,669,941.00
19	Travel and Subsistence.....		1,112,148.00
20	Contractual Services.....		12,211,388.00
21	Commodities.....		1,313,231.00
22	Capital Outlay:		
23	Other Than Equipment.....		11,675,418.00
24	Equipment.....		2,966,759.00
25	Subsidies, Loans and Grants.....		<u>12,006,431.00</u>
26	Total.....	\$	83,955,316.00

27 AUTHORIZED POSITIONS:



28	Permanent:	Full Time.....	795
29		Part Time.....	365
30	Time-Limited:	Full Time.....	0
31		Part Time.....	0

32 Funds are provided herein to adjust the Variable Compensation  
33 Plan to ensure that all full-time employees receive a pay increase  
34 equal to fifty percent (50%) of the realignment component of the  
35 Variable Compensation Plan or Six Hundred Dollars (\$600.00),  
36 whichever is greater, beginning on January 1, 2003.

37 With the funds herein appropriated, it is the intention of  
38 the Legislature that it shall be the agency's responsibility to  
39 make certain that funds required to be appropriated for "Personal  
40 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003  
41 funds appropriated for that purpose, unless programs, positions or  
42 pay increases are added to the agency's budget by the Mississippi  
43 Legislature. Based on data provided by the Legislative Budget  
44 Office, the State Personnel Board shall, on July 1, 2002, publish  
45 separate annual projection reports, based on July 1, 2002 data,  
46 for the period of July 1, 2002 through December 31, 2002, and  
47 January 1, 2003 through June 30, 2003, that project the annual  
48 cost to fully fund all appropriated positions in compliance with  
49 the provisions of this act. It shall be the responsibility of the  
50 agency head to ensure that no single personnel action increases  
51 this projected cost and/or the Fiscal Year 2003 appropriation for  
52 "Personal Services," as annualized on a semi-annual basis in  
53 accordance with the provisions of this act. If, at the end of any  
54 calendar month, the State Personnel Board determines that the  
55 agency has taken action(s) which would cause the agency to exceed  
56 this projected annual cost or the Fiscal Year 2003 "Personal  
57 Services" appropriated level, when annualized in compliance with  
58 the provisions of this act, then only those actions which reduce  
59 the projected annual cost and/or the appropriation requirement



60 will be processed by the State Personnel Board until such time as  
61 the requirements of this provision are met.

62 Any transfers or escalations shall be made in accordance with  
63 the terms, conditions, and procedures established by law.

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

68 **SECTION 3.** In addition to any other funds appropriated  
69 herein, the following sum, or so much thereof as may be necessary,  
70 is hereby appropriated out of any money in the Unemployment Trust  
71 Fund, made available to this state under Section 903 of the Social  
72 Security Act, as amended, to the Employment Security Commission to  
73 be deposited in the Employment Security Administration Fund for  
74 use by the Employment Security Commission, under the direction of  
75 the Office of Building, Grounds and Real Property Management to  
76 acquire lands and construct buildings thereon or improve existing  
77 buildings to be used as offices, for the fiscal year beginning  
78 July 1, 2002, and ending June 30, 2003..... \$ 3,319,582.00.

79 **SECTION 4.** The money herein appropriated under the  
80 provisions of Section 3 shall be requisitioned by the Employment  
81 Security Commission from the Unemployment Trust Fund maintained by  
82 the Secretary of the Treasury of the United States as needed for  
83 the payment of obligations incurred under this appropriation, and  
84 such monies shall be deposited in the Employment Security  
85 Administration Fund in accordance with the provisions of Section  
86 71-5-457, Mississippi Code of 1972.

87 **SECTION 5.** In addition to any other funds appropriated  
88 herein, the following sum, or so much thereof as may be necessary,  
89 is hereby appropriated out of funds in the Special Employment  
90 Security Administration Fund to the Employment Security Commission  
91 for its use as provided in Section 71-5-114, Mississippi Code of



92 1972, for the fiscal year beginning July 1, 2002, and ending  
93 June 30, 2003..... \$2,075,000.00.

94 **SECTION 6.** The money herein appropriated under the  
95 provisions of Section 5 shall be requisitioned by the Employment  
96 Security Commission from the Special Employment Security  
97 Administration Fund as needed for the payment of obligations  
98 incurred under this appropriation, and such monies requisitioned  
99 shall be deposited in the Employment Security Administration Fund  
100 upon receipt.

101 **SECTION 7.** Of the funds appropriated in this act, a total of  
102 Sixteen Million Dollars (\$16,000,000.00) is provided for the  
103 purpose of constructing and/or lease purchasing a new headquarters  
104 facility for the Mississippi Employment Security Commission, and  
105 paying for any costs associated with the construction of  
106 facilities. The funds authorized in this section shall be under  
107 the direction of the Bureau of Building, Grounds and Real Property  
108 Management.

109 **SECTION 8.** The money herein appropriated shall be paid by  
110 the State Treasurer out of any money in the State Treasury to the  
111 credit of the proper fund or funds as set forth in this act, upon  
112 warrants issued by the State Fiscal Officer; and the State Fiscal  
113 Officer shall issue his warrants upon requisitions signed by the  
114 proper person, officer or officers, in the manner provided by law.

115 **SECTION 9.** This act shall take effect and be in force from  
116 and after July 1, 2002.

