

By: Representatives Capps,
Read, Barnett (92nd)

To: Appropriations

HOUSE BILL NO. 3

1 AN ACT TO AMEND SECTIONS 1 AND 3 OF CHAPTER 135, LAWS OF
2 2002, TO REVISE THE AMOUNT OF FUNDS APPROPRIATED FOR THE SUPPORT
3 AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS WHICH
4 ARE USED TO FUND PRISONS OPERATED BY PRIVATE COMPANIES, FOR FISCAL
5 YEAR 2003; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 1 of Chapter 135, Laws of 2002, is
8 amended to read as follows:

9 Section 1. The following sum, or so much thereof as may be
10 necessary, is hereby appropriated out of any money in the State
11 General Fund not otherwise appropriated, for the support and
12 maintenance of the Mississippi Department of Corrections for the
13 fiscal year beginning July 1, 2002, and ending June 30, 2003.....
14 \$ 227,725,528.00.

15 **SECTION 2.** Section 3 of Chapter 135, Laws of 2002, is
16 amended to read as follows:

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

21 SUPPORT

22 MAJOR OBJECTS OF EXPENDITURE:

23 Personal Services:

24 Salaries, Wages and Fringe Benefits.... \$ 122,837,350.00
25 Travel and Subsistence..... 492,934.00
26 Contractual Services..... 12,437,299.00
27 Commodities..... 9,875,365.00

28 Capital Outlay:



29	Other Than Equipment.....	204,578.00
30	Equipment.....	615,972.00
31	Subsidies, Loans and Grants.....	<u>97,320.00</u>
32	Total.....	\$ 146,560,818.00

33 FUNDING:

34	General Funds.....	\$ 136,340,700.00
35	Special Funds.....	<u>10,220,118.00</u>
36	Total.....	\$ 146,560,818.00

37 AUTHORIZED POSITIONS:

38	Permanent: Full Time.....	3,871
39	Part Time.....	35
40	Time-Limited: Full Time.....	116
41	Part Time.....	0

42 MEDICAL SERVICES

43 FUNDING:

44	General Funds.....	\$ 22,466,178.00
45	Special Funds.....	<u>275,079.00</u>
46	Total.....	\$ 22,741,257.00

47 AUTHORIZED POSITIONS:

48	Permanent: Full Time.....	0
49	Part Time.....	0
50	Time-Limited: Full Time.....	0
51	Part Time.....	0

52 However, none of the funds allocated to Medical Services
53 under this section shall be expended after July 31, 2003, unless
54 based upon a competitive bid process to provide medical care and
55 pharmaceuticals to state inmates through a contractual arrangement
56 with not less than a ten percent (10%) savings below the
57 Department of Corrections Fiscal Year 2002 costs for providing
58 health care to state inmates. Not later than June 15, 2002, the
59 Department of Corrections shall inform the Chairmen of the House
60 Penitentiary Committee, the Senate Corrections Committee, and two
61 (2) members from the Appropriations Committees of the House of



62 Representatives and Senate to be selected by the Chairmen of the
63 Appropriations Committees of each respective house of the feasible
64 options to provide health care to state inmates.

65 PAROLE BOARD

66 MAJOR OBJECTS OF EXPENDITURE:

67 Personal Services:

68	Salaries, Wages and Fringe Benefits....	\$	372,562.00
69	Travel and Subsistence.....		25,000.00
70	Contractual Services.....		90,398.00
71	Commodities.....		20,800.00
72	Capital Outlay:		
73	Other Than Equipment.....		0.00
74	Equipment.....		2,700.00
75	Subsidies, Loans and Grants.....		<u>0.00</u>
76	Total.....	\$	511,460.00

77 FUNDING:

78	General Funds.....	\$	511,460.00
79	Special Funds.....		<u>0.00</u>
80	Total.....	\$	511,460.00

81 AUTHORIZED POSITIONS:

82	Permanent: Full Time.....	8
83	Part Time.....	0
84	Time-Limited: Full Time.....	0
85	Part Time.....	0

86 FARMING OPERATIONS

87 MAJOR OBJECTS OF EXPENDITURE:

88 Personal Services:

89	Salaries, Wages and Fringe Benefits....	\$	701,992.00
90	Travel and Subsistence.....		5,100.00
91	Contractual Services.....		557,350.00
92	Commodities.....		2,144,076.00
93	Capital Outlay:		
94	Other Than Equipment.....		730,848.00



95	Equipment.....	248,733.00
96	Subsidies, Loans and Grants.....	<u>33,000.00</u>
97	Total.....	\$ 4,421,099.00

98 FUNDING:

99	General Funds.....	\$ 0.00
100	Special Funds.....	<u>4,421,099.00</u>
101	Total.....	\$ 4,421,099.00

102 AUTHORIZED POSITIONS:

103	Permanent: Full Time.....	17
104	Part Time.....	0
105	Time-Limited: Full Time.....	0
106	Part Time.....	0

107 PRIVATE PRISONS

108 FUNDING:

109	General Funds.....	\$ <u>48,717,913.00</u>
110	Special Funds.....	<u>0.00</u>
111	Total.....	\$ <u>48,717,913.00</u>

112 AUTHORIZED POSITIONS:

113	Permanent: Full Time.....	0
114	Part Time.....	0
115	Time-Limited: Full Time.....	0
116	Part Time.....	0

117 REGIONAL FACILITIES

118 FUNDING:

119	General Funds.....	\$ 19,689,277.00
120	Special Funds.....	<u>1,540,121.00</u>
121	Total.....	\$ 21,229,398.00

122 AUTHORIZED POSITIONS:

123	Permanent: Full Time.....	0
124	Part Time.....	0
125	Time-Limited: Full Time.....	0
126	Part Time.....	0



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

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

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



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

163 **SECTION 3.** This act shall take effect and be in force from
164 and after its passage.

