

By: Representative Holland

To: Public Health and
Welfare; Appropriations

HOUSE BILL NO. 716

1 AN ACT TO AMEND SECTION 43-1-2, MISSISSIPPI CODE OF 1972, TO
2 CREATE THE STATE BOARD OF HUMAN SERVICES TO PROVIDE THE POLICY
3 DIRECTION FOR THE STATE DEPARTMENT OF HUMAN SERVICES; TO PROVIDE
4 FOR THE MEMBERSHIP AND APPOINTMENT OF THE BOARD; TO PROVIDE THAT
5 THE EXECUTIVE DIRECTOR OF HUMAN SERVICES SHALL BE APPOINTED BY THE
6 BOARD; TO AUTHORIZE THE JOINT OVERSIGHT COMMITTEE OF THE
7 DEPARTMENT AND INDIVIDUAL MEMBERS OF THE COMMITTEE TO ATTEND ANY
8 MEETING OF THE BOARD AND TO PARTICIPATE IN ANY BOARD DISCUSSIONS;
9 TO SPECIFY THE MINIMAL ORGANIZATIONAL UNITS OF THE DEPARTMENT; TO
10 PROVIDE THAT THE HEADS OF OFFICES OF THE DEPARTMENT SHALL SERVE AT
11 THE WILL AND PLEASURE OF THE EXECUTIVE DIRECTOR; TO PROVIDE THAT
12 THE HEADS OF BUREAUS AND DIVISIONS OF THE DEPARTMENT SHALL BE
13 STATE SERVICE EMPLOYEES; TO EXTEND THE REPEALER DATE ON THE
14 DEPARTMENT OF HUMAN SERVICES TO JULY 1, 2004; TO AMEND SECTIONS
15 43-1-1, 43-1-3, 43-1-4, 43-1-5, 43-1-6, 43-1-9 AND 25-9-107,
16 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS;
17 AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** Section 43-1-2, Mississippi Code of 1972, is
20 amended as follows:

21 43-1-2. (1) There is created the State Department of Human
22 Services, whose offices shall be located in Jackson, Mississippi,
23 and which shall be under the policy direction of the State Board
24 of Human Services created in subsection (2) of this section.

25 (2) (a) There is created the State Board of Human Services,
26 which shall consist of seven (7) members appointed by the
27 Governor. All initial and subsequent appointments to the board
28 shall be with the advice and consent of the Senate.

29 (b) The board shall be composed of persons with
30 extensive knowledge of or practical experience in at least one (1)
31 of the matters under the jurisdiction of the board. No board
32 member shall be an elected official of the State of Mississippi or
33 a political subdivision of the state.



34 (c) One (1) member of the board shall be appointed from
35 each congressional district as constituted on July 1, 2002, and
36 one (1) member of the board shall be appointed from each Supreme
37 Court district. The initial members of the board shall be
38 appointed for staggered terms, as follows: Two (2) members shall
39 be appointed for terms that end on June 30, 2004; three (3)
40 members shall be appointed for terms that end on June 30, 2006;
41 and two (2) members shall be appointed for terms that end on June
42 30, 2008. All subsequent appointments to the board shall be for
43 terms of six (6) years from the expiration date of the previous
44 term. No person shall be appointed to the board for more than two
45 (2) consecutive terms.

46 (d) Any vacancy on the board before the expiration of a
47 term shall be filled by appointment of the Governor, with the
48 advice and consent of the Senate. The person appointed to fill
49 the vacancy shall serve for the remainder of the unexpired term.

50 (e) The members of the board shall select one (1)
51 member to serve as chairman of the board at the first meeting.
52 The board shall select a chairman once every two (2) years, and
53 any person who has previously served as chairman may be reelected
54 as chairman.

55 (f) Four (4) members of the board shall constitute a
56 quorum for the transaction of any business of the board. The
57 board shall hold regular monthly meetings, and other meetings as
58 may be necessary for the purpose of conducting such business as
59 may be required. All meetings shall be called by the chairman or
60 by a majority of the members of the board, except the first
61 meeting, which shall be called by the Governor. Any member who
62 does not attend three (3) consecutive regular meetings of the
63 board, except for illness, shall be subject to removal by a
64 majority vote of the members of the board.

