MISSISSIPPI LEGISLATURE REGULAR SESSION 2003

By: Representative Capps To: Appropriations

HOUSE BILL NO. 1293

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

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

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

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

..... $ 227,717,373.00

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

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

SUPPORT

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:	
Salaries, Wages and Fringe Benefits....	$ 