

House Amendments to Senate Bill No. 3021

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Mississippi Department of Employment Security for
9 the fiscal year beginning July 1, 2023, and ending
10 June 30, 2024.....\$ 1,400,000.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the State
13 Treasury to the credit of the Mississippi Department of Employment
14 Security, or its successor, for the purpose of defraying the
15 expenses incurred by said department for the fiscal year beginning
16 July 1, 2023, and ending June 30, 2024.....\$ 138,198,117.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 this act, the following positions are authorized:

19 AUTHORIZED HEADCOUNT:
20 Permanent: 389
21 Time-Limited: 94

22 With the funds herein appropriated, it shall be the agency's
23 responsibility to make certain that funds required for Personal
24 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
25 appropriated for that purpose unless programs or positions are
26 added to the agency's Fiscal Year 2024 budget by the Mississippi
27 Legislature. The Legislature shall determine the agency's
28 personal services appropriation, which shall be published by the
29 State Personnel Board. Additionally, the State Personnel Board
30 shall determine and publish the projected annualized payroll costs
31 based on current employees. It shall be the responsibility of the
32 agency head to ensure that actual personnel expenditures for
33 Fiscal Year 2024 do not exceed the data provided by the
34 Legislative Budget Office. If the agency's Fiscal Year 2024
35 projected cost exceeds the annualized costs, no salary actions
36 shall be processed by the State Personnel Board with the exception
37 of new hires that are determined to be essential for the agency.

38 Any transfers or escalations shall be made in accordance with
39 the terms, conditions and procedures established by law or
40 allowable under the terms set forth within this act. The State
41 Personnel Board shall not escalate positions without written
42 approval from the Department of Finance and Administration. The
43 Department of Finance and Administration shall not provide written
44 approval to escalate any funds for salaries and/or positions
45 without proof of availability of new or additional funds above the
46 appropriated level.

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

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

55 Funds have been appropriated herein for the purpose of
56 funding Project SEC2 minimum salaries for all employees covered
57 under the Colonel Guy Groff/Neville Kenning Variable Compensation
58 Plan. It shall be the agency's responsibility to ensure that the
59 funds are used to increase all employees' salaries up to the
60 minimum level as determined by the State Personnel Board.

61 **SECTION 4.** Of the funds appropriated under the provisions of
62 Section 2 of this act, the following sum shall be derived from
63 money in the Unemployment Trust Fund, made available to this state
64 under Section 903 of the Social Security Act, as amended (42 USCA
65 Section 1103), to the Mississippi Department of Employment
66 Security to be deposited in the Employment Security Administration
67 Fund and used by the Mississippi Department of Employment Security
68 for the following purposes:

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

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

76 (ii) Equipment and resources for resource rooms.

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

80 (iv) Payment of shared costs for operation of
81 local One-Stop Career Centers, including payment for One-Stop
82 operators.

83 (v) Purchase of computer equipment, network
84 equipment, telecommunications equipment, application development
85 and other technology resources.

86 (vi) Training, technical assistance, and
87 professional development of staff who deliver employment and
88 workforce information services.

89 (vii) Access Improvement costs for individuals
90 with disabilities, including remodeling or retrofitting One-Stop
91 Career Centers and purchasing appropriate software, hardware,
92 furniture and supplies.

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

96 (i) ES and UI automation. This includes
97 purchases, modifications, or automation of computer-related
98 systems and related costs.

- 99 (ii) UI and ES Performance Improvement costs.
- 100 (iii) Fraud and Abuse Reduction costs.
- 101 (iv) UI Claims Filing and Payment Methods
- 102 Improvement costs.
- 103 (v) Under the direction of the Bureau of Building,
- 104 Grounds and Real Property Management to acquire lands and
- 105 construct buildings thereon or improve existing buildings to be
- 106 used as offices. The funds in this section are authorized for the
- 107 fiscal year beginning July 1, 2023, and ending June 30, 2024.....
- 108\$ 33,047,000.00.

109 The funds authorized in this section shall be requisitioned
 110 by the Mississippi Department of Employment Security from the
 111 Unemployment Trust Fund maintained by the Secretary of the
 112 Treasury of the United States as needed for the payment of
 113 obligations incurred under this appropriation, and such monies
 114 shall be deposited in the Employment Security Administration Fund
 115 in accordance with the provisions of Section 71-5-457, Mississippi
 116 Code of 1972.

