

By: Representative Capps

To: Appropriations

HOUSE BILL NO. 1293

1 AN ACT TO AMEND SECTIONS 1, 3 AND 16 OF CHAPTER 135, LAWS OF
2 2002, TO TRANSFER FUNDS IN THE FISCAL YEAR 2003 APPROPRIATION TO
3 THE DEPARTMENT OF CORRECTIONS AMONG VARIOUS CATEGORIES; AND FOR
4 RELATED PURPOSES.

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

6 SECTION 1. Section 1, Chapter 135, Laws of 2002, is amended
7 as follows:

8 Section 1. The following sum, or so much thereof as may be
9 necessary, is hereby appropriated out of any money in the State
10 General Fund not otherwise appropriated, for the support and
11 maintenance of the Mississippi Department of Corrections for the
12 fiscal year beginning July 1, 2002, and ending June 30, 2003,
13 \$ 227,717,373.00

14 SECTION 2. Section 3, Chapter 135, Laws of 2002, is amended
15 as follows:

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

20 SUPPORT

21 MAJOR OBJECTS OF EXPENDITURE:

22 Personal Services:

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

27 Capital Outlay:

28 Other Than Equipment..... 204,578.00



29 Equipment..... 615,972.00
 30 Subsidies, Loans and Grants..... 97,320.00
 31 Total..... \$ 146,560,818.00

32 FUNDING:

33 General Funds..... \$ 136,340,700.00
 34 Special Funds..... 10,220,118.00
 35 Total..... \$ 146,560,818.00

36 AUTHORIZED POSITIONS:

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

41 MEDICAL SERVICES

42 FUNDING:

43 General Funds..... \$ 22,466,178.00
 44 Special Funds..... 275,079.00
 45 Total..... \$ 22,741,257.00

46 AUTHORIZED POSITIONS:

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

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



62 Appropriations Committees of each respective house of the feasible
63 options to provide health care to state inmates.

64 PAROLE BOARD

65 MAJOR OBJECTS OF EXPENDITURE:

66 Personal Services:

67	Salaries, Wages and Fringe Benefits....	\$	372,562.00
68	Travel and Subsistence.....		25,000.00
69	Contractual Services.....		90,398.00
70	Commodities.....		20,800.00

71 Capital Outlay:

72	Other Than Equipment.....		0.00
73	Equipment.....		2,700.00
74	Subsidies, Loans and Grants.....		<u>0.00</u>
75	Total.....	\$	511,460.00

76 FUNDING:

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

80 AUTHORIZED POSITIONS:

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

85 FARMING OPERATIONS

86 MAJOR OBJECTS OF EXPENDITURE:

87 Personal Services:

88	Salaries, Wages and Fringe Benefits....	\$	701,992.00
89	Travel and Subsistence.....		5,100.00
90	Contractual Services.....		557,350.00
91	Commodities.....		2,144,076.00

92 Capital Outlay:

93	Other Than Equipment.....		730,848.00
94	Equipment.....		248,733.00



95 Subsidies, Loans and Grants..... 33,000.00
 96 Total..... \$ 4,421,099.00
 97 FUNDING:
 98 General Funds..... \$ 0.00
 99 Special Funds..... 4,421,099.00
 100 Total..... \$ 4,421,099.00

101 AUTHORIZED POSITIONS:
 102 Permanent: Full Time..... 17
 103 Part Time..... 0
 104 Time-Limited: Full Time..... 0
 105 Part Time..... 0

106 PRIVATE PRISONS

107 FUNDING:
 108 General Funds..... \$ 48,709,758.00
 109 Special Funds..... 0.00
 110 Total..... \$ 48,709,758.00

111 AUTHORIZED POSITIONS:
 112 Permanent: Full Time..... 0
 113 Part Time..... 0
 114 Time-Limited: Full Time..... 0
 115 Part Time..... 0

116 REGIONAL FACILITIES

117 FUNDING:
 118 General Funds..... \$ 19,689,277.00
 119 Special Funds..... 1,540,121.00
 120 Total..... \$ 21,229,398.00

121 AUTHORIZED POSITIONS:
 122 Permanent: Full Time..... 0
 123 Part Time..... 0
 124 Time-Limited: Full Time..... 0
 125 Part Time..... 0

126 Funds are provided herein to adjust the Variable Compensation
 127 Plan to ensure that all full-time employees receive a pay increase

128 equal to fifty percent (50%) of the realignment component of the
129 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
130 whichever is greater, beginning on January 1, 2003.

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

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



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

164 **SECTION 3.** Section 16, Chapter 135, Laws of 2002, is amended
165 as follows:

166 Section 16. In addition to all other sums herein
167 appropriated, the following sum, or so much thereof as may be
168 necessary, is hereby appropriated out of any money in the State
169 General Fund not otherwise appropriated, to the Department of
170 Corrections for the purpose of paying the expenses of counties for
171 holding state prisoners in county jails, for the period beginning
172 July 1, 2002, and ending June 30, 2003..... \$ 10,007,870.00.

173 **SECTION 4.** This act shall take effect and be in force from
174 and after its passage.

