

By: Representative Bell (21st)

To: Rules

HOUSE BILL NO. 1795
(As Passed the House)

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
2 EMPLOYMENT SECURITY FROM THE BUDGET CONTINGENCY FUND FOR THE
3 PERIOD BEGINNING ON JULY 1, 2020, AND ENDING DECEMBER 30, 2020; TO
4 PROVIDE THAT THE APPROPRIATION SHALL BE DISTRIBUTED TO THE DELTA
5 WORKFORCE INVESTMENT AREA, THE TWIN DISTRICTS WORKFORCE INVESTMENT
6 AREA, THE MISSISSIPPI PARTNERSHIP WORKFORCE INVESTMENT AREA AND
7 THE SOUTHCENTRAL MISSISSIPPI WORKFORCE INVESTMENT AREA FOR
8 SHORT-TERM TRAINING PROGRAMS AND THE EQUIPMENT AND SUPPLIES
9 NECESSARY TO SUPPORT SUCH SHORT-TERM TRAINING PROGRAMS AND TO
10 INCREASE THE CAPACITY OF TRAINING PROGRAMS THAT ARE ALREADY IN
11 PLACE SO THAT EMPLOYEES AND OTHERS WHO HAVE BEEN DISPLACED DUE TO
12 THE COVID-19 PUBLIC HEALTH EMERGENCY CAN BE MORE COMPETITIVE AND
13 TRAINED FOR THE JOB MARKET THAT EMERGES AFTER THE COVID-19 PUBLIC
14 HEALTH EMERGENCY, FOR ON THE JOB TRAINING AND FOR CERTAIN
15 ADMINISTRATIVE FEES; AND FOR RELATED PURPOSES.

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

17 **SECTION 1.** The following sum, or so much of it as may be
18 necessary, is appropriated out of any money in the Budget
19 Contingency Fund not otherwise appropriated, to the Department of
20 Employment Security for the purposes described in Section 2 of
21 this act for the period beginning on July 1, 2020, and ending
22 December 30, 2020.....\$ 55,000,000.00.

23 **SECTION 2.** (1) Forty-nine Million Dollars (\$49,000,000.00)
24 of the money appropriated to the Department of Employment Security



25 under Section 1 of this act shall be for: purchasing equipment to
26 expand training capability and/or capacity including, but not
27 limited to, automated guided manufacturing vehicles to be used to
28 expand and train additional persons in emerging technology for
29 both manufacturing and logistics industries, additional welding
30 machines and simulators that would add social distancing
31 capabilities and expedite enhanced training capabilities, trucks
32 and trailers to expand the truck driving short-term program
33 allowing for additional trainees to move to the workforce within
34 four (4) to eight (8) weeks; purchasing devices to be used by
35 students or instructors to assist with classroom and/or distance
36 learning including, but not limited to, laptops for programmable
37 learning control (PLC) classes and to increase current capacity,
38 iPads to be used by students and instructors for distance learning
39 and web-enabled streaming devices to be used for enhanced distance
40 learning capability and to increase social distancing
41 capabilities; providing short-term tuition and/or vouchers
42 including, but not limited to, offering certified nursing
43 assistant (CNA) tuition vouchers to allow unemployed and
44 underemployed individuals a short-term healthcare credential and
45 increase workforce for long-term care facilities, offering
46 manufacturing basic skills certification tuition vouchers to allow
47 individuals to obtain OSHA 10, CPR, MS/BC and Forklift
48 certification and become employable for a manufacturing job,
49 offering vouchers for trainees to purchase necessary items



