

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

To: Appropriations

SENATE BILL NO. 3154
(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 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..... \$ 224,503,432.00.

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..	\$	53,709,954.00
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.....	\$	224,503,432.00

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 Five Hundred Dollars (\$1,500.00), whichever
37 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 2008 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 appropriations for "Personal
51 Services" when annualized, with the exception of escalated funds
52 and educational benchmarks. If, at the time the agency takes any
53 action to change "Personal Services," the State Personnel Board
54 determines that the agency has taken an action which would cause
55 the agency to exceed this projected annual cost or the Fiscal Year
56 2008 "Personal Services" appropriated level, when annualized, then
57 only those actions which reduce the projected annual cost and/or
58 the appropriation requirement will be processed by the State
59 Personnel Board until such time as the requirements of this
60 provision are met. On January 1, 2008, the State Personnel Board

61 will make adjustments to the structure side of the compliance
62 report based on data provided by the Legislative Budget Office in
63 order for agencies to award educational benchmarks.

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

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76 act and which are withdrawn and no longer available.

77 **SECTION 3.** Of the funds appropriated under the provisions of
78 Section 1, the following sum shall be derived from money in the
79 Unemployment Trust Fund, made available to this state under
80 Section 903(d) of the Social Security Act, as amended, to the
81 Mississippi Employment Security Commission to be deposited in the
82 Employment Security Administration Fund and used by the
83 Mississippi Employment Security Commission for the following
84 purposes:

85 (a) Payment of various One-Stop Administration expenses
86 that support the service delivery of employment and workforce
87 information services. This includes, but is not limited to, the
88 following activities:

89 (i) Staff for delivery of reemployment services to
90 UI claimants, including group job search assistance and
91 staff-assisted referrals to jobs.

92 (ii) Equipment and resources for resource rooms.

93 (iii) Payment for rent, utilities and maintenance
94 of facilities, including common spaces such as resource rooms,
95 reception areas, conference areas, etc.

96 (iv) Payment of shared costs for operation of
97 local One-Stop Career Centers, including payment for One-Stop
98 operators.

99 (v) Purchase of computer equipment, network
100 equipment, telecommunications equipment, application development
101 and other technology resources.

102 (vi) Training, technical assistance, and
103 professional development of staff who deliver employment and
104 workforce information services.

105 (vii) Access Improvement costs for individuals
106 with disabilities, including remodeling or retrofitting One-Stop
107 Career Centers and purchasing appropriate software, hardware,
108 furniture and supplies.

109 (b) Administration of the Unemployment Compensation
110 (UC) law and its public employment service (ES) offices. This
111 includes, but is not limited to, the following uses:

112 (i) ES and UI automation. This includes
113 purchases, modifications, or automation of computer-related
114 systems and related costs.

115 (ii) UI and ES Performance Improvement costs.

116 (iii) Fraud and Abuse Reduction costs.

117 (iv) UI Claims Filing and Payment Methods
118 Improvement costs.

119 (v) Under the direction of the Bureau of Building,
120 Grounds and Real Property Management to acquire lands and
121 construct buildings thereon or improve existing buildings to be
122 used as offices.

123 The funds in this section are authorized for the fiscal year
124 beginning July 1, 2007, and ending June 30, 2008.....
125 \$ 53,000,000.00.

126 The funds authorized in this section shall be requisitioned
127 by the Mississippi Employment Security Commission from the
128 Unemployment Trust Fund maintained by the Secretary of the
129 Treasury of the United States as needed for the payment of
130 obligations incurred under this appropriation, and such monies
131 shall be deposited in the Employment Security Administration Fund
132 in accordance with the provisions of Section 71-5-457, Mississippi
133 Code of 1972.

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

142 **SECTION 5.** It is the intention of the Legislature that
143 whenever two (2) or more bids are received by this agency for the
144 purchase of commodities or equipment, and whenever all things
145 stated in such received bids are equal with respect to price,
146 quality and service, the Mississippi Industries for the Blind
147 shall be given preference. A similar preference shall be given to
148 the Mississippi Industries for the Blind whenever purchases are
149 made without competitive bids.

150 **SECTION 6.** The money herein appropriated shall be paid by
151 the State Treasurer out of any money in the State Treasury to the
152 credit of the proper fund or funds as set forth in this act, upon
153 warrants issued by the State Fiscal Officer; and the State Fiscal
154 Officer shall issue his warrants upon requisitions signed by the
155 proper person, officer or officers, in the manner provided by law.

156 **SECTION 7.** This act shall take effect and be in force from
157 and after July 1, 2007.