MISSISSIPPI LEGISLATURE

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

To: Appropriations

SENATE BILL NO. 3169
(As Sent to Governor)

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the administrative fund of the Mississippi Employment Security Commission, for the purpose of defraying the expenses incurred by said commission for the fiscal year beginning July 1, 2002, and ending June 30, 2003............

.............................................. $ 83,955,316.00.

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

MAJOR OBJECTS OF EXPENDITURE:

<table>
<thead>
<tr>
<th>Personal Services:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages and Fringe Benefits..</td>
</tr>
<tr>
<td>Travel and Subsistence..................</td>
</tr>
<tr>
<td>Contractual Services.....................</td>
</tr>
<tr>
<td>Commodities................................</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Capital Outlay:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Than Equipment.....................</td>
</tr>
<tr>
<td>Equipment..............................</td>
</tr>
<tr>
<td>Subsidies, Loans and Grants.............</td>
</tr>
</tbody>
</table>

| Total..................................| $ 83,955,316.00 |

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

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003 funds appropriated for that purpose, unless programs, positions or pay increases are added to the agency's budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall, on July 1, 2002, publish separate annual projection reports, based on July 1, 2002 data, for the period of July 1, 2002 through December 31, 2002, and January 1, 2003 through June 30, 2003, that project the annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected cost and/or the Fiscal Year 2003 appropriation for "Personal Services," as annualized on a semi-annual basis in accordance with the provisions of this act. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2003 "Personal Services" appropriated level, when annualized in compliance with the provisions of this act, then only those actions which reduce the projected annual cost and/or the appropriation requirement
will be processed by the State Personnel Board until such time as
the requirements of this provision are met.

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

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

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

SECTION 4. The money herein appropriated under the
provisions of Section 3 shall be requisitioned by the Employment
Security Commission from the Unemployment Trust Fund maintained by
the Secretary of the Treasury of the United States as needed for
the payment of obligations incurred under this appropriation, and
such monies shall be deposited in the Employment Security
Administration Fund in accordance with the provisions of Section

SECTION 5. In addition to any other funds appropriated
herein, the following sum, or so much thereof as may be necessary,
is hereby appropriated out of funds in the Special Employment
Security Administration Fund to the Employment Security Commission
for its use as provided in Section 71-5-114, Mississippi Code of
1972, for the fiscal year beginning July 1, 2002, and ending
June 30, 2003.............................................. $2,075,000.00.

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

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

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

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