50 required for short-term training courses and offering vouchers for
51 student's credential exam fee; enhancing the necessary
52 infrastructure to increase capacity and/or capability in workforce
53 development or career and technical education training including,
54 renovating and/or expanding spaces to allow for additional
55 training capabilities and upgrading electrical to support
56 additional manufacturing training equipment; promoting and/or
57 marketing the incentives that are provided with the fund money
58 through social media promotion of short-term program incentives
59 and commercial promotion of workforce training capabilities; and
60 any other employment and training program that is necessary due to
61 the public health emergency. The department shall distribute the
62 money to the Delta Workforce Investment Area, the Twin Districts
63 Workforce Investment Area, the Mississippi Partnership Workforce
64 Investment Area and the Southcentral Mississippi Workforce
65 Investment Area, and the workforce investment area shall further
66 distribute the money to each community college within the
67 respective workforce investment areas in the amounts specified as
68 follows:

69 (a) Delta Workforce Investment Area:

- 70 (i) Coahoma Community College.....\$ 1,335,741.00
71 (ii) Holmes Community College.....\$ 4,699,643.00
72 (iii) Mississippi Delta Community College.....
73\$ 2,489,714.00

74 (b) Twin Districts Workforce Investment Area:



75 (i) East Central Community College..\$ 1,867,927.00
76 (ii) Jones County Junior College....\$ 3,382,261.00
77 (iii) Mississippi Gulf Coast Community College....
78\$ 8,053,996.00
79 (iv) Meridian Community College.....\$ 2,372,799.00
80 (v) Pearl River Community College...\$ 2,260,771.00
81 (c) Mississippi Partnership Workforce Investment Area:
82 (i) East Mississippi Community College.....
83\$ 2,082,696.00
84 (ii) Itawamba Community College.....\$ 7,507,833.00
85 (iii) Northeast Mississippi Community College.....
86\$ 3,402,720.00
87 (iv) Northwest Mississippi Community College.....
88\$ 3,600,905.00
89 (d) Southcentral Mississippi Workforce Investment Area:
90 (i) Copiah-Lincoln Community College.....
91\$ 1,691,362.00
92 (ii) Hinds Community College.....\$ 2,499,175.00
93 (iii) Southwest Mississippi Community College.....
94\$ 1,752,457.00

95 (2) Four Million Seven Hundred Thousand Dollars
96 (\$4,700,000.00) of the money appropriated to the Department of
97 Employment Security under Section 1 of this act shall be
98 distributed to the Delta Workforce Investment Area, the Twin
99 Districts Workforce Investment Area, the Mississippi Partnership



100 Workforce Investment Area and the Southcentral Mississippi
101 Workforce Investment Area using the Workforce Innovation and
102 Opportunity Act (WIOA) allocation methods set forth in CFR Title
103 29, Chapter 32, Section 3172 and 3173, for on the job training for
104 employees displaced due to the COVID-19 public health emergency.

105 (3) Five Hundred Fifty Thousand Dollars (\$550,000.00) of the
106 money appropriated to the Department of Employment Security under
107 Section 1 of this act shall be retained by the department for
108 administrative fees.

109 (4) Five Hundred Fifty Thousand Dollars (\$550,000.00) of the
110 money appropriated to the Department of Employment Security under
111 Section 1 of this act shall be distributed to the four (4)
112 workforce investment areas for administrative fees.

113 **SECTION 3.** (a) None of the funds authorized to be
114 distributed in subsection (1) of Section 2 of this act may be
115 distributed by the Department of Employment Security to any of the
116 four (4) workforce investment areas until the workforce investment
117 area certifies to the Department of Employment Security that:

118 (i) Furloughed, unemployed, underemployed or other
119 similar individuals who were displaced due to the public health
120 emergency will have first priority to be enrolled in one of the
121 training programs that have been modified or created to respond to
122 the COVID-19 public health emergency; and

123 (ii) The workforce investment area will make every
124 reasonable effort to advertise, promote, inform or otherwise



125 enroll the furloughed, unemployed and underemployed individuals
126 who were displaced due to the COVID-19 public health emergency of
127 the training programs that have been modified or created to
128 respond to the COVID-19 public health emergency.

