

House Amendments to Senate Bill No. 2972

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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 Department of Employment
8 Security, or its successor, for the purpose of defraying the
9 expenses incurred by said department for the fiscal year beginning
10 July 1, 2017, and ending June 30, 2018.....\$ 166,013,034.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 this act, not more than the following amount shall be expended for
13 Salaries, Wages and Fringe Benefits.....\$ 24,501,116.00.

14 The following positions are authorized:

15 AUTHORIZED POSITIONS:

16	Permanent:	Full Time.....	328
17		Part Time.....	174
18	Time-Limited:	Full Time.....	4
19		Part Time.....	67

20 With the funds herein appropriated, it shall be the agency's
21 responsibility to make certain that funds required to be

22 appropriated for "Personal Services" for Fiscal Year 2019 do not
23 exceed Fiscal Year 2018 funds appropriated for that purpose,
24 unless programs or positions are added to the agency's Fiscal Year
25 2018 budget by the Mississippi Legislature. Based on data
26 provided by the Legislative Budget Office, the State Personnel
27 Board shall determine and publish the projected annual cost to
28 fully fund all appropriated positions in compliance with the
29 provisions of this act. It shall be the responsibility of the
30 agency head to ensure that no single personnel action increases
31 this projected annual cost and/or the Fiscal Year 2018
32 appropriations for "Personal Services" when annualized, with the
33 exception of escalated funds and the award of benchmarks. If, at
34 the time the agency takes any action to change "Personal
35 Services," the State Personnel Board determines that the agency
36 has taken an action which would cause the agency to exceed this
37 projected annual cost or the Fiscal Year 2018 "Personal Services"
38 appropriated level, when annualized, then only those actions which
39 reduce the projected annual cost and/or the appropriation
40 requirement will be processed by the State Personnel Board until
41 such time as the requirements of this provision are met.

42 Any transfers or escalations shall be made in accordance with
43 the terms, conditions and procedures established by law or
44 allowable under the terms set forth within this act. The State
45 Personnel Board shall not escalate positions without written
46 approval from the Department of Finance and Administration. The
47 Department of Finance and Administration shall not provide written

approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

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

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

74 (ii) Equipment and resources for resource rooms.
75 (iii) Payment for rent, utilities and maintenance
76 of facilities, including common spaces such as resource rooms,
77 reception areas, conference areas, etc.
78 (iv) Payment of shared costs for operation of
79 local One-Stop Career Centers, including payment for One-Stop
80 operators.
81 (v) Purchase of computer equipment, network
82 equipment, telecommunications equipment, application development
83 and other technology resources.
84 (vi) Training, technical assistance, and
85 professional development of staff who deliver employment and
86 workforce information services.
87 (vii) Access Improvement costs for individuals
88 with disabilities, including remodeling or retrofitting One-Stop
89 Career Centers and purchasing appropriate software, hardware,
90 furniture and supplies.
91 (b) Administration of the Unemployment Compensation
92 (UC) law and its public employment service (ES) offices. This
93 includes, but is not limited to, the following uses:
94 (i) ES and UI automation. This includes
95 purchases, modifications, or automation of computer-related
96 systems and related costs.
97 (ii) UI and ES Performance Improvement costs.
98 (iii) Fraud and Abuse Reduction costs.

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

(v) Under the direction of the Bureau of Building,
Grounds and Real Property Management to acquire lands and
construct buildings thereon or improve existing buildings to be
used as offices. The funds in this section are authorized for the
fiscal year beginning July 1, 2017, and ending June 30, 2018.....
.....\$ 33,100,000.00.

The funds authorized in this section shall be requisitioned
by the Mississippi Department of Employment Security 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 71-5-457, Mississippi
Code of 1972.

SECTION 4. It is the intention of the Legislature that
whenever two (2) or more bids are received by this agency for the
purchase of commodities or equipment, and whenever all things
stated in such received bids are equal with respect to price,
quality and service, the Mississippi Industries for the Blind
shall be given preference. A similar preference shall be given to
the Mississippi Industries for the Blind whenever purchases are
made without competitive bids.

SECTION 5. The Mississippi Department of Employment Security
is authorized to expend up to Two Million Eight Hundred Thousand

Dollars (\$2,800,000.00) from the State Workforce Investment Funds collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in this act, a sum not to exceed One Hundred Thousand Dollars (\$100,000.00) is made available for Pathways2Possibilities from the State Workforce Investment Funds collected.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the Mississippi Department of Employment Security is authorized to expend up to Fifteen Million Dollars (\$15,000,000.00) from the Mississippi Works Fund collected pursuant to Senate Bill 2808, as enacted during the 2016 Regular Session.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. 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.

150 **SECTION 10.** This act shall take effect and be in force from
151 and after July 1, 2017, and shall stand repealed June 30, 2017.

HR13\SB2972A.J

Andrew Ketchings
Clerk of the House of Representatives