HOUSE BILL NO. 842
(As Sent to Governor)


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

SECTION 1. Section 43-27-20, Mississippi Code of 1972, is reenacted and amended as follows:

43-27-20. (a) Within the Department of Youth Services there shall be a Division of Community Services which shall be headed by a director appointed by and responsible to the Director of the Department of Youth Services. He shall hold a master's degree in social work or a related field and shall have no less than three (3) years' experience in social services, or in lieu of such degree and experience, he shall have a minimum of eight (8) years' experience in social work or a related field. He shall employ and assign the community workers to serve in the various areas in the state and any other supporting personnel necessary to carry out the duties of the Division of Community Services.

(b) The Director of the Division of Community Services shall assign probation and aftercare workers to the youth court or family court judges of the various court districts upon the request of the individual judge on the basis of case load and need, when funds are available. The probation and aftercare workers shall live in their respective districts except upon approval of the Director of the Division of Community Services.
The Director of the Division of Community Services is authorized
to assign a youth services counselor to a district other than the
district in which the youth services counselor lives upon the
approval of the youth court judge of the assigned district and the
Director of the Division of Youth Services. Every placement shall
be with the approval of the youth court or the family court judge,
and a probation and aftercare worker may be removed for cause from
a youth or family court district.

(c) Any counties or cities which, on July 1, 1973, have
court counselors or similar personnel may continue using this
personnel or may choose to come within the statewide framework.

(d) A probation and aftercare worker may be transferred by
the division from one court to another after consultation with the
judge or judges in the court to which the employee is currently
assigned.

(e) The Division of Community Services shall have such
duties as the Department of Youth Services shall assign to it
which shall include, but not be limited to, the following:

(1) Preparing the social, educational and home-life
history and other diagnostic reports on the child for the benefit
of the court or the training school; however, this provision shall
not abridge the power of the court to require similar services
from other agencies, according to law.

(2) Serving in counseling capacities with the youth or
family courts.

(3) Serving as probation agents for the youth or family
courts.

(4) Serving, advising and counseling of children in the
various institutions under the control of the Division of Juvenile
Correctional Institutions as may be necessary to the placement of
the children in proper environment after release and the placement
of children in suitable jobs where necessary and proper.
(5) Supervising and guiding of children released or conditionally released from institutions under the control of the Division of Juvenile Correctional Institutions.

(6) Counseling in an aftercare program.

(7) Coordinating the activities of supporting community agencies which aid in the social adjustment of children released from the institution and in an aftercare program.

(8) Providing or arranging for necessary services leading to the rehabilitation of delinquents, either within the division or through cooperative arrangements with other appropriate agencies.

(9) Providing counseling and supervision for any child under ten (10) years of age who has been brought to the attention of the court when other suitable personnel is not available and upon request of the court concerned.

(10) Supervising the aftercare program and making revocation investigations at the request of the court.

(f) This section shall stand repealed on July 1, 2009.

SECTION 2. Section 43-27-11, Mississippi Code of 1972, is amended as follows:

43-27-11. The Mississippi Department of Human Services shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Columbia Training School and the Oakley Training School, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) institutions, and the department shall have general supervision of all the affairs of the two (2) institutions herein named, and the care and conduct of all buildings and grounds, business methods and
arrangements of accounts and records, the organization of the
administrative plans of each institution, and all other matters
incident to the proper functioning of the institutions. The
department shall have full authority over the operation of any and
all farms at each of said institutions and over the distribution
of agricultural, dairy, livestock and any and all other products
therefrom and over all funds received from the sale of hogs and
livestock. All sums realized from the sale of products
manufactured and fabricated in the shops of the vocational
departments of such institutions shall be placed in the revolving
fund of the respective institutions in which said products were
manufactured, fabricated and sold.

The department shall be authorized to lease the lands for
oil, gas and mineral exploration, and for such other purposes as
the department deems to be appropriate, on such terms and
conditions as the department and lessee agree. The department may
contract with the State Forestry Commission for the proper
management of forest lands and the sale of timber, and the
department is expressly authorized to sell timber and forestry
products. The department is further authorized to expend the net
proceeds from incomes from all leases and timber sales exclusively
for the instructional purposes or operational expenses, or both,
at the two (2) institutions under its jurisdiction * * *. 

The granting of any leases for oil, gas and mineral
exploration shall be on a public bid basis as prescribed by law.

SECTION 3. This act shall take effect and be in force from
and after July 1, 2003.