129 (b) None of the funds authorized to be distributed in
130 subsection (2) of Section 2 of this act may be distributed by the
131 Department of Employment Security to any of the four (4) workforce
132 investment areas until the workforce investment area certifies to
133 the Department of Employment Security that:

134 (i) Priority will be given to those employees who have
135 been furloughed, unemployed, underemployed or otherwise displaced
136 due to the COVID-19 public health emergency; or

137 (ii) Priority will be given to those employers who
138 have been forced to reduce their labor force due to the COVID-19
139 public health emergency.

140 **SECTION 4.** As a condition of receiving the funds authorized
141 to be distributed in subsections (1) and (2) of Section 2 of this
142 act, each workforce investment area shall coordinate with the
143 Department of Employment Security to share information to identify
144 those employees who have been furloughed, unemployed,
145 underemployed or otherwise displaced due to the COVID-19 public
146 health emergency.

147 **SECTION 5.** The Department of Employment Security shall not
148 disburse any funds appropriated under this act to any recipient
149 without first: (a) making an individualized determination that



150 the reimbursement sought is, in the Department of Employment
151 Security's independent judgment, for necessary expenditures
152 incurred due to the public health emergency with respect to
153 COVID-19 as provided under Section 601(d) of the federal Social
154 Security Act as added by Section 5001 of the federal Coronavirus
155 Aid, Relief, and Economic Security (CARES) Act and its
156 implementing guidelines, guidance, rules, regulations and/or other
157 criteria, as may be amended or supplemented from time to time, by
158 the United States Department of the Treasury; and (b) determining
159 that the recipient has not received and will not receive
160 reimbursement for the expense in question from any source of
161 funds, including insurance proceeds, other than those funds
162 provided under Section 601 of the federal Social Security Act as
163 added by Section 5001 of the CARES Act. In addition, the
164 Department of Employment Security shall ensure that all funds
165 appropriated under this act are disbursed in compliance with the
166 Single Audit Act (31 USC Sections 7501-7507) and the related
167 provisions of the Uniform Guidance, 2 CFR Section 200.303
168 regarding internal controls, Sections 200.330 through 200.332
169 regarding subrecipient monitoring and management, and subpart F
170 regarding audit requirements.

171 **SECTION 6.** (1) As a condition of receiving and expending
172 the funds appropriated to the Department of Employment Security
173 under this act, the Department of Employment Security shall
174 certify to the Department of Finance and Administration that each



175 expenditure of the funds appropriated to the Department of
176 Employment Security under this act is in compliance with the
177 guidelines, guidance, rules, regulations and/or other criteria, as
178 may be amended from time to time, of the United States Department
179 of the Treasury regarding the use of monies from the Coronavirus
180 Relief Fund established by the CARES Act.

181 (2) If the Office of Inspector General of the United States
182 Department of the Treasury, or the Office of Inspector General of
183 any other federal agency having oversight over the use of monies
184 from the Coronavirus Relief Fund established by the CARES Act (a)
185 determines that the Department of Employment Security has expended
186 or otherwise used any of the funds appropriated to the Department
187 of Employment Security under this act for any purpose that is not
188 in compliance with the guidelines, guidance, rules, regulations
189 and/or other criteria, as may be amended from time to time, of the
190 United States Department of the Treasury regarding the use of
191 monies from the Coronavirus Relief Fund established by the CARES
192 Act, and (b) the State of Mississippi is required to repay the
193 federal government for any of those funds that the Office of the
194 Inspector General determined were expended or otherwise used
195 improperly by the Department of Employment Security, then the
196 Department of Employment Security that expended or otherwise used
197 those funds improperly shall be required to pay the amount of
198 those funds to the State of Mississippi for repayment to the
199 federal government.



200 **SECTION 7.** The money appropriated by this act shall be paid
201 by the State Treasurer out of any money in the Budget Contingency
202 Fund not otherwise appropriated, upon warrants issued by the State
203 Fiscal Officer; and the State Fiscal Officer shall issue his
204 warrants upon requisitions signed by the proper person, officer or
205 officers in the manner provided by law.

206 **SECTION 8.** This act shall take effect and be in force from
207 and after July 1, 2020.