65 (g) Members of the board shall receive the per diem
66 authorized under Section 25-3-69 for each day spent actually



67 discharging their official duties, and shall receive reimbursement
68 for mileage and necessary travel expenses incurred as provided in
69 Section 25-3-41.

70 (3) (a) The chief administrative officer of the department
71 shall be the Executive Director of Human Services. The executive
72 director shall be appointed by the board and shall serve at the
73 will and pleasure of the board.

74 (b) The executive director * * * shall possess the
75 following qualifications, which shall be certified by the State
76 Personnel Board:

77 (i) A bachelor's degree from an accredited
78 institution of higher learning and ten (10) years' experience in
79 management, public administration, finance or accounting; or

80 (ii) A master's or doctoral degree from an
81 accredited institution of higher learning and five (5) years'
82 experience in management, public administration, finance or
83 accounting.

84 * * *

85 (c) The executive director shall serve as secretary and
86 executive officer of the board. The executive director shall be
87 vested with all the authority of the board when it is not in
88 session, and shall be subject to such rules and regulations as may
89 be prescribed by the board. The executive director shall be
90 responsible to the board for the proper administration of all
91 programs under the jurisdiction of the department. Whenever the
92 executive director is given any duty or authority by law, the
93 executive director shall exercise that duty or authority in
94 accordance with the rules, regulations and policies adopted by the
95 board.

96 (d) The salary of the executive director shall be set
97 by the board, not to exceed the maximum amount set by the
98 Legislature.



99 (e) The provision of paragraph (a) of this subsection
100 providing that the executive director shall be appointed by the
101 board shall not be applicable until the executive director who
102 holds the office on July 1, 2002, has vacated the office, or
103 January 1, 2004, whichever is earlier.

104 (4) (a) There shall be a Joint Oversight Committee of the
105 Department of Human Services composed of the respective chairmen
106 of the Senate Public Health and Welfare Committee, the Senate
107 Appropriations Committee, the House Public Health and Welfare
108 Committee and the House Appropriations Committee, two (2) members
109 of the Senate appointed by the Lieutenant Governor to serve at the
110 will and pleasure of the Lieutenant Governor, and two (2) members
111 of the House of Representatives appointed by the Speaker of the
112 House to serve at the will and pleasure of the Speaker. The
113 chairmanship of the committee shall alternate for twelve-month
114 periods between the Senate members and the House members, with the
115 Chairman of the Senate Public Health and Welfare Committee serving
116 as the first chairman.

117 (b) The committee shall meet once each month, or upon
118 the call of the chairman at such times as he deems necessary or
119 advisable. The committee or any individual member of the
120 committee may attend any meeting of the State Board of Human
121 Services, and may participate in any discussion occurring among
122 the board members at the meetings. The committee may make
123 recommendations to the Legislature pertaining to any matter within
124 the jurisdiction of the * * * department * * *.

125 (c) The appointing authorities may designate an
126 alternate member from their respective houses to serve when the
127 regular designee is unable to attend the meetings of the * * *
128 committee.

129 (d) For attending meetings of the * * * committee, the
130 legislators shall receive per diem and expenses, which shall be
131 paid from the contingent expense funds of their respective houses



132 in the same amounts as provided for committee meetings when the
133 Legislature is not in session; however, no per diem and expenses
134 for attending meetings of the committee will be paid while the
135 Legislature is in session. No per diem and expenses will be paid
136 except for attending meetings of the * * * committee without prior
137 approval of the proper committee in their respective houses.

138 (5) The * * * department, under the policy direction of the
139 board, shall provide the services authorized by law to every
140 individual determined to be eligible therefor. In carrying out
141 the purposes of the department, the board is authorized:

142 (a) To formulate the policy of the department regarding
143 human services within the jurisdiction of the department;

144 (b) To adopt, modify, repeal and promulgate, after due
145 notice and hearing, * * * rules and regulations implementing or
146 effectuating the powers and duties of the department under any and
147 all statutes within the department's jurisdiction, and to enforce
148 those rules and regulations, and where not otherwise prohibited by
149 federal or state law, to make exceptions to and grant exemptions
150 and variances from those rules and regulations; all of which shall
151 be binding upon the county departments of human services;

152 (c) To apply for, receive and expend any federal or
153 state funds or contributions, gifts, devises, bequests or funds
154 from any other source;

155 (d) Except as limited by Section 43-1-3, to enter into,
156 and to authorize the executive director to execute, with the
157 approval of the board, contracts, grants and cooperative
158 agreements with any federal or state agency or subdivision
159 thereof, or any public or private institution located inside or
160 outside the State of Mississippi, or any person, corporation or
161 association in connection with carrying out the programs of the
162 department; and



163 (e) To discharge such other duties, responsibilities
164 and powers as are necessary to implement the programs of the
165 department.

