

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

House Bill NO. 1642

By Senator(s) Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

4 SECTION 1. The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, to the Department of
7 Human Services for the fiscal year beginning July 1, 1999, and
8 ending June 30, 2000..... \$ 92,594,502.00.

9 Of the funds appropriated under the provisions of this act,
10 no funds shall be expended to expand, establish or otherwise
11 prepare for any expansion of the privatization of the Child
12 Support Program beyond Hinds and Warren Counties.

13 Of the funds appropriated under the provisions of this act,
14 not more than a total of Two Million Four Hundred Thousand Dollars
15 (\$2,400,000.00) from General Funds and federal matching funds for
16 those General Funds shall be expended for the direct or indirect
17 support of the child support privatization program of MAXIMUS,
18 Inc., in Hinds and Warren Counties. However, any additional funds
19 generated for the Department of Human Services through a revenue
20 maximization program designed and implemented on behalf of the
21 department may be used by the department to pay additional costs
22 of MAXIMUS in implementing the child support privatization program
23 in Hinds and Warren Counties.

24 Of the funds appropriated under the provisions of this act,

25 no funds shall be transferred from any division or program of the
26 Department of Human Services into the major object of expenditure
27 "Contractual Services" of the Division of Child Support
28 Enforcement.

29 SECTION 2. The following sum, or so much thereof as may be
30 necessary, is hereby appropriated out of any money in any special
31 fund in the State Treasury to the credit of the Department of
32 Human Services which is comprised of special source funds
33 collected by or otherwise available to the department for the
34 support of the various divisions of the department, for the
35 purpose of defraying the expenses of the department for the fiscal
36 year beginning July 1, 1999, and ending June 30, 2000.....
37 \$ 344,323,134.00.

38 SECTION 3. None of the funds appropriated by this act shall
39 be expended for any purpose that is not actually required or
40 necessary for performing any of the powers or duties of the
41 Department of Human Services that are authorized by the
42 Mississippi Constitution of 1890, state or federal law, or rules
43 or regulations that implement state or federal law.

44 SECTION 4. Of the funds appropriated under the provisions of
45 Sections 1 and 2, not more than the amounts set forth below shall
46 be expended for the respective major objects or purposes of
47 expenditure:

48 DIVISION OF FAMILY AND CHILDREN'S SERVICES

49 OFFICE OF YOUTH SERVICES

50 MAJOR OBJECTS OF EXPENDITURE:

51 Personal Services:

52	Salaries, Wages and Fringe Benefits..	\$ 17,746,298.00
53	Travel and Subsistence.....	190,133.00
54	Contractual Services.....	1,812,433.00
55	Commodities.....	1,920,798.00

56 Capital Outlay:

57	Other Than Equipment.....	0.00
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58 Equipment..... 544,158.00
59 Subsidies, Loans and Grants..... 1,751,533.00
60 Total..... \$ 23,965,353.00

61 FUNDING:

62 General Funds..... \$ 17,308,733.00
63 Special Funds..... 6,656,620.00
64 Total..... \$ 23,965,353.00

65 AUTHORIZED POSITIONS:

66 Permanent: Full Time. 682
67 Part Time. 8
68 Time-Limited: Full Time. 20
69 Part Time. 1

70 Any person within the Office of Youth Services classified as
71 Youth Services Counselor Aide I, Youth Services Counselor Aide II,
72 Youth Services Counselor Aide III, Security Officer I, Security
73 Officer II, Security Officer III, Recreation Supervisor, General
74 Services Employee I, General Services Employee II, Youth Services
75 Counselor I, Youth Services Counselor II, and Youth Services
76 Counselor III, who must work on a statutory holiday or any holiday
77 proclaimed by the Governor, may at the discretion of the
78 superintendents of the institutions and the Executive Director of
79 the Office of Youth Services and within available personnel funds,
80 be paid "call back pay" in lieu of "compensatory time credit."

81 It is the intent of the Legislature that the Office of Youth
82 Services shall have the authority to accept from any source
83 including, but not limited to, proceeds from sale of vehicles,
84 equipment or any other property which becomes obsolete or is no
85 longer needed. It is the intent that such funds will be approved
86 for allocation and expenditure in a manner consistent with the
87 rules and regulations of the Department of Finance and
88 Administration.

