

By: Representative Perkins

To: Appropriations

HOUSE BILL NO. 8

1 AN ACT TO BRING FORWARD SECTION 1 OF CHAPTER 135, LAWS OF
2 2002 (SENATE BILL NO. 3163), WHICH IS THE GENERAL FUND
3 APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI
4 DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2003; TO AMEND SECTION 3
5 OF CHAPTER 135, LAWS OF 2002, TO PROVIDE THAT THE DEPARTMENT OF
6 CORRECTIONS SHALL MAINTAIN AND OPERATE THE DELTA CORRECTIONAL
7 FACILITY IN LEFLORE COUNTY DURING FISCAL YEAR 2003 AND MAINTAIN
8 800 OR MORE INMATES IN THAT FACILITY; AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 1 of Chapter 135, Laws of 2002 (Senate
11 Bill No. 3163), is brought forward as follows:

12 Section 1. The following sum, or so much thereof as may be
13 necessary, is hereby appropriated out of any money in the State
14 General Fund not otherwise appropriated, for the support and
15 maintenance of the Mississippi Department of Corrections for the
16 fiscal year beginning July 1, 2002, and ending June 30, 2003.....
17 ..... \$ 233,734,329.00.

18 SECTION 2. Section 3 of Chapter 135, Laws of 2002 (Senate
19 Bill No. 3163), is amended to read as follows:

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

24 SUPPORT

25 MAJOR OBJECTS OF EXPENDITURE:

26 Personal Services:

Table with 2 columns: Description and Amount. Rows include Salaries, Wages and Fringe Benefits (\$122,837,350.00), Travel and Subsistence (492,934.00), Contractual Services (12,437,299.00), and Commodities (9,875,365.00).



31 Capital Outlay:

32 Other Than Equipment..... 204,578.00

33 Equipment..... 615,972.00

34 Subsidies, Loans and Grants..... 97,320.00

35 Total..... \$ 146,560,818.00

36 FUNDING:

37 General Funds..... \$ 136,340,700.00

38 Special Funds..... 10,220,118.00

39 Total..... \$ 146,560,818.00

40 AUTHORIZED POSITIONS:

41 Permanent: Full Time..... 3,871

42 Part Time..... 35

43 Time-Limited: Full Time..... 116

44 Part Time..... 0

45 MEDICAL SERVICES

46 FUNDING:

47 General Funds..... \$ 22,466,178.00

48 Special Funds..... 275,079.00

49 Total..... \$ 22,741,257.00

50 AUTHORIZED POSITIONS:

51 Permanent: Full Time..... 0

52 Part Time..... 0

53 Time-Limited: Full Time..... 0

54 Part Time..... 0

55 However, none of the funds allocated to Medical Services

56 under this section shall be expended after July 31, 2003, unless

57 based upon a competitive bid process to provide medical care and

58 pharmaceuticals to state inmates through a contractual arrangement

59 with not less than a ten percent (10%) savings below the

60 Department of Corrections Fiscal Year 2002 costs for providing

61 health care to state inmates. Not later than December 1, 2002,

62 the Department of Corrections shall inform the Chairmen of the

63 House Penitentiary Committee, the Senate Corrections Committee,



64 and two members from the Appropriations Committees of the House of  
 65 Representatives and Senate to be selected by the Chairmen of the  
 66 Appropriations Committees of each respective house of the feasible  
 67 options to provide health care to state inmates.

