

By: Senator(s) Gordon, Little, Gollott,  
Kirby, Moffatt, Thames

To: Appropriations

SENATE BILL NO. 3148  
(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 2005.

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 Mississippi Employment Security  
8 Commission or its successor, for the purpose of defraying the  
9 expenses incurred by said commission for the fiscal year beginning  
10 July 1, 2004, and ending June 30, 2005..... \$ 142,442,878.00.

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

15 MAJOR OBJECTS OF EXPENDITURE:

16 Personal Services:

17	Salaries, Wages and Fringe Benefits..	\$	44,320,610.00
18	Travel and Subsistence.....		1,366,416.00
19	Contractual Services.....		49,078,496.00
20	Commodities.....		2,275,507.00

21 Capital Outlay:

22	Other Than Equipment.....		15,005,000.00
23	Equipment.....		8,189,196.00
24	Subsidies, Loans and Grants.....		<u>22,207,653.00</u>
25	Total.....	\$	142,442,878.00

26 AUTHORIZED POSITIONS:

27 Permanent: Full Time..... 795

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

31 With the funds herein appropriated, it is the intention of  
32 the Legislature that it shall be the agency's responsibility to  
33 make certain that funds required to be appropriated for "Personal  
34 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005  
35 funds appropriated for that purpose, unless programs or positions  
36 are added to the agency's Fiscal Year 2006 budget by the  
37 Mississippi Legislature. Based on data provided by the  
38 Legislative Budget Office, the State Personnel Board shall  
39 determine and publish the projected annual cost to fully fund all  
40 appropriated positions in compliance with the provisions of this  
41 act. It shall be the responsibility of the agency head to insure  
42 that no single personnel action increases this projected annual  
43 cost and/or the Fiscal Year 2005 appropriation for "Personal  
44 Services" when annualized, with the exception of escalated funds.  
45 If, at the time the agency takes any action to change "Personal  
46 Services," the State Personnel Board determines that the agency  
47 has taken an action which would cause the agency to exceed this  
48 projected annual cost or the Fiscal Year 2005 "Personal Services"  
49 appropriated level, when annualized, then only those actions which  
50 reduce the projected annual cost and/or the appropriation  
51 requirement will be processed by the State Personnel Board until  
52 such time as the requirements of this provision are met.

53 Any transfers or escalations shall be made in accordance with  
54 the terms, conditions and procedures established by law or  
55 allowable under the terms set forth within this act. The State  
56 Personnel Board shall not escalate positions without written  
57 approval from the Department of Finance and Administration. The  
58 Department of Finance and Administration shall not provide written  
59 approval to escalate any funds for salaries and/or positions

60 without proof of availability of new or additional funds above the  
61 appropriated level.

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

66 **SECTION 3.** Of the funds appropriated under the provisions of  
67 Section 1, the following sum shall be derived from money in the  
68 Unemployment Trust Fund, made available to this state under  
69 Section 903(d) of the Social Security Act, as amended, to the  
70 Employment Security Commission to be deposited in the Employment  
71 Security Administration Fund for use by the Employment Security  
72 Commission, to administer the Unemployment Compensation (UC) law  
73 and its public employment service (ES) offices to include  
74 purchases, modification, and automation of computer related  
75 systems and related costs; and under the direction of the Office  
76 of Building, Grounds and Real Property Management to acquire lands  
77 and construct buildings thereon or improve existing buildings to  
78 be used as offices, for the fiscal year beginning July 1, 2004,  
79 and ending June 30, 2005..... \$ 53,000,000.00.

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

87 **SECTION 4.** Of the funds appropriated in this act, a total of  
88 Sixteen Million Dollars (\$16,000,000.00) is provided for the  
89 purpose of constructing and/or lease purchasing a new headquarters  
90 facility for the Mississippi Employment Security Commission, and  
91 paying for any costs associated with the construction of  
92 facilities. The funds authorized in this section shall be under

93 the direction of the Bureau of Building, Grounds and Real Property  
94 Management.

95         **SECTION 5.** The money herein appropriated shall be paid by  
96 the State Treasurer out of any money in the State Treasury to the  
97 credit of the proper fund or funds as set forth in this act, upon  
98 warrants issued by the State Fiscal Officer; and the State Fiscal  
99 Officer shall issue his warrants upon requisitions signed by the  
100 proper person, officer or officers, in the manner provided by law.

101         **SECTION 6.** This act shall take effect and be in force from  
102 and after July 1, 2004.