HOUSE BILL NO. 140

AN ACT TO ESTABLISH A STUDY COMMITTEE ON CREATING A DIVISION
OF FAMILY AND YOUTH SERVICES TO STUDY THE IMPLEMENTATION OF A
STATE AGENCY TO ADMINISTER CERTAIN SPECIFIC FAMILY AND CHILDREN
SERVICE PROGRAMS AND A COORDINATED SERVICES FUNDING SYSTEM FOR
CHILDREN IN NEED OF SUCH SERVICES; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) There is established a study committee on
creating a Division of Family and Youth Services which committee
shall study the establishment of an agency of state government
which would be under the joint control of the Department of Human
Services and the State Department of Education. The mission of
the division would be to focus on and administer programs relating
to families and children, including:

(a) The functions of the Division of Youth Services of
the Department of Human Services;

(b) The functions of the Child Support Unit of the
Department of Human Services;

(c) The functions of all child service programs
administered by the Department of Human Services, including the
foster care or foster home placement program, child adoption and
child placement, and investigation of child abuse and neglect;

(d) The administration of the school attendance
officers enforcing the Mississippi Compulsory School Attendance
Law administered by the State Department of Education;

(e) The alternative school programs administered by the
various school districts;

(f) The Center for Prevention of School Violence
program under the State Department of Education;
(g) The Support Our Students (SOS) community-based program under the State Department of Education and any other youth mentoring program operating under public grant funds;

(h) A Private Enterprise Mentorship Program for children in the custody of the Department of Human Services;

(i) Any program for children with severe emotional disturbances which is not provided by the Mississippi Department of Mental Health;

(j) Child care facility licensure programs administered by the Mississippi Department of Health; and

(k) A Coordinated Services Plan for Children that uses a decategorized funding system to budget and pay for all services required for an individual child in need of the programs specified in (a) through (i) and to ensure that the funds for approved services follow the child. The study committee may study and make recommendations on any other program relating to family or youth, child welfare or children's services, including, but not limited to, the youth court system in Mississippi, the child abuse and neglect laws of Mississippi, and the impact of state and federal welfare reform initiatives on family and child welfare services in Mississippi.

(2) The study committee shall make a report of its findings and recommendations to the Legislature, the Lieutenant Governor and the Governor before October 1, 2002, for implementation in the 2003 Regular Session. The report must include a strategic plan for allocating funds and resources to programs relating to family and youth services.

(3) The study committee will be composed of the following members:

(a) The Executive Director of the Department of Human Services;

(b) The State Superintendent of Public Education;
(c) The Executive Director of the Mississippi Department of Mental Health;
(d) The Executive Director of the Division of Medicaid of the Office of the Governor;
(e) The executive director of one (1) regional mental health/retardation center in the state, to be designated by the State Board of Mental Health;
(f) The Attorney General;
(g) The Director of the Council of Youth Court Judges;
(h) The Chairman of the Senate Committee on Juvenile Justice;
(i) The Chairman of the House Committee on Juvenile Justice;
(j) The Chairman of the Senate Committee on Education;
(k) The Chairman of the House Committee on Education;
(l) The Chairman of the Senate Committee on Public Health and Welfare; and
(m) The Chairman of the House Committee on Public Health and Welfare.

If any member is unable to attend any meeting of the study committee, the member may not designate another person to attend or vote at such meeting. Within fifteen (15) days after passage of this act, on a day to be designated jointly by the Governor, the Lieutenant Governor and the Speaker of the House of Representatives, the study committee shall meet and organize by selecting from its membership a chairman and a vice chairman. The vice chairman shall serve as secretary and shall be responsible for keeping all records of the study committee. A majority of the members of the study committee constitutes a quorum. All members must be notified in writing of all meetings, and such notices must be mailed at least five (5) days before the date on which a meeting is to be held.
(4) Any member of the study committee who is also a state employee may not receive per diem compensation for attending meetings of the study committee, but may be reimbursed in accordance with Section 25-3-41 for mileage and actual expense incurred in the performance of their duties, if authorized by vote, at a meeting of the study committee, which action must be recorded in the official minutes of the meeting. Legislative members of the study committee will be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session.

(5) The study committee may accept money from any source, public or private, to be expended in implementing its duties under this act.

(6) The study committee may utilize staff employed by the agencies affected by this act and any other assistance made available to it.

(7) Funding for the study committee may be provided from any funds that may be appropriated by the Legislature for that purpose.

(8) Upon presentation of its report, the study committee shall be dissolved.

SECTION 2. This act shall take effect and be in force from and after its passage.