68 PAROLE BOARD

69 MAJOR OBJECTS OF EXPENDITURE:

70 Personal Services:

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

80 FUNDING:

81	General Funds.....	\$	511,460.00
82	Special Funds.....		<u>0.00</u>
83	Total.....	\$	511,460.00

84 AUTHORIZED POSITIONS:

85	Permanent:	Full Time.....	8
86		Part Time.....	0
87	Time-Limited:	Full Time.....	0
88		Part Time.....	0

89 FARMING OPERATIONS

90 MAJOR OBJECTS OF EXPENDITURE:

91 Personal Services:

92	Salaries, Wages and Fringe Benefits....	\$	701,992.00
93	Travel and Subsistence.....		5,100.00
94	Contractual Services.....		557,350.00
95	Commodities.....		2,144,076.00
96	Capital Outlay:		

97	Other Than Equipment.....	730,848.00
98	Equipment.....	248,733.00
99	Subsidies, Loans and Grants.....	<u>33,000.00</u>
100	Total.....	\$ 4,421,099.00

101 FUNDING:

102	General Funds.....	\$ 0.00
103	Special Funds.....	<u>4,421,099.00</u>
104	Total.....	\$ 4,421,099.00

105 AUTHORIZED POSITIONS:

106	Permanent: Full Time.....	17
107	Part Time.....	0
108	Time-Limited: Full Time.....	0
109	Part Time.....	0

110 PRIVATE PRISONS

111 FUNDING:

112	General Funds.....	\$ 54,726,714.00
113	Special Funds.....	<u>0.00</u>
114	Total.....	\$ 54,726,714.00

115 AUTHORIZED POSITIONS:

116	Permanent: Full Time.....	0
117	Part Time.....	0
118	Time-Limited: Full Time.....	0
119	Part Time.....	0

120 Of the funds allocated to Private Prisons under this section,  
121 the Department of Corrections shall expend a sufficient amount  
122 during fiscal year 2003 to maintain and operate the Delta  
123 Correctional Facility in Leflore County throughout the remainder  
124 of fiscal year 2003. None of the funds allocated to Private  
125 Prisons under this section shall be paid to or expended for any  
126 prison operated by a private company in Mississippi unless the  
127 Department of Corrections maintains eight hundred (800) or more  
128 inmates in the Delta Correctional Facility in Leflore County  
129 during fiscal year 2003.



130	REGIONAL FACILITIES	
131	FUNDING:	
132	General Funds.....	\$ 19,689,277.00
133	Special Funds.....	<u>1,540,121.00</u>
134	Total.....	\$ 21,229,398.00

135	AUTHORIZED POSITIONS:	
136	Permanent: Full Time.....	0
137	Part Time.....	0
138	Time-Limited: Full Time.....	0
139	Part Time.....	0

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

145 With the funds herein appropriated, it is the intention of  
146 the Legislature that it shall be the agency's responsibility to  
147 make certain that funds required to be appropriated for "Personal  
148 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003  
149 funds appropriated for that purpose, unless programs, positions or  
150 pay increases are added to the agency's budget by the Mississippi  
151 Legislature. Based on data provided by the Legislative Budget  
152 Office, the State Personnel Board shall, on July 1, 2002, publish  
153 separate annual projection reports, based on July 1, 2002 data,  
154 for the period of July 1, 2002, through December 31, 2002, and  
155 January 1, 2003, through June 30, 2003, that project the annual  
156 cost to fully fund all appropriated positions in compliance with  
157 the provisions of this act. It shall be the responsibility of the  
158 agency head to ensure that no single personnel action increases  
159 this projected cost and/or the Fiscal Year 2003 appropriation for  
160 "Personal Services," as annualized on a semiannual basis in  
161 accordance with the provisions of this act. If, at the end of any  
162 calendar month, the State Personnel Board determines that the

163 agency has taken action(s) which would cause the agency to exceed  
164 this projected annual cost or the Fiscal Year 2003 "Personal  
165 Services" appropriated level, when annualized in compliance with  
166 the provisions of this act, then only those actions which reduce  
167 the projected annual cost and/or the appropriation requirement  
168 will be processed by the State Personnel Board until such time as  
169 the requirements of this provision are met.

170 Any transfers or escalations shall be made in accordance with  
171 the terms, conditions and procedures established by law, except  
172 that no transfers shall be made which reduce funds allocated in  
173 Section 3 to Regional Facilities or Private Prisons.

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

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