89 OFFICE OF SOCIAL SERVICES

90 MAJOR OBJECTS OF EXPENDITURE:

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91	Personal Services:		
92	Salaries, Wages and Fringe Benefits..	\$	23,904,140.00
93	Travel and Subsistence.....		1,402,380.00
94	Contractual Services.....		11,398,915.00
95	Commodities.....		315,087.00
96	Capital Outlay:		
97	Other Than Equipment.....		0.00
98	Equipment.....		465,100.00
99	Subsidies, Loans and Grants.....		<u>19,831,200.00</u>
100	Total.....	\$	57,316,822.00

101 FUNDING:

102	General Funds.....	\$	13,917,471.00
103	Special Funds.....		<u>43,399,351.00</u>
104	Total.....	\$	57,316,822.00

105 AUTHORIZED POSITIONS:

106	Permanent:		
	Full Time.		633
107	Part Time.		0
108	Time-Limited:		
	Full Time.		11
109	Part Time.		0

110 DIVISION OF AGING AND ADULT SERVICES

111 MAJOR OBJECTS OF EXPENDITURE:

112	Personal Services:		
113	Salaries, Wages and Fringe Benefits..	\$	652,779.00
114	Travel and Subsistence.....		22,422.00
115	Contractual Services.....		267,901.00
116	Commodities.....		21,800.00
117	Capital Outlay:		
118	Other Than Equipment.....		0.00
119	Equipment.....		14,500.00
120	Subsidies, Loans and Grants.....		<u>18,353,000.00</u>
121	Total.....	\$	19,332,402.00

122 FUNDING:

123	General Funds.....	\$	578,646.00
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124 Special Funds..... 18,753,756.00
 125 Total..... \$ 19,332,402.00

126 AUTHORIZED POSITIONS:

127 Permanent: Full Time. 7
 128 Part Time. 0
 129 Time-Limited: Full Time. 7
 130 Part Time. 0

131 DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE
 132 FOR NEEDY FAMILIES (TANF)

133 MAJOR OBJECTS OF EXPENDITURE:

134 Personal Services:

135 Salaries, Wages and Fringe Benefits.. \$ 54,483,268.00
 136 Travel and Subsistence..... 957,899.00
 137 Contractual Services..... 17,653,447.00
 138 Commodities..... 1,022,845.00

139 Capital Outlay:

140 Other Than Equipment..... 0.00
 141 Equipment..... 8,738,245.00
 142 Subsidies, Loans and Grants..... 100,705,435.00

143 Total..... \$ 183,561,139.00

144 FUNDING:

145 General Funds..... \$ 46,919,889.00
 146 Special Funds..... 136,641,250.00
 147 Total..... \$ 183,561,139.00

148 AUTHORIZED POSITIONS:

149 Permanent: Full Time. 1,650
 150 Part Time. 0
 151 Time-Limited: Full Time. 163
 152 Part Time. 0

153 Division of Economic Assistance/Temporary Assistance for
 154 Needy Families (TANF) includes budgets previously known as
 155 Division of Economic Assistance, Division of Food Stamp Employment
 156 and Training, Job Opportunities and Basic Skills Training Program

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157 and Welfare Restructuring Program.

