

STATE OF MISSISSIPPI

Office of the Governor



EXECUTIVE ORDER NO. 953

Relating to Unemployment Insurance Services

BY THE GOVERNOR OF THE STATE OF MISSISSIPPI

January 9, 2006

WHEREAS, on August 29, 2005, and thereafter, the State of Mississippi suffered the worst natural disaster in its history when Hurricane Katrina swept through the state;

WHEREAS, this natural disaster has taken a devastating financial toll on countless businesses throughout the state of Mississippi;

WHEREAS, the state is committed to helping the plight of those businesses adversely impacted by this disaster; as well as revitalizing the workforce of the affected areas;

WHEREAS, this commitment can only be accomplished via the implementation of certain key initiatives;

NOW THEREFORE, BE IT DECLARED, I, Haley Barbour, Governor of the State of Mississippi by the authority vested in me by the Constitution and laws of the State of Mississippi, hereby take the following action:

1. Benefits that have been paid on all unemployment insurance claims directly caused by Hurricane Katrina, a natural disaster declared by the President of the United States, such claims being filed during the disaster filing period, shall not be charged to the individual experience rating record of any employer, but shall be charged to the general experience rate computation.
2. Benefits that have been paid on all unemployment insurance claims directly caused by Hurricane Katrina, a natural disaster declared by the President of the United States, such claims being filed during the disaster filing period, shall not be charged to any reimbursing state agency, political subdivision of the State of Mississippi, municipality, or 501(c)(3) (of the Internal Revenue Code) exempt non-profit employer, if such payments were made based on information that was determined to be inadequate or incorrect, but shall be paid out of the reserve fund for unemployment benefits of the State of Mississippi. The recovery of all such benefits paid shall be deposited into the reserve fund for unemployment benefits of the State of Mississippi. In the event that the recovery of these benefits would cause a hardship on any individual to whom the benefits have been paid no action shall be taken to collect such overpayments.
3. The Mississippi Department of Employment Security shall be empowered with the administrative flexibility to carry out this Executive Order, and shall be granted by this Executive Order the discretion and authority to suspend, amend, or modify any Mississippi Employment Security laws, rules, and/or regulations, which might impede, delay, or otherwise hinder the administration of the unemployment compensation tax and funding mechanisms, including but not limited to assignment of unemployment charges, determination of unemployment insurance tax rates, collection of wage and contribution data, determination of the adequacy of information to establish the basis for tax computation, assessment of interest and penalty, and necessary adjustments of the assessment, penalty, and interest amounts, so long as the changes made by MDES are in conformity and compliance with all applicable Federal laws.

This Executive Order shall be in effect as of August 28, 2005, and shall continue until modified, amended, rescinded, or superseded by this office. Any action taken under this Executive Order prior to the date said order is rescinded, shall remain in full force and effect in perpetuity.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the _____ day of January in the year of our Lord, two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth.



A handwritten signature in black ink, appearing to read 'Haley Barbour', is written over the printed name.

HALEY BARBOUR
GOVERNOR

BY THE GOVERNOR

A handwritten signature in black ink, appearing to read 'Eric Clark', is written over the printed name.

SECRETARY OF STATE