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MISSISSIPPI LEGISLATURE

2020 Regular Session

To: Rules

By: Representative Bell (21st)

House Bill 1795

(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EMPLOYMENT SECURITY FROM THE BUDGET CONTINGENCY FUND FOR THE PERIOD BEGINNING ON JULY 1, 2020, AND ENDING DECEMBER 30, 2020; TO PROVIDE THAT THE APPROPRIATION SHALL BE DISTRIBUTED TO THE DELTA WORKFORCE INVESTMENT AREA, THE TWIN DISTRICTS WORKFORCE INVESTMENT AREA, THE MISSISSIPPI PARTNERSHIP WORKFORCE INVESTMENT AREA AND THE SOUTHCENTRAL MISSISSIPPI WORKFORCE INVESTMENT AREA FOR SHORT-TERM TRAINING PROGRAMS AND THE EQUIPMENT AND SUPPLIES NECESSARY TO SUPPORT SUCH SHORT-TERM TRAINING PROGRAMS AND TO INCREASE THE CAPACITY OF TRAINING PROGRAMS THAT ARE ALREADY IN PLACE SO THAT EMPLOYEES AND OTHERS WHO HAVE BEEN DISPLACED DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY CAN BE MORE COMPETITIVE AND TRAINED FOR THE JOB MARKET THAT EMERGES AFTER THE COVID-19 PUBLIC HEALTH EMERGENCY, FOR ON THE JOB TRAINING AND FOR CERTAIN ADMINISTRATIVE FEES; AND FOR RELATED PURPOSES.

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

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Budget Contingency Fund not otherwise appropriated, to the Department of Employment Security for the purposes described in Section 2 of this act for the period beginning on July 1, 2020, and ending December 30, 2020... $ 55,000,000.00.

SECTION 2. (1) Forty-nine Million Dollars ($49,000,000.00) of the money appropriated to the Department of Employment Security under Section 1 of this act shall be for: purchasing equipment to expand training capability and/or capacity including, but not limited to, automated guided manufacturing vehicles to be used to expand and train additional persons in emerging technology for both manufacturing and logistics industries, additional welding machines and simulators that would add social distancing capabilities and expedite enhanced training capabilities, trucks and trailers to expand the truck driving short-term program allowing for additional trainees to move to the workforce within four (4) to eight (8) weeks; purchasing devices to be used by students or instructors to assist with classroom and/or distance learning including, but not limited to, laptops for programmable learning control (PLC) classes and to increase current capacity, iPads to be used by students and instructors for distance learning and web-enabled streaming devices to be used for enhanced distance learning capability and to increase social distancing capabilities; providing short-term tuition and/or vouchers including, but not limited to, offering certified nursing assistant (CNA) tuition vouchers to allow unemployed and underemployed individuals a short-term healthcare credential and increase workforce for long-term care facilities, offering manufacturing basic skills certification tuition vouchers to allow individuals to obtain OSHA 10, CPR, MS/BC and Forklift certification and become employable for a manufacturing job, offering vouchers for trainees to purchase necessary items required for short-term training courses and offering vouchers for student's credential exam fee; enhancing the necessary infrastructure to increase capacity and/or capability in workforce development or career and technical education training including, renovating and/or expanding spaces to allow for additional training capabilities and upgrading electrical to support additional manufacturing training equipment; promoting and/or marketing the incentives that are provided with the fund money through social media promotion of short-term program incentives and commercial promotion of workforce training capabilities; and any other employment and training program that is necessary due to the public health emergency. The department shall distribute the money to the Delta Workforce Investment Area, the Twin Districts Workforce Investment Area, the Mississippi Partnership Workforce Investment Area and the Southcentral Mississippi Workforce Investment Area, and the workforce investment area shall further distribute the money to each community college within the respective workforce investment areas in the amounts specified as follows:

(a) Delta Workforce Investment Area:	
(i) Coahoma Community College	$ 1,335,741.00
(ii) Holmes Community College	$ 4,699,643.00
(iii) Mississippi Delta Community College	$ 2,489,714.00
(b) Twin Districts Workforce Investment Area:	
(i) East Central Community College	$ 1,867,927.00
(ii) Jones County Junior College.	$ 3,382,261.00
(iii) Mississippi Gulf Coast Community College.	$ 8,053,996.00
(iv) Meridian Community College	$ 2,372,799.00
(v) Pearl River Community College	$ 2,260,771.00
(c) Mississippi Partnership Workforce Investment Area:	
(i) East Mississippi Community College	$ 2,082,696.00
(ii) Itawamba Community College	$ 7,507,833.00
(iii) Northeast Mississippi Community College	$ 3,402,720.00
(iv) Northwest Mississippi Community College	$ 3,600,905.00
(d) Southcentral Mississippi Workforce Investment Area:	
(i) Copiah-Lincoln Community College	$ 1,691,362.00
(ii) Hinds Community College	$ 2,499,175.00
(iii) Southwest Mississippi Community College	$ 1,752,457.00

(2) Four Million Seven Hundred Thousand Dollars ($4,700,000.00) of the money appropriated to the Department of Employment Security under Section 1 of this act shall be distributed to the Delta Workforce Investment Area, the Twin Districts Workforce Investment Area, the Mississippi Partnership Workforce Investment Area and the Southcentral Mississippi Workforce Investment Area using the Workforce Innovation and Opportunity Act (WIOA) allocation methods set forth in CFR Title 29, Chapter 32, Section 3172 and 3173, for on the job training for employees displaced due to the COVID-19 public health emergency.

(3) Five Hundred Fifty Thousand Dollars ($550,000.00) of the money appropriated to the Department of Employment Security under Section 1 of this act shall be retained by the department for administrative fees.

(4) Five Hundred Fifty Thousand Dollars ($550,000.00) of the money appropriated to the Department of Employment Security under Section 1 of this act shall be distributed to the four (4) workforce investment areas for administrative fees.

SECTION 3. (a) None of the funds authorized to be distributed in subsection (1) of Section 2 of this act may be distributed by the Department of Employment Security to any of the four (4) workforce investment areas until the workforce investment area certifies to the Department of Employment Security that:

(i) Furloughed, unemployed, underemployed or other similar individuals who were displaced due to the public health emergency will have first priority to be enrolled in one of the training programs that have been modified or created to respond to the COVID-19 public health emergency; and

(ii) The workforce investment area will make every reasonable effort to advertise, promote, inform or otherwise enroll the furloughed, unemployed and underemployed individuals who were displaced due to the COVID-19 public health emergency of the training programs that have been modified or created to respond to the COVID-19 public health emergency.

(b) None of the funds authorized to be distributed in subsection (2) of Section 2 of this act may be distributed by the Department of Employment Security to any of the four (4) workforce investment areas until the workforce investment area certifies to the Department of Employment Security that:

(i) Priority will be given to those employees who have been furloughed, unemployed, underemployed or otherwise displaced due to the COVID-19 public health emergency; or

(ii) Priority will be given to those employers who have been forced to reduce their labor force due to the COVID-19 public health emergency.

SECTION 4. As a condition of receiving the funds authorized to be distributed in subsections (1) and (2) of Section 2 of this act, each workforce investment area shall coordinate with the Department of Employment Security to share information to identify those employees who have been furloughed, unemployed, underemployed or otherwise displaced due to the COVID-19 public health emergency.

SECTION 5. The Department of Employment Security shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the Department of Employment Security's independent judgment, for necessary expenditures incurred due to the public health emergency with respect to COVID-19 as provided under Section 601(d) of the federal Social Security Act as added by Section 5001 of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other

than those funds provided under Section 601 of the federal Social Security Act as added by Section 5001 of the CARES Act. In addition, the Department of Employment Security shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 6. (1) As a condition of receiving and expending the funds appropriated to the Department of Employment Security under this act, the Department of Employment Security shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the Department of Employment Security under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus Relief Fund established by the CARES Act (a) determines that the Department of Employment Security has expended or otherwise used any of the funds appropriated to the Department of Employment Security under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the Department of Employment Security, then the Department of Employment Security that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 7. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Budget Contingency Fund not otherwise appropriated, 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 8. This act shall take effect and be in force from and after July 1, 2020.

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