158 DIVISION OF CHILD SUPPORT ENFORCEMENT

159 MAJOR OBJECTS OF EXPENDITURE:

160 Personal Services:

161 Salaries, Wages and Fringe Benefits.. \$ 18,527,022.00

162 Travel and Subsistence..... 383,961.00

163 Contractual Services..... 11,473,482.00

164 Commodities..... 292,500.00

165 Capital Outlay:

166 Other Than Equipment..... 0.00

167 Equipment..... 1,167,389.00

168 Subsidies, Loans and Grants..... 9,718,222.00

169 Total..... \$ 41,562,576.00

170 FUNDING:

171 General Funds..... \$ 5,213,274.00

172 Special Funds..... 36,349,302.00

173 Total..... \$ 41,562,576.00

174 AUTHORIZED POSITIONS:

175 Permanent: Full Time. 330

176 Part Time. 0

177 Time-Limited: Full Time. 278

178 Part Time. 0

179 DIVISION OF COMMUNITY SERVICES

180 MAJOR OBJECTS OF EXPENDITURE:

181 Personal Services:

182 Salaries, Wages and Fringe Benefits.. \$ 556,588.00

183 Travel and Subsistence..... 29,427.00

184 Contractual Services..... 353,522.00

185 Commodities..... 39,812.00

186 Capital Outlay:

187 Other Than Equipment..... 0.00

188 Equipment..... 7,360.00

189 Subsidies, Loans and Grants..... 16,357,783.00

190 Total..... \$ 17,344,492.00

191 FUNDING:

192 General Funds..... \$ 0.00

193 Special Funds..... 17,344,492.00

194 Total..... \$ 17,344,492.00

195 AUTHORIZED POSITIONS:

196 Permanent: Full Time. 11

197 Part Time. 0

198 Time-Limited: Full Time. 3

199 Part Time. 0

200 DIVISION OF SUPPORT SERVICES

201 MAJOR OBJECTS OF EXPENDITURE:

202 Personal Services:

203 Salaries, Wages and Fringe Benefits.. \$ 10,232,632.00

204 Travel and Subsistence..... 215,393.00

205 Contractual Services..... 3,700,236.00

206 Commodities..... 359,400.00

207 Capital Outlay:

208 Other Than Equipment..... 0.00

209 Equipment..... 600,386.00

210 Subsidies, Loans and Grants..... 37,276.00

211 Total..... \$ 15,145,323.00

212 FUNDING:

213 General Funds..... \$ 4,749,934.00

214 Special Funds..... 10,395,389.00

215 Total..... \$ 15,145,323.00

216 AUTHORIZED POSITIONS:

217 Permanent: Full Time. 235

218 Part Time. 0

219 Time-Limited: Full Time. 31

220 Part Time. 0

221 SOCIAL SERVICES BLOCK GRANT PROGRAM

222 MAJOR OBJECTS OF EXPENDITURE:

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223	Personal Services:		
224	Salaries, Wages and Fringe Benefits..	\$	120,643.00
225	Travel and Subsistence.....		10,000.00
226	Contractual Services.....		172,375.00
227	Commodities.....		4,200.00
228	Capital Outlay:		
229	Other Than Equipment.....		0.00
230	Equipment.....		500.00
231	Subsidies, Loans and Grants.....		<u>25,483,891.00</u>
232	Total.....	\$	25,791,609.00

233	FUNDING:		
234	General Funds.....	\$	0.00
235	Special Funds.....		<u>25,791,609.00</u>
236	Total.....	\$	25,791,609.00

237	AUTHORIZED POSITIONS:		
238	Permanent: Full Time.		2
239	Part Time.		0
240	Time-Limited: Full Time.		1
241	Part Time.		0

242 Of the funds authorized herein to be expended from the
243 Subsidies, Loans and Grants Major Object of Expenditure of the
244 Social Services Block Grant Program, a minimum of Two Million
245 Dollars (\$2,000,000.00) shall be allocated to the Office of Youth
246 Services to be used in the Community Services Program.

247 OFFICE FOR CHILDREN AND YOUTH

248	MAJOR OBJECTS OF EXPENDITURE:		
249	Personal Services:		
250	Salaries, Wages and Fringe Benefits..	\$	1,008,560.00
251	Travel and Subsistence.....		34,032.00
252	Contractual Services.....		1,825,163.00
253	Commodities.....		934,798.00
254	Capital Outlay:		
255	Other Than Equipment.....		0.00

256 Equipment..... 538,839.00
 257 Subsidies, Loans and Grants..... 46,469,845.00
 258 Total..... \$ 50,811,237.00

259 FUNDING:

260 General Funds..... \$ 3,906,555.00
 261 Special Funds..... 46,904,682.00
 262 Total..... \$ 50,811,237.00

263 AUTHORIZED POSITIONS:

264 Permanent: Full Time. 14
 265 Part Time. 0
 266 Time-Limited: Full Time. 11
 267 Part Time. 0

268 From the funds provided in the budget category "Personal
 269 Services: Salaries, Wages and Fringe Benefits," funds may be
 270 expended for the following purposes, in compliance with the
 271 policies established by the State Personnel Board and any
 272 conditions placed on such expenditures:

273 (a) The components of the Variable Compensation Plan
 274 shall be maintained within the constraints of the funds
 275 appropriated herein.

276 (b) Funds are provided to adjust the Variable
 277 Compensation Plan, including realignment, to ensure that all
 278 full-time employees with at least six (6) months of continuous
 279 current service, as of June 30, 1999, receive an increase of One
 280 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to
 281 adjust critical job classes up to an additional One Thousand
 282 Dollars (\$1,000.00).

283 (c) If an employee is currently at or above the end
 284 salary for his or her job classification, then the increase shall
 285 be built into the employee's base salary. To be eligible for any
 286 increase authorized in this section, employees may not have a
 287 current performance rating below "meets expectations" as of the
 288 effective date of the increase. Employees who subsequently

289 receive a performance rating of "meets expectations" or above
290 during Fiscal Year 2000 shall receive the salary increase
291 effective the date of the rating.

