

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 3148**

**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 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..... \$     95,846,188.00.

11       **SECTION 2.** Of the funds appropriated under the provisions of  
12 Section 1, the following positions are authorized:

13       AUTHORIZED POSITIONS:

14       Permanent:	Full Time.....	519
15	Part Time.....	338
16       Time-Limited:	Full Time.....	0
17	Part Time.....	0

18       With the funds herein appropriated, it is the intention of  
19 the Legislature that it shall be the agency's responsibility to  
20 make certain that funds required to be appropriated for "Personal  
21 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005  
22 funds appropriated for that purpose, unless programs or positions  
23 are added to the agency's Fiscal Year 2006 budget by the

24 Mississippi Legislature. Based on data provided by the  
25 Legislative Budget Office, the State Personnel Board shall  
26 determine and publish the projected annual cost to fully fund all  
27 appropriated positions in compliance with the provisions of this  
28 act. It shall be the responsibility of the agency head to insure  
29 that no single personnel action increases this projected annual  
30 cost and/or the Fiscal Year 2005 appropriation for "Personal  
31 Services" when annualized, with the exception of escalated funds.  
32 If, at the time the agency takes any action to change "Personal  
33 Services," the State Personnel Board determines that the agency  
34 has taken an action which would cause the agency to exceed this  
35 projected annual cost or the Fiscal Year 2005 "Personal Services"  
36 appropriated level, when annualized, then only those actions which  
37 reduce the projected annual cost and/or the appropriation  
38 requirement will be processed by the State Personnel Board until  
39 such time as the requirements of this provision are met.

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 **SECTION 3.** It is the intention of the Legislature that the  
54 Mississippi Employment Security Commission, or its successor,

55 shall be exempt from the provisions set forth in Sections 1 and 2  
56 of House Bill No. 1279, 2004 Regular Session.

57       **SECTION 4.** It is the intention of the Legislature that none  
58 of the funds appropriated above shall be expended unless members  
59 of the Mississippi House of Representatives and Mississippi Senate  
60 are notified at least five (5) days prior to a public ceremony  
61 announcing the award of any grant in their district or any public  
62 announcement or ceremony regarding the groundbreaking or opening  
63 of a facility, roadway or bridge for which the Legislature has  
64 made funds available. Any signage regarding any public event or  
65 any new facility, roadway or bridge shall include the following  
66 language: "Funds were made available for this project by the  
67 Mississippi State Legislature."

68       **SECTION 5.** It is the intention of the Legislature that the  
69 Mississippi Employment Security Commission, or its successor,  
70 shall maintain complete accounting and personnel records related  
71 to the expenditure of all funds appropriated under this act and  
72 that such records shall be in the same format and level of detail  
73 as maintained for Fiscal Year 2004. It is further the intention  
74 of the Legislature that the agency's budget request for Fiscal  
75 Year 2006 shall be submitted to the Joint Legislative Budget  
76 Committee in a format and level of detail comparable to the format  
77 and level of detail provided during the Fiscal Year 2005 budget  
78 request process.

79       **SECTION 6.** Of the funds appropriated under the provisions of  
80 Section 1, the following sum shall be derived from money in the  
81 Unemployment Trust Fund, made available to this state under  
82 Section 903(d) of the Social Security Act, as amended, to the  
83 Employment Security Commission to be deposited in the Employment  
84 Security Administration Fund for use by the Employment Security  
85 Commission, or its successor, to administer the Unemployment  
86 Compensation (UC) law and its public employment service (ES)

87 offices to include purchases, modification, and automation of  
88 computer related systems and related costs; and under the  
89 direction of the Office of Building, Grounds and Real Property  
90 Management to acquire lands and construct buildings thereon or  
91 improve existing buildings to be used as offices, for the fiscal  
92 year beginning July 1, 2004, and ending June 30, 2005.....  
93 ..... \$ 53,000,000.00.

94 The funds authorized in this Section shall be requisitioned  
95 by the Employment Security Commission, or its successor, from the  
96 Unemployment Trust Fund maintained by the Secretary of the  
97 Treasury of the United States as needed for the payment of  
98 obligations incurred under this appropriation, and such monies  
99 shall be deposited in the Employment Security Administration Fund  
100 in accordance with the provisions of Section 71-5-457, Mississippi  
101 Code of 1972.

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

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

116 **SECTION 9.** This act shall take effect and be in force from  
117 and after July 1, 2004.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE  
2 EXPENSES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION, OR ITS  
3 SUCCESSOR, FOR FISCAL YEAR 2005.