MISSISSIPPI LEGISLATURE REGULAR SESSION 2004

By: Senator(s) Gordon, Little, Gollott, Kirby, Moffatt, Thames

To: Appropriations

SENATE BILL NO. 3148

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION FOR FISCAL YEAR 2005.

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

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Employment Security Commission, for the purpose of defraying the expenses incurred by said commission for the fiscal year beginning July 1, 2004, and ending June 30, 2005..... $ 95,574,297.00.

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

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:		
Salaries, Wages and Fringe Benefits..	$	33,266,842.00
Travel and Subsistence.....		1,338,914.00
Contractual Services.....		15,852,650.00
Commodities.....		2,275,507.00
Capital Outlay:		
Other Than Equipment.....		15,005,000.00
Equipment.....		5,627,731.00
Subsidies, Loans and Grants.....		22,207,653.00
Total.....	$	95,574,297.00

AUTHORIZED POSITIONS:

Permanent: Full Time..... 519

		Part Time.....	338
	Time-Limited:	Full Time.....	0
		Part Time.....	0

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2006 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 insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2005 appropriation for "Personal Services" when annualized, with the exception of escalated funds. 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 2005 "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.

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(d) of the Social Security Act, as amended, to the Employment Security Commission to be deposited in the Employment Security Administration Fund for use by the Employment Security Commission, to administer the Unemployment Compensation (UC) law and its public employment service (ES) offices to include purchases, modification, and automation of computer related systems and related costs; and under the direction of the Office of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices, for the fiscal year beginning July 1, 2004, and ending June 30, 2005..... $ 53,000,000.00.

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

SECTION 4. Of the funds appropriated in this act, a total of Sixteen Million Dollars ($16,000,000.00) is provided for the purpose of constructing and/or lease purchasing a new headquarters facility for the Mississippi Employment Security Commission, and paying for any costs associated with the construction of facilities. The funds authorized in this section shall be under

the direction of the Bureau of Building, Grounds and Real Property Management.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2004.