

**House Amendments to Senate Bill No. 2922**

**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, 2021, and ending June 30, 2022.....\$ 157,098,796.00.

11           **SECTION 2.** Of the funds appropriated under the provisions of  
12 this act, the following positions are authorized:

13           AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	275
15		Part Time.....	141
16	Time-Limited:	Full Time.....	24
17		Part Time.....	124

18           With the funds herein appropriated, it shall be the agency's  
19 responsibility to make certain that funds required to be  
20 appropriated for "Personal Services" for Fiscal Year 2023 do not  
21 exceed Fiscal Year 2022 funds appropriated for that purpose unless

22 programs or positions are added to the agency's Fiscal Year 2022  
23 budget by the Mississippi Legislature. Based on data provided by  
24 the Legislative Budget Office, the State Personnel Board shall  
25 determine and publish the projected annual cost to fully fund all  
26 appropriated positions in compliance with the provisions of this  
27 act. Absent a special situation or circumstance approved by the  
28 State Personnel Board, or unless otherwise authorized by this act,  
29 no state agency shall take any action to promote or otherwise  
30 award salary increases through reallocation or realignment. If  
31 the State Personnel Board determines a special situation or  
32 circumstance exists and approves an action, then the agency and  
33 the State Personnel Board shall provide a monthly report of each  
34 action approved by the State Personnel Board to the chairmen of  
35 the Accountability, Efficiency and Transparency Committees of the  
36 Senate and House of Representatives and the chairmen of the  
37 Appropriations Committees of the Senate and House of  
38 Representatives. It shall be the responsibility of the agency  
39 head to ensure that no single personnel action increases this  
40 projected annual cost and/or the Fiscal Year 2022 appropriations  
41 for "Personal Services" when annualized, with the exception of  
42 escalated funds and the award of benchmarks. If, at the time the  
43 agency takes any action to change "Personal Services," the State  
44 Personnel Board determines that the agency has taken an action  
45 which would cause the agency to exceed this projected annual cost  
46 or the Fiscal Year 2022 "Personal Services" appropriated level,  
47 when annualized, then only those actions which reduce the

48 projected annual cost and/or the appropriation requirement will be  
49 processed by the State Personnel Board until such time as the  
50 requirements of this provision are met.

51 Any transfers or escalations shall be made in accordance with  
52 the terms, conditions and procedures established by law or  
53 allowable under the terms set forth within this act. The State  
54 Personnel Board shall not escalate positions without written  
55 approval from the Department of Finance and Administration. The  
56 Department of Finance and Administration shall not provide written  
57 approval to escalate any funds for salaries and/or positions  
58 without proof of availability of new or additional funds above the  
59 appropriated level.

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

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

68 **SECTION 3.** Of the funds appropriated under the provisions of  
69 Section 1, the following sum shall be derived from money in the  
70 Unemployment Trust Fund, made available to this state under  
71 Section 903 of the Social Security Act, as amended (42 USCA  
72 Section 1103), to the Mississippi Department of Employment  
73 Security to be deposited in the Employment Security Administration

74 Fund and used by the Mississippi Department of Employment Security  
75 for the following purposes:

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

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

83 (ii) Equipment and resources for resource rooms.

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

87 (iv) Payment of shared costs for operation of  
88 local One-Stop Career Centers, including payment for One-Stop  
89 operators.

90 (v) Purchase of computer equipment, network  
91 equipment, telecommunications equipment, application development  
92 and other technology resources.

93 (vi) Training, technical assistance, and  
94 professional development of staff who deliver employment and  
95 workforce information services.

96 (vii) Access Improvement costs for individuals  
97 with disabilities, including remodeling or retrofitting One-Stop  
98 Career Centers and purchasing appropriate software, hardware,  
99 furniture and supplies.

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

103 (i) ES and UI automation. This includes  
104 purchases, modifications, or automation of computer-related  
105 systems and related costs.

106 (ii) UI and ES Performance Improvement costs.

107 (iii) Fraud and Abuse Reduction costs.

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

110 (v) Under the direction of the Bureau of Building,  
111 Grounds and Real Property Management to acquire lands and  
112 construct buildings thereon or improve existing buildings to be  
113 used as offices. The funds in this section are authorized for the  
114 fiscal year beginning July 1, 2021, and ending June 30, 2022.....  
115 .....\$ 33,047,000.00.

116 The funds authorized in this section shall be requisitioned  
117 by the Mississippi Department of Employment Security from the  
118 Unemployment Trust Fund maintained by the Secretary of the  
119 Treasury of the United States as needed for the payment of  
120 obligations incurred under this appropriation, and such monies  
121 shall be deposited in the Employment Security Administration Fund  
122 in accordance with the provisions of Section 71-5-457, Mississippi  
123 Code of 1972.

124 **SECTION 4.** It is the intention of the Legislature that  
125 whenever two (2) or more bids are received by this agency for the

126 purchase of commodities or equipment, and whenever all things  
127 stated in such received bids are equal with respect to price,  
128 quality and service, the Mississippi Industries for the Blind  
129 shall be given preference. A similar preference shall be given to  
130 the Mississippi Industries for the Blind whenever purchases are  
131 made without competitive bids.

132 **SECTION 5.** Of the funds appropriated in Section 1, the  
133 Mississippi Department of Employment Security is authorized to  
134 expend up to One Million Dollars (\$1,000,000.00) from the State  
135 Workforce Investment Funds for the State Workforce Investment  
136 Board, collected pursuant to Section 71-5-353, Mississippi Code of  
137 1972.

138 **SECTION 6.** Of the funds appropriated in this act, a sum not  
139 to exceed Two Hundred Thousand Dollars (\$200,000.00) is made  
140 available for Pathways2Possibilities from the State Workforce  
141 Investment Funds collected.

142 **SECTION 7.** Of the funds appropriated under the provisions of  
143 Section 1, the Mississippi Department of Employment Security is  
144 authorized to expend up to Fifteen Million Dollars  
145 (\$15,000,000.00) from the Mississippi Works Fund collected  
146 pursuant to Section 71-5-353, Mississippi Code of 1972.

147 **SECTION 8.** It is the intention of the Legislature that the  
148 funds herein appropriated shall be expended in compliance with  
149 Section 27-104-25, Mississippi Code of 1972, that no state agency  
150 shall incur obligations or indebtedness in excess of their  
151 appropriation and that the responsible officers, either personally

152 or upon their official bonds, shall be held responsible for  
153 actions contrary to this provision.

154         **SECTION 9.** The money herein appropriated shall be paid by  
155 the State Treasurer out of any money in the State Treasury to the  
156 credit of the proper fund or funds as set forth in this act, upon  
157 warrants issued by the State Fiscal Officer; and the State Fiscal  
158 Officer shall issue his warrants upon requisitions signed by the  
159 proper person, officer or officers, in the manner provided by law.

160         **SECTION 10.** This act shall take effect and be in force from  
161 and after July 1, 2021, and shall stand repealed from and after  
162 June 29, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1         AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE  
2 EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR  
3 FISCAL YEAR 2022.

HR13\SB2922A.J

Andrew Ketchings  
Clerk of the House of Representatives