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Chapter No. 34
18/SS01/A671SG
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SENATE BILL NO. 2962

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2962

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2019.

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 Department of Employment Security, or its successor, for the purpose of defraying the expenses incurred by said department for the fiscal year beginning July 1, 2018, and ending June 30, 2019..... $ 152,634,400.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	353
	Part Time.....	189
Time-Limited:	Full Time.....	7
	Part Time.....	70

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2020 do not exceed Fiscal Year 2019 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2019 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 ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2019 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. 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 2019 "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.

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

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 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce

information services. This includes, but is not limited to, the following activities:

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

(ii) Equipment and resources for resource rooms.

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

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

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

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

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

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

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

(ii) UI and ES Performance Improvement costs.

(iii) Fraud and Abuse Reduction costs.

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

(v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2018, and ending June 30, 2019..... ..... $ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security 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. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price,

quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The Mississippi Department of Employment Security is authorized to expend up to Three Million Five Hundred Thousand Dollars ($3,500,000.00) from the State Workforce Investment Funds collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in this act, a sum not to exceed One Hundred Fifty Thousand Dollars ($150,000.00) is made available for Pathways2Possibilities from the State Workforce Investment Funds collected.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the Mississippi Department of Employment Security is authorized to expend up to Twenty-two Million Dollars ($22,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that this agency shall have the authority to expend funds from any source that may become available to the agency in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds for the purpose of funding any increase in health insurance costs for fiscal year 2019, or for the purpose of funding additional fees, costs or assessments received by the

agency from the Department of Information Technology Services or the Department of Finance and Administration for fiscal year 2019 that may be incurred by the agency as a result of legislation passed during the 2018 Regular Session of the Legislature and approved by the Governor. The agency is authorized to escalate other special funds for the limited purposes provided in this section in an amount not to exceed Nine Hundred Fifty Thousand Four Hundred Seventy-four Dollars ($950,474.00).

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. 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 11. This act shall take effect and be in force from and after July 1, 2018.

PASSED BY THE SENATE
March 25, 2018

Tate Reeves

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 25, 2018

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

April 11, 2018
9:44 am