

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

To: Appropriations

SENATE BILL NO. 3154

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION FOR
3 FISCAL YEAR 2008.

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, 2007, and ending June 30, 2008..... \$ 224,132,255.00.

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..	\$	53,338,777.00
18	Travel and Subsistence.....		1,759,416.00
19	Contractual Services.....		69,664,392.00
20	Commodities.....		2,995,507.00

21 Capital Outlay:

22	Other Than Equipment.....		1,035,000.00
23	Equipment.....		6,723,805.00
24	Vehicles.....		50,348.00
25	Wireless Communication Devices.....		40,000.00
26	Subsidies, Loans and Grants.....		<u>88,525,010.00</u>
27	Total.....	\$	224,132,255.00

28 AUTHORIZED POSITIONS:

29	Permanent:	Full Time.....	811
30		Part Time.....	365
31	Time-Limited:	Full Time.....	0
32		Part Time.....	0

33 Funds are provided herein to adjust the Variable Compensation
34 Plan to ensure that all full-time employees receive a pay increase
35 equal to the realignment component of the Variable Compensation
36 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)
37 whichever is greater, to be awarded on July 1, 2007.

38 With the funds herein appropriated, it is the intention of
39 the Legislature that it shall be the agency's responsibility to
40 make certain that funds required to be appropriated for "Personal
41 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
42 funds appropriated for that purpose, unless programs or positions
43 are added to the agency's Fiscal Year 2009 budget by the
44 Mississippi Legislature. Based on data provided by the
45 Legislative Budget Office, the State Personnel Board shall
46 determine and publish the projected annual cost to fully fund all
47 appropriated positions in compliance with the provisions of this
48 act. It shall be the responsibility of the agency head to insure
49 that no single personnel action increases this projected annual
50 cost and/or the Fiscal Year 2008 appropriation for "Personal
51 Services" when annualized, with the exception of escalated funds.
52 If, at the time the agency takes any action to change "Personal
53 Services," the State Personnel Board determines that the agency
54 has taken an action which would cause the agency to exceed this
55 projected annual cost or the Fiscal Year 2008 "Personal Services"
56 appropriated level, when annualized, then only those actions which
57 reduce the projected annual cost and/or the appropriation
58 requirement will be processed by the State Personnel Board until
59 such time as the requirements of this provision are met.

60 Any transfers or escalations shall be made in accordance with
61 the terms, conditions and procedures established by law or
62 allowable under the terms set forth within this act. The State
63 Personnel Board shall not escalate positions without written
64 approval from the Department of Finance and Administration. The
65 Department of Finance and Administration shall not provide written
66 approval to escalate any funds for salaries and/or positions
67 without proof of availability of new or additional funds above the
68 appropriated level.

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

73 The agency shall not take any action to promote or otherwise
74 award salary increases through reallocation, reclassification,
75 realignment, education benchmark, career ladder, or any other
76 means to increase salaries of employees or positions unless
77 specifically exempted by the following conditions: the award of
78 teacher pay increases, the advancement of a trainee/cadet to the
79 next level of a bona fide career ladder, the award of an
80 educational benchmark for the attainment of Certified Public
81 Accountant License or higher level professional certification as
82 determined by the State Personnel Board, the immediate replacement
83 of a departing employee with an individual from within state
84 service or a new hire at a salary level equivalent to that of the
85 departing employee, and the emergency appointment of nurses,
86 pharmacists or other health care professionals at a salary to be
87 determined by the State Personnel Board, unless otherwise
88 authorized in this act.

89 **SECTION 3.** Of the funds appropriated under the provisions of
90 Section 1, the following sum shall be derived from money in the
91 Unemployment Trust Fund, made available to this state under
92 Section 903(d) of the Social Security Act, as amended, to the

93 Mississippi Employment Security Commission to be deposited in the
94 Employment Security Administration Fund and used by the
95 Mississippi Employment Security Commission for the following
96 purposes:

97 1. Payment of various One-Stop Administration expenses that
98 support the service delivery of employment and workforce
99 information services. This includes, but is not limited to, the
100 following activities:

101 a. Staff for delivery of reemployment services to UI
102 claimants, including group job search assistance
103 and staff-assisted referrals to jobs.