166 (6) The executive director, with the approval of the board,
167 shall establish the organizational structure of the * * *
168 department, which shall include the creation of any units
169 necessary to implement the duties assigned to the department and
170 consistent with specific requirements of law, including, but not
171 limited to:

172 (a) Office of Family and Children's Services;

173 (b) Office of Youth Services;

174 (c) Office of Economic Assistance;

175 (d) Office of Child Support Enforcement;

176 (e) Office of Aging and Adult Services;

177 (f) Office for Children and Youth;

178 (g) Office of Community Services.

179 (7) (a) The executive director * * * shall appoint the
180 heads of all offices, bureaus and divisions of the department, as
181 defined in Section 7-17-11, and any necessary supervisors,
182 assistants and employees of the department.

183 (b) The heads of all offices of the department shall
184 serve at the will and pleasure of the executive director. The
185 heads of all bureaus and divisions of the department shall be
186 state service employees, and the employment and termination of the
187 heads of bureaus and divisions shall be in accordance with the
188 rules and regulations of the State Personnel Board.

189 (c) The salary and compensation of * * * office, bureau
190 and division heads and other employees of the department shall be
191 subject to the rules and regulations of the State Personnel
192 Board * * *.

193 (d) The executive director may organize offices as
194 deemed appropriate to carry out the responsibilities of the
195 department. The organization charts of the department shall be



196 presented annually with the budget request of the department for
197 review by the Legislature.

198 (8) This section shall stand repealed on July 1, 2004.

199 **SECTION 2.** Section 43-1-1, Mississippi Code of 1972, is
200 amended as follows:

201 43-1-1. (1) The Department of Human Services shall be the
202 State Department of Public Welfare and shall retain all powers and
203 duties as granted to the State Department of Public Welfare.
204 The State Board of Human Services shall be the State Board of
205 Public Welfare and shall retain all powers and duties as granted
206 to the State Board of Public Welfare. Wherever the term "State
207 Department of Public Welfare" or "State Board of Public Welfare"
208 appears in any law, the term shall mean the Department of Human
209 Services or the State Board of Human Services, respectively. The
210 Executive Director of * * * Human Services may assign to the
211 appropriate offices such powers and duties deemed appropriate to
212 carry out the lawful functions of the department.

213 (2) This section shall stand repealed on July 1, 2004.

214 **SECTION 3.** Section 43-1-3, Mississippi Code of 1972, is
215 amended as follows:

216 43-1-3. Notwithstanding the authority granted under
217 subsection (5) (d) of Section 43-1-2, the State Board of Human
218 Services, the State Department of Human Services or the Executive
219 Director of Human Services shall not be authorized to delegate,
220 privatize or otherwise enter into a contract with a private entity
221 for the operation of any office, bureau or division of the
222 department, as defined in Section 7-17-11, without specific
223 authority to do so by general act of the Legislature. However,
224 nothing in this section shall be construed to invalidate:

225 (a) Any contract of the department that is in place and
226 operational before January 1, 1994; or

227 (b) The continued renewal of any such contract with the
228 same entity upon the expiration of the contract; or



229 The execution of a contract with another legal entity as a
230 replacement of any such contract that is expiring, provided that
231 the replacement contract is substantially the same as the expiring
232 contract. * * *

233 This section shall stand repealed on July 1, 2004.

234 **SECTION 4.** Section 43-1-4, Mississippi Code of 1972, is
235 amended as follows:

236 43-1-4. The State Department of Human Services, under the
237 policy direction of the State Board of Human Services, shall have
238 the following powers and duties:

239 (a) To provide basic services and assistance statewide
240 to needy and disadvantaged individuals and families.

241 (b) To promote integration of the many services and
242 programs within its jurisdiction at the client level thus
243 improving the efficiency and effectiveness of service delivery and
244 providing easier access to clients.

