To: Appropriations

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2002
By: Senator(s) Gordon
To: Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 3220

AN ACT TO AMEND SECTION 5 OF HOUSE BILL NO. 1794, 2002
REGULAR SESSION, TO CHANGE THE PROVISION THAT PROHIBITS THE
DIVISION OF MEDICAID FROM EXPENDING MORE THAN 25% OF ITS
APPROPRIATED FUNDS DURING ANY QUARTER OF FISCAL YEAR 2003 TO A 50%
SEMI-ANNUAL LIMITATION ON THE EXPENDITURE OF FUNDS; AND FOR
RELATED PURPOSES.

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

SECTION 1. Section 5 of House Bill No. 1794, 2002 Regular
Session, is amended as follows:

Section 5. Of the funds appropriated under the provisions of
Sections 1, 2, 3 and 4, not more than the amounts set forth below
shall be expended for the respective major objects or purposes of
expenditure:

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits.. $ 21,173,577.00
Travel and Subsistence................. 504,406.00
Contractual Services...................... 64,201,878.00
Commodities............................... 560,400.00

Capital Outlay:

Other Than Equipment.................... 0.00
Equipment................................. 720,000.00
Subsidies, Loans and Grants............ 2,791,432,447.00

Total.................................. $ 2,878,592,708.00

FUNDING:

General Funds........................... $ 246,826,757.00
Special Funds............................. 2,631,765,951.00

Total.................................. $ 2,878,592,708.00

AUTHORIZED POSITIONS:
Permanen: Full Time............ 615
    Part Time............ 0
Time-Limited: Full Time............ 1
    Part Time............ 0

Provided, however, that the Department of Finance and
Administration shall not transfer and the Governor's Office -
Division of Medicaid shall not expend or make obligations for
medical services in an amount exceeding fifty percent (50%) of the
funds provided under the provisions of this act plus a contingency
amount not to exceed twenty percent (20%) of the semi-annual
allotment during Fiscal Year 2003. Provided further, that in no
event shall the Governor's Office - Division of Medicaid make any
obligations for medical services which exceed the total level of
funds appropriated in this act, and the Executive Director of the
Division of Medicaid shall ensure complete compliance with Section
43-13-117, Mississippi Code of 1972, by instituting cost
containment measures or by discontinuing authorized Medicaid
programs to the extent allowed under federal law.

Funds are provided herein to adjust the Variable Compensation
Plan to ensure that all full-time employees receive a pay increase
equal to fifty percent (50%) of the realignment component of the
Variable Compensation Plan or Six Hundred Dollars ($600.00),
whichever is greater, beginning on January 1, 2003.

With the funds herein appropriated, it is the intention of
the Legislature that it shall be the agency's responsibility to
make certain that funds required to be appropriated for "Personal
Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
funds appropriated for that purpose, unless programs, positions or
pay increases are added to the agency's budget by the Mississippi
Legislature. Based on data provided by the Legislative Budget
Office, the State Personnel Board shall, on July 1, 2002, publish
separate annual projection reports, based on July 1, 2002, data,
for the period of July 1, 2002, through December 31, 2002, and
January 1, 2003, through June 30, 2003, that project the annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected cost and/or the Fiscal Year 2003 appropriation for "Personal Services," as annualized on a semiannual basis in accordance with the provisions of this act. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2003 "Personal Services" appropriated level, when annualized in compliance with the provisions of this act, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.