104 b. Equipment and resources for resource rooms.

105 c. Payment for rent, utilities, and maintenance of
106 facilities, including common spaces such as
107 resource rooms, reception areas, conference areas,
108 etc.

109 d. Payment of shared costs for operation of local One-
110 Stop Career Centers, including payment for One-
111 Stop operators.

112 e. Purchase of computer equipment, network equipment,
113 telecommunications equipment, application
114 development, and other technology resources.

115 f. Training, technical assistance, and professional
116 development of staff who deliver employment and
117 workforce information services.

118 g. Access Improvement costs for individuals with
119 disabilities, including remodeling or retrofitting
120 One-Stop Career Centers and purchasing appropriate
121 software, hardware, furniture and supplies.

122 2. Administration of the Unemployment Compensation (UC) law
123 and its public employment service (ES) offices. This includes,
124 but is not limited to, the following uses:

125 a. ES and UI automation. This includes purchases,

- 126 modifications, or automation of computer related
- 127 systems and related costs.
- 128 b. UI and ES Performance Improvement costs.
- 129 c. Fraud and Abuse Reduction costs.
- 130 d. UI Claims Filing and Payment Methods Improvement
- 131 costs.
- 132 e. Under the direction of the Office of Building,
- 133 Grounds and Real Property Management to acquire
- 134 lands and construct buildings thereon or improve
- 135 existing buildings to be used as offices.

136 The funds in this section are authorized for the fiscal year
 137 beginning July 1, 2007, and ending June 30, 2008.....
 138\$ 53,000,000.00.

139 The funds authorized in this Section shall be requisitioned
 140 by the Mississippi Employment Security Commission from the
 141 Unemployment Trust Fund maintained by the Secretary of the
 142 Treasury of the United States as needed for the payment of
 143 obligations incurred under this appropriation, and such monies
 144 shall be deposited in the Employment Security Administration Fund
 145 in accordance with the provisions of Section 71-5-457, Mississippi
 146 Code of 1972.

147 **SECTION 4.** Of the funds appropriated in this act, a total of
 148 One Million Thirty-five Thousand Dollars (\$1,035,000.00) is
 149 provided for the purpose of constructing and/or lease purchasing a
 150 new headquarters facility for the Mississippi Employment Security
 151 Commission, and paying for any costs associated with the
 152 construction of facilities. The funds authorized in this section
 153 shall be under the direction of the Bureau of Building, Grounds
 154 and Real Property Management.

155 **SECTION 5.** Of the funds provided under the provisions of
 156 this act, Two Hundred Eighty-two Thousand Three Hundred Thirteen
 157 Dollars (\$282,313.00) is provided for One Hundred Eighteen (118)
 158 reclassifications, and Two Hundred Fifty-one Thousand Two Hundred

159 Ninety Dollars (\$251,290.00) is provided for forty (40)
160 reallocations, and Eleven Thousand Three Hundred Twenty-three
161 Dollars (\$11,323.00) is provided for educational benchmarks, and
162 Twenty-seven Thousand Five Hundred Five Dollars (\$27,505.00) is
163 provided for nine (9) experience benchmarks.

164 **SECTION 6.** It is the intention of the Legislature that
165 whenever two (2) or more bids are received by this agency for the
166 purchase of commodities or equipment, and whenever all things
167 stated in such received bids are equal with respect to price,
168 quality and service, the Mississippi Industries for the Blind
169 shall be given preference. A similar preference shall be given to
170 the Mississippi Industries for the Blind whenever purchases are
171 made without competitive bids.

172 **SECTION 7.** The money herein appropriated shall be paid by
173 the State Treasurer out of any money in the State Treasury to the
174 credit of the proper fund or funds as set forth in this act, upon
175 warrants issued by the State Fiscal Officer; and the State Fiscal
176 Officer shall issue his warrants upon requisitions signed by the
177 proper person, officer or officers, in the manner provided by law.

178 **SECTION 8.** This act shall take effect and be in force from
179 and after July 1, 2007.