

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

Senate Bill NO. 3169

By Representative(s) 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 administrative fund of the
8 Mississippi Employment Security Commission, for the purpose of
9 defraying the expenses incurred by said commission for the fiscal
10 year beginning July 1, 2002, and ending June 30, 2003.....
11 \$ 77,274,898.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of
13 Section 1, not more than the amounts set forth below shall be
14 expended for the respective major objects or purposes of
15 expenditure:

16 MAJOR OBJECTS OF EXPENDITURE:

17 Personal Services:

18 Salaries, Wages and Fringe Benefits..	\$	42,669,941.00
19 Travel and Subsistence.....		1,112,148.00
20 Contractual Services.....		12,211,388.00
21 Commodities.....		1,313,231.00
22 Capital Outlay:		
23 Other Than Equipment.....		4,995,000.00
24 Equipment.....		2,966,759.00

25 Subsidies, Loans and Grants..... 12,006,431.00
 26 Total..... \$ 77,274,898.00

27 AUTHORIZED POSITIONS:

28 Permanent: Full Time..... 795
 29 Part Time..... 365
 30 Time-Limited: Full Time..... 0
 31 Part Time..... 0

32 Funds are provided herein to adjust the Variable Compensation
 33 Plan to ensure that all full-time employees receive a pay increase
 34 equal to fifty percent (50%) of the realignment component of the
 35 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
 36 whichever is greater, beginning on January 1, 2003.

37 With the funds herein appropriated, it is the intention of
 38 the Legislature that it shall be the agency's responsibility to
 39 make certain that funds required to be appropriated for "Personal
 40 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
 41 funds appropriated for that purpose, unless programs, positions or
 42 pay increases are added to the agency's budget by the Mississippi
 43 Legislature. Based on data provided by the Legislative Budget
 44 Office, the State Personnel Board shall, on July 1, 2002, publish
 45 separate annual projection reports, based on July 1, 2002 data,
 46 for the period of July 1, 2002 through December 31, 2002, and
 47 January 1, 2003 through June 30, 2003, that project the annual
 48 cost to fully fund all appropriated positions in compliance with
 49 the provisions of this act. It shall be the responsibility of the
 50 agency head to ensure that no single personnel action increases
 51 this projected cost and/or the Fiscal Year 2003 appropriation for
 52 "Personal Services," as annualized on a semi-annual basis in
 53 accordance with the provisions of this act. If, at the end of any
 54 calendar month, the State Personnel Board determines that the
 55 agency has taken action(s) which would cause the agency to exceed
 56 this projected annual cost or the Fiscal Year 2003 "Personal
 57 Services" appropriated level, when annualized in compliance with
 58 the provisions of this act, then only those actions which reduce
 59 the projected annual cost and/or the appropriation requirement

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

62 Any transfers or escalations shall be made in accordance with
63 the terms, conditions, and procedures established by law.

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

68 **SECTION 3.** In addition to any other funds appropriated
69 herein, the following sum, or so much thereof as may be necessary,
70 is hereby appropriated out of any money in the Unemployment Trust
71 Fund, made available to this state under Section 903 of the Social
72 Security Act, as amended, to the Employment Security Commission to
73 be deposited in the Employment Security Administration Fund for
74 use by the Employment Security Commission, under the direction of
75 the Office of Building, Grounds and Real Property Management to
76 acquire lands and construct buildings thereon or improve existing
77 buildings to be used as offices, for the fiscal year beginning
78 July 1, 2002, and ending June 30, 2003..... \$ 6,000,000.00.

79 **SECTION 4.** The money herein appropriated under the
80 provisions of Section 3 shall be requisitioned by the Employment
81 Security Commission from the Unemployment Trust Fund maintained by
82 the Secretary of the Treasury of the United States as needed for
83 the payment of obligations incurred under this appropriation, and
84 such monies shall be deposited in the Employment Security
85 Administration Fund in accordance with the provisions of Section
86 71-5-457, Mississippi Code of 1972.

87 **SECTION 5.** In addition to any other funds appropriated
88 herein, the following sum, or so much thereof as may be necessary,
89 is hereby appropriated out of funds in the Special Employment
90 Security Administration Fund to the Employment Security Commission
91 for its use as provided in Section 71-5-114, Mississippi Code of
92 1972, for the fiscal year beginning July 1, 2002, and ending
93 June 30, 2003..... \$2,075,000.00.

94 **SECTION 6.** The money herein appropriated under the

95 provisions of Section 5 shall be requisitioned by the Employment
96 Security Commission from the Special Employment Security
97 Administration Fund as needed for the payment of obligations
98 incurred under this appropriation, and such monies requisitioned
99 shall be deposited in the Employment Security Administration Fund
100 upon receipt.

101 **SECTION 7.** Of the funds appropriated in this act, a total of
102 Sixteen Million Dollars (\$16,000,000.00) is provided for the
103 purpose of constructing and/or lease purchasing a new headquarters
104 facility for the Mississippi Employment Security Commission, and
105 paying for any costs associated with the construction of
106 facilities. The funds authorized in this section shall be under
107 the direction of the Bureau of Building, Grounds and Real Property
108 Management.

109 **SECTION 8.** The money herein appropriated shall be paid by
110 the State Treasurer out of any money in the State Treasury to the
111 credit of the proper fund or funds as set forth in this act, upon
112 warrants issued by the State Fiscal Officer; and the State Fiscal
113 Officer shall issue his warrants upon requisitions signed by the
114 proper person, officer or officers, in the manner provided by law.

115 **SECTION 9.** This act shall take effect and be in force from
116 and after July 1, 2002.