117 **SECTION 5.** It is the intention of the Legislature that
 118 whenever two (2) or more bids are received by this agency for the
 119 purchase of commodities or equipment, and whenever all things
 120 stated in such received bids are equal with respect to price,
 121 quality and service, the Mississippi Industries for the Blind
 122 shall be given preference. A similar preference shall be given to
 123 the Mississippi Industries for the Blind whenever purchases are
 124 made without competitive bids.

125 **SECTION 6.** Of the funds appropriated in this act, a sum not
126 to exceed Two Hundred Thousand Dollars (\$200,000.00) is made
127 available for Pathways2Possibilities from the Mississippi Works
128 Fund collected pursuant to Section 71-5-353, Mississippi Code of
129 1972.

130 **SECTION 7.** In addition to all other funds appropriated
131 herein, the following sum, or so much thereof as may be necessary,
132 is appropriated out of any money in the State General Fund, not
133 otherwise appropriated, for Office of Workforce Development for
134 the fiscal year beginning July 1, 2023, and ending June 30, 2024..
135\$ 19,500,000.00.

136 **SECTION 8.** In addition to all other funds appropriated
137 herein, the following sum, or so much thereof as may be necessary,
138 is hereby authorized for expenditure out of any special source
139 funds which are collected by or otherwise become available to the
140 Office of Workforce Development for support of workforce programs,
141 grants, and other similar activities for the fiscal year beginning
142 July 1, 2023, and ending June 30, 2024.....
143\$ 18,000,000.00.

144 **SECTION 9.** Of the funds appropriated in Section 7, Three
145 Million Five Hundred Thousand Dollars (\$3,500,000.00) is
146 authorized for defraying the operating expenses of the Office of
147 Workforce Development.

148 **SECTION 10.** Of the funds appropriated in Section 7, Sixteen
149 Million Dollars (\$16,000,000.00) is authorized for operating the
150 Career Coaching Program at the Office of Workforce Development.

151 **SECTION 11.** Unless otherwise specifically appropriated for
152 that purpose by the Legislature, none of the funds authorized in
153 Section 8 shall be used for operational expenditures of the Office
154 of Workforce Development except for reasonable administrative fees
155 for grant oversight as provided by law.

156 **SECTION 12.** Of the funds appropriated in Section 10 of this
157 act, the Office of Workforce Development is authorized to expend
158 up to Three Million Dollars (\$3,000,000.00) from the State
159 Workforce Investment Funds from the State Workforce Investment
160 Board, collected pursuant to Section 71-5-353, Mississippi Code of
161 1972.

162 **SECTION 13.** Of the funds appropriated under the provisions
163 of Section 8 of this act, the Office of Workforce Development is
164 authorized to expend up to Fifteen Million Dollars
165 (\$15,000,000.00) from the Mississippi Works Fund collected
166 pursuant to Section 71-5-353, Mississippi Code of 1972.

167 **SECTION 14.** Of the funds appropriated in Section 1 of this
168 act, an amount not to exceed One Million Four Hundred Thousand
169 Dollars (\$1,400,000.00) is authorized for the Mississippi
170 Integrated Education and Workforce State Longitudinal Data System
171 (SLDS).

172 **SECTION 15.** It is the intention of the Legislature that the
173 funds herein appropriated shall be expended in compliance with
174 Section 27-104-25, Mississippi Code of 1972, that no state agency
175 shall incur obligations or indebtedness in excess of their
176 appropriation and that the responsible officers, either personally

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

179 **SECTION 16.** The money herein appropriated shall be paid by
180 the State Treasurer out of any money in the State Treasury to the
181 credit of the proper fund or funds as set forth in this act, upon
182 warrants issued by the State Fiscal Officer; and the State Fiscal
183 Officer shall issue his warrants upon requisitions signed by the
184 proper person, officer or officers, in the manner provided by law.

185 **SECTION 17.** This act shall take effect and be in force from
186 and after July 1, 2023, and shall stand repealed from and after
187 June 29, 2023.

**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 2024.

HR13\SB3021A.J

Andrew Ketchings
Clerk of the House of Representatives