245 (c) To develop a statewide comprehensive service
246 delivery plan in coordination with the Board of Health, the Board
247 of Mental Health, and the Department of Finance and
248 Administration. * * *

249 (d) To employ personnel and expend funds appropriated
250 to the department to carry out the duties and responsibilities
251 assigned to the department by law.

252 **SECTION 5.** Section 43-1-5, Mississippi Code of 1972, is
253 amended as follows:

254 43-1-5. It shall be the duty of the State Department of
255 Human Services to:

256 (a) Establish and maintain programs not inconsistent
257 with the terms of this chapter and the rules, regulations and
258 policies of the State Board of Human Services, and publish the
259 rules and regulations of the board pertaining to those programs.

260 (b) Make such reports in such form and containing such
261 information as the federal government may, from time to time,



262 require, and comply with such provisions as the federal government
263 may, from time to time, find necessary to assure the correctness
264 and verification of those reports.

265 (c) Within ninety (90) days after the end of each
266 fiscal year, and at each regular session of the Legislature, make
267 and publish one (1) report to the Governor and to the Legislature,
268 showing for the period of time covered, in each county and for the
269 state as a whole:

270 (i) The total number of recipients;

271 (ii) The total amount paid to them in cash;

272 (iii) The maximum and the minimum amount paid to
273 any recipients in any one (1) month;

274 (iv) The total number of applications;

275 (v) The number granted;

276 (vi) The number denied;

277 (vii) The number cancelled;

278 (viii) The amount expended for administration of
279 the provisions of this chapter;

280 (ix) The amount of money received from the federal
281 government, if any;

282 (x) The amount of money received from recipients
283 of assistance and from their estates and the disposition of same;

284 (xi) Such other information and recommendations as
285 the Governor or the Legislature may require, or as the department
286 may deem advisable;

287 (xii) The number of state-owned automobiles
288 purchased and operated during the year by the department, the
289 number purchased and operated out of funds appropriated by the
290 Legislature, the number purchased and operated out of any other
291 public funds, the miles traveled per automobile, the total miles
292 traveled, the average cost per mile and depreciation estimate on
293 each automobile;



294 (xiii) The cost per mile and total number of miles
295 traveled by department employees in privately owned automobiles,
296 for which reimbursement is made out of state funds;

297 (xiv) Each association, convention or meeting
298 attended by any department employees, the purposes thereof, the
299 names of the employees attending and the total cost to the state
300 of such convention, association or meeting;

301 (xv) How the money appropriated to the
302 institutions under the jurisdiction of the department has been
303 expended during the preceding year, beginning and ending with the
304 fiscal year of each institution, exhibiting the salaries paid to
305 officers and employees of the institutions, and each and every
306 item of receipt and expenditure;

307 (xvi) The activities of each office of the
308 department, as defined in Section 7-17-11, and recommendations for
309 improvement of the services to be performed by each office;

310 (xvii) In order of authority, the twenty (20)
311 highest paid employees in the department receiving an annual
312 salary in excess of Forty Thousand Dollars (\$40,000.00), by PIN
313 number, job title, job description and annual salary.

314 Each report shall be balanced and shall begin with the
315 balance at the end of the preceding fiscal year, and if any
316 property belonging to the state or the institution is used for
317 profit, the report shall show the expenses incurred in managing
318 the property and the amount received from the same. Those reports
319 shall also show a summary of the gross receipts and gross
320 disbursements for each fiscal year, and shall show the money on
321 hand at the beginning of the fiscal period of each office of the
322 department.

323 This section shall stand repealed on July 1, 2004.

324 **SECTION 6.** Section 43-1-6, Mississippi Code of 1972, is
325 amended as follows:



326 43-1-6. The following programs within the Division of
327 Federal-State Programs, Office of the Governor, shall be
328 transferred to the State Department of Human Services:

- 329 (a) Office of Energy and Community Services;
- 330 (b) Juvenile Justice Advisory Committee; and
- 331 (c) Mississippi Council on Aging.

332 All authority to implement those programs shall be vested in
333 the State Department of Human Services.

334 This section shall stand repealed on July 1, 2004.

335 **SECTION 7.** Section 43-1-9, Mississippi Code of 1972, is
336 amended as follows:

337 43-1-9. (1) There is created in each county of the state a
338 county department of human services, which shall consist of a
339 county director of human services, and such other personnel as may
340 be necessary for the efficient performance of the duties of the
341 county department. It shall be the duty of the board of
342 supervisors of each county to provide office space for the county
343 department.

344 (2) County director. The Executive Director of Human
345 Services shall designate, in accordance with the rules and
346 regulations of the State Personnel Board, * * * a county director
347 of human services who shall serve as the executive and
348 administrative officer of the county department and shall be
349 responsible to the state department for its management. The
350 director shall be a resident citizen of the county and shall not
351 hold any political office of the state, county, municipality or
352 subdivision thereof. However, in cases of emergency, the
353 Executive Director of Human Services may appoint a county director
354 of human services who is a nonresident of that county, to serve
355 during the period of emergency only.

356 (3) The county department of human services shall administer
357 within the county all forms of public assistance and welfare
358 services. The county department shall comply with such



359 regulations and submit such reports as may be established or
360 required by the state department. Subject to the approval of the
361 state department, the county department may cooperate with other
362 departments, agencies and institutions, state and local, when so
363 requested, in performing services in conformity with the
364 provisions of this chapter.

365 (4) In counties having two (2) judicial districts, the
366 Executive Director of Human Services may create and establish in
367 each of the judicial districts a separate county department of
368 human services, which shall consist of a county director of human
369 services and such other personnel as may be necessary for the
370 efficient performance of the duties of the department thus
371 established. In those cases the two (2) departments so
372 established shall be dealt with as though each is a separate and
373 distinct county department of human services, and each of the
374 departments and each of the directors shall operate and have
375 jurisdiction coextensive with the boundaries of the judicial
376 district in which it is established. In addition, in those cases
377 the words "county" and "director of human services" when used in
378 this chapter shall, where applicable, mean each judicial district,
379 and the director of human services appointed therefor. Where the
380 board of supervisors is authorized to appropriate funds or provide
381 office space or like assistance for one (1) county * * *
382 department or director of human services, the board may, as the
383 case may be, appropriate the amount specified by law or render the
384 assistance required by law to each of the departments or
385 directors. * * * However, * * * the Executive Director of Human
386 Services shall not create and establish a separate county
387 department of human services under this paragraph in any county in
388 which a separate county department of public welfare or county
389 department of human services is not in existence on January 1,
390 1983. In addition, in any county having two (2) county
391 departments of public welfare or county departments of human



392 services on January 1, 1983, but only one (1) county director of
393 public welfare or director of human services on that date, the
394 Executive Director of Human Services shall not authorize and
395 establish the second position of county director of human services
396 in that county.

397 (5) In any county not having two (2) judicial districts that
398 is greater than fifty (50) miles in length, the Executive Director
399 of Human Services may establish one (1) branch office of the
400 county department of human services, which shall be staffed with
401 existing employees and administrative staff of the county
402 department for not less than four (4) days per week.

403 **SECTION 8.** Section 25-9-107, Mississippi Code of 1972, is
404 amended as follows:

405 25-9-107. The following terms, when used in this chapter,
406 unless a different meaning is plainly required by the context,
407 shall have the following meanings:

408 (a) "Board" * * * means the State Personnel Board
409 created under the provisions of this chapter.

410 (b) "State service" * * * means all employees of state
411 departments, agencies and institutions as defined in this section,
412 except those officers and employees excluded by this chapter.

413 (c) "Nonstate service" * * * means the following
414 officers and employees excluded from the state service by this
415 chapter. The following are excluded from the state service:

416 (i) Members of the state Legislature, their staffs
417 and other employees of the legislative branch;

418 (ii) The Governor and staff members of the
419 immediate Office of the Governor;

420 (iii) Justices and judges of the judicial branch
421 or members of appeals boards on a per diem basis;

422 (iv) The Lieutenant Governor, staff members of the
423 immediate Office of the Lieutenant Governor and officers and
424 employees directly appointed by the Lieutenant Governor;



425 (v) Officers and officials elected by popular vote
426 and persons appointed to fill vacancies in elective offices;

427 (vi) Members of boards and commissioners appointed
428 by the Governor, Lieutenant Governor or the State Legislature;

429 (vii) All academic officials, members of the
430 teaching staffs and employees of the state institutions of higher
431 learning, the State Board for Community and Junior Colleges, and
432 community and junior colleges;

433 (viii) Officers and enlisted members of the
434 National Guard of the state;