292 It is the agency's responsibility to make certain that funds
293 required to be appropriated for "Personal Services" for Fiscal
294 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for
295 that purpose unless programs or positions are added to the
296 agency's budget by the Mississippi Legislature.

297 It is the intention of the Legislature that the Executive
298 Director of the Department of Human Services may transfer between
299 the various divisions authorized herein both funds and positions
300 not to exceed five percent (5%) of the receiving division
301 consistent with the provisions of Section 1 of this act. Provided,
302 however, that no county office positions shall be transferred to
303 any regional office or to the state office. The Executive
304 Director of the Department of Human Services shall submit written
305 justification for the transfer to the Legislative Budget Office
306 and the Department of Finance and Administration on or before the
307 fifteenth of the month prior to the effective date of the
308 transfer. It is further the intention of the Legislature that any
309 transfers made under the provisions of this paragraph shall be of
310 an emergency nature and that in no case shall the transfers be
311 made which substantially alter the legislative intent for the
312 various divisions or offices as set forth in the original
313 appropriations made under this act.

314 Any transfers within major object of expenditure within each
315 specific budget or escalations shall be made in accordance with
316 the terms, conditions and procedures established by law.

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

321 Unless expressly authorized herein by the Legislature, no

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322 funds appropriated to be expended for travel and subsistence shall
323 be expended to pay expenses incurred by more than six (6)
324 employees or other representatives of the agency for attending the
325 same out-of-state conference, seminar or workshop; however, such
326 funds may be expended for expenses incurred by more than six (6)
327 employees or other representatives for attendance at the same
328 conference, seminar or workshop (a) if attendance is required in
329 order to maintain professional certification or licensure, which
330 certification or licensure is required by the employees' job
331 descriptions or by law, or (b) if such expenditure has received
332 the prior written approval of the Department of Finance and
333 Administration.

334 SECTION 5. Of the funds appropriated in Section 2, Two
335 Million Eighty-six Thousand Six Hundred Eighty-three
336 (\$2,086,683.00) is provided for the support of a contract with the
337 Department of Education, Industrial Training Program for the
338 training of TANF clients.

339 These funds shall be transferred to the Mississippi
340 Department of Education Industrial Training budget and shall be
341 expended in accordance with Sections 37-31-103 through 37-31-111,
342 Mississippi Code of 1972. Training will be conducted in the areas
343 outlined in Section 37-31-103 (2) for TANF recipients. The terms
344 and provisions for program operation will be established through a
345 nonfinancial agreement between the Mississippi Department of
346 Education and the Mississippi Department of Human Services. This
347 nonfinancial agreement will be initiated by the Mississippi
348 Department of Education, Office of Vocational and Technical
349 Education in accordance with current laws, rules and regulations
350 as approved by the Mississippi State Board of Education.

351 Identification, eligibility, certification, enrollment,
352 follow-up, performance standards and sanction liabilities of the
353 TANF clients will be the sole responsibility of the Department of
354 Human Services.

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355 SECTION 6. It is the intention of the Legislature that the
356 Executive Director of the Department of Human Services shall make
357 a complete report to the Joint Legislative Budget Committee and
358 the Department of Finance and Administration no later than October
359 15, 1999, concerning the distribution of the funds provided in the
360 Social Services Block Grant. This report shall contain data from
361 the two (2) previous fiscal years for comparison purposes. The
362 two previous fiscal years along with new distribution of funds
363 shall be presented side by side with a column showing the
364 differences between the previous fiscal year and the new
365 distribution of funds.

366 SECTION 7. Of the funds appropriated in Section 2 and
367 allocated in Section 4 in the Contractual Services major object of
368 expenditure of the Division of Child Support Enforcement that are
369 derived from child support collection incentive payments actually
370 received by the state from the federal government that are
371 attributable to child support collections in Hinds and Warren
372 Counties, the Department of Human Services shall make bonus
373 payments to MAXIMUS for child support collection, which shall be
374 calculated as follows:

375 (a) At the end of each quarter of Fiscal Year 2000, the
376 total amount of child support collections made by MAXIMUS in Hinds
377 and Warren Counties for that quarter shall be determined, based on
378 actual bank deposits made by MAXIMUS during that quarter.

