

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2972

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 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:



AUTHORIZED POSITIONS:

Permanent:	Full Time.....	328
	Part Time.....	174
Time-Limited:	Full Time.....	4
	Part Time.....	67

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2019 do not exceed Fiscal Year 2018 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2018 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2018 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2018 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation



requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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



65 Fund and used by the Mississippi Department of Employment Security
66 for the following purposes:

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

71 (i) Staff for delivery of reemployment services to
72 UI claimants, including group job search assistance and
73 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.

99 (iv) UI Claims Filing and Payment Methods
100 Improvement costs.
101 (v) Under the direction of the Bureau of Building,
102 Grounds and Real Property Management to acquire lands and
103 construct buildings thereon or improve existing buildings to be
104 used as offices. The funds in this section are authorized for the
105 fiscal year beginning July 1, 2017, and ending June 30, 2018.....
106\$ 33,100,000.00.

107 The funds authorized in this section shall be requisitioned
108 by the Mississippi Department of Employment Security from the
109 Unemployment Trust Fund maintained by the Secretary of the
110 Treasury of the United States as needed for the payment of
111 obligations incurred under this appropriation, and such monies
112 shall be deposited in the Employment Security Administration Fund



113 in accordance with the provisions of Section 71-5-457, Mississippi
114 Code of 1972.

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

123 **SECTION 5.** The Mississippi Department of Employment Security
124 is authorized to expend up to Two Million Eight Hundred Thousand
125 Dollars (\$2,800,000.00) from the State Workforce Investment Funds
126 collected pursuant to Section 71-5-353, Mississippi Code of 1972.

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

131 **SECTION 7.** Of the funds appropriated under the provisions of
132 Section 1, the Mississippi Department of Employment Security is
133 authorized to expend up to Fifteen Million Dollars
134 (\$15,000,000.00) from the Mississippi Works Fund collected
135 pursuant to Senate Bill 2808, as enacted during the 2016 Regular
136 Session.



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

144 **SECTION 9.** The money herein appropriated shall be paid by
145 the State Treasurer out of any money in the State Treasury to the
146 credit of the proper fund or funds as set forth in this act, upon
147 warrants issued by the State Fiscal Officer; and the State Fiscal
148 Officer shall issue his warrants upon requisitions signed by the
149 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.