435 (ix) Prisoners, inmates, student or patient help
436 working in or about institutions;

437 (x) Contract personnel; however, any agency that
438 employs state service employees may enter into contracts for
439 personal and professional services only if those contracts are
440 approved in compliance with the rules and regulations promulgated
441 by the State Personal Service Contract Review Board under Section
442 25-9-120(3). Before paying any warrant for those contractual
443 services in excess of One Hundred Thousand Dollars (\$100,000.00),
444 the State Fiscal Officer shall determine whether the contract
445 involved was for personal or professional services, and, if so,
446 was approved by the State Personal Service Contract Review Board;

447 (xi) Part-time employees; * * * however, part-time
448 employees shall only be hired into authorized employment positions
449 classified by the board, shall meet minimum qualifications as set
450 by the board, and shall be paid in accordance with the Variable
451 Compensation Plan as certified by the board;

452 (xii) Persons appointed on an emergency basis for
453 the duration of the emergency; the effective date of the emergency
454 appointments shall not be earlier than the date approved by the
455 State Personnel Director, and shall be limited to thirty (30)
456 working days. Emergency appointments may be extended to sixty
457 (60) working days by the State Personnel Board;



458 (xiii) Physicians, dentists, veterinarians, nurse
459 practitioners and attorneys, while serving in their professional
460 capacities in authorized employment positions who are required by
461 statute to be licensed, registered or otherwise certified as such,
462 provided that the State Personnel Director shall verify that the
463 statutory qualifications are met before issuance of a payroll
464 warrant by the State Fiscal Officer;

465 (xiv) Personnel who are employed and paid from
466 funds received from a federal grant program that has been approved
467 by the Legislature or the Department of Finance and Administration
468 whose length of employment has been determined to be time-limited
469 in nature. This subparagraph shall apply to personnel employed
470 under the provisions of the Comprehensive Employment and Training
471 Act of 1973, as amended, and other special federal grant programs
472 that are not a part of regular federally funded programs in which
473 appropriations and employment positions are appropriated by the
474 Legislature. Those employees shall be paid in accordance with the
475 Variable Compensation Plan and shall meet all qualifications
476 required by federal statutes or by the Mississippi Classification
477 Plan;

478 (xv) The administrative head who is in charge of
479 any state department, agency, institution, board or commission,
480 in which the statute specifically authorizes the Governor, board,
481 commission or other authority to appoint the administrative
482 head; * * * however, * * * the salary of that administrative head
483 shall be determined by the State Personnel Board in accordance
484 with the Variable Compensation Plan unless otherwise fixed by
485 statute;

486 (xvi) The State Personnel Board shall exclude top
487 level positions if the incumbents determine and publicly advocate
488 substantive program policy and report directly to the agency head,
489 or the incumbents are required to maintain a direct confidential
490 working relationship with a key excluded official. * * * A



491 written job classification shall be approved by the board for each
492 such position, and positions so excluded shall be paid in
493 conformity with the Variable Compensation Plan. However, this
494 subparagraph (xvi) shall not apply to any position of the State
495 Department of Human Services that is specifically included in the
496 state service by law;

497 (xvii) Employees whose employment is solely in
498 connection with an agency's contract to produce, store or
499 transport goods, and whose compensation is derived therefrom;

500 (xviii) Repealed;

501 (xix) The associate director, deputy directors and
502 bureau directors within the Department of Agriculture and
503 Commerce;

504 (xx) Personnel employed by the Mississippi
505 Industries for the Blind; however, any agency may enter into
506 contracts for the personal services of MIB employees without the
507 prior approval of the State Personnel Board or the State Personal
508 Service Contract Review Board; however, any agency contracting for
509 the personal services of an MIB employee shall provide the MIB
510 employee with not less than the entry level compensation and
511 benefits that the agency would provide to a full-time employee of
512 the agency who performs the same services.

513 (d) "Agency" means any state board, commission,
514 committee, council, department or unit thereof created by the
515 Constitution or statutes if the board, commission, committee,
516 council, department, unit or the head thereof, is authorized to
517 appoint subordinate staff by the Constitution or statute, except a
518 legislative or judicial board, commission, committee, council,
519 department or unit thereof.

520 **SECTION 9.** This act shall take effect and be in force from
521 and after July 1, 2002.