379 (b) From the amount determined under paragraph (a) for
380 each quarter of Fiscal Year 2000, there shall be subtracted the
381 total amount of child support collections made by MAXIMUS in Hinds
382 and Warren Counties during the same quarter of Fiscal Year 1998,
383 based on actual bank deposits made by MAXIMUS during that quarter.

384 (c) The amount determined under paragraph (b) shall be
385 reduced by ten percent (10%).

386 (d) The resulting amount determined under paragraph (c)
387 in any quarter of Fiscal Year 2000, or the amount of child support

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388 collection incentive payments actually received by the state from
389 the federal government that are attributable to child support
390 collections in Hinds and Warren Counties during that quarter,
391 whichever is less, shall be the amount of the bonus payment made
392 to MAXIMUS for that quarter.

393 (e) If the amount determined under paragraph (b) is
394 zero (0) or less in any quarter of Fiscal Year 2000, then no bonus
395 payment shall be made to MAXIMUS for that quarter.

396 SECTION 8. If MAXIMUS, Inc., notifies the Department of
397 Human Services that the proposed contract modification presented
398 to MAXIMUS by the Department of Human Services for Fiscal Year
399 2000 is unacceptable, such action shall be deemed to constitute a
400 termination of the contract by MAXIMUS, and the Executive Director
401 of the Department of Human Services shall immediately request new
402 bids or proposals for the operation of its child support
403 collection programs in Hinds and Warren Counties for Fiscal Year
404 2000 based upon the proposed contract. Such request for proposals
405 and the awarding of any new contract shall be in compliance with
406 applicable public bid requirements. Any contract entered into by
407 the Department of Human Services for the operation of its child
408 support program in Hinds and Warren Counties shall be for a period
409 of not more than one (1) year beginning on July 1, 1999. Such
410 contract shall be awarded to the lowest and best bidder, and if no
411 satisfactory bids are received, then the Executive Director of the
412 Department of Human Services shall have the authority effective
413 July 1, 1999, to transfer an amount not to exceed Six Million Six
414 Hundred Thousand Dollars (\$6,600,000.00) from the funds allocated
415 to the Contractual Services major object of expenditure of the
416 Division of Child Support Enforcement to any major object of
417 expenditure within the Division of Child Support Enforcement, and
418 to escalate positions not to exceed ninety (90) permanent
419 full-time positions.

420 SECTION 9. Of the funds appropriated under the provisions of

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421 Sections 1 and 2, and authorized for expenditure in Section 3, the
422 amount of One Hundred Fifty Thousand Dollars (\$150,000.00) is
423 provided for the support of the Jackson State University -
424 Continuing Education Learning Center.

425 SECTION 10. None of the funds appropriated under the
426 provisions of Sections 1 and 2 shall be used to pay any contractor
427 that is not a successful bidder for genetic paternity testing
428 services bid by the Department of Human Services.

429 SECTION 11. Of the funds appropriated in Section 2, Seven
430 Hundred Fifty Thousand Dollars (\$750,000.00) shall be transferred
431 to the Department of Health, Child Care Licensure Program from the
432 Child Care Development Fund or other appropriate special fund.
433 These funds are to be transferred to the Board of Health no later
434 than July 31, 1999. The Department of Health shall make a
435 complete accounting to the Department of Human Services detailing
436 the uses of these funds in accordance with federal and state
437 regulations.

438 SECTION 12. It is the intention of the Legislature that the
439 Department of Human Services contract with the Department of
440 Health to operate the School Nurse Teen Pregnancy Prevention Pilot
441 Program as described in House Bill No. 766 of the 1997 Legislative
442 Session, in compliance with all applicable TANF federal and state
443 regulations.

444 SECTION 13. The Executive Director of the Department of
445 Human Services, with approval of the State Personnel Board, may
446 effect equity salary adjustments for the Deputy Administrators.
447 Funds are provided in this act to increase Deputy Administrator
448 salaries as approved by the State Personnel Board.

449 SECTION 14. The money herein appropriated shall be paid by
450 the State Treasurer out of any money in the State Treasury to the
451 credit of the proper fund or funds as set forth in this act, upon
452 warrants issued by the State Fiscal Officer; and the State Fiscal
453 Officer shall issue his warrants upon requisitions signed by the

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454 proper person, officer or officers, in the manner provided by law.

455 SECTION 15. This act shall take effect and be in force from

456 and after July 1, 1999, with the exception of Section 8, which

457 shall take effect and be in force from and after the passage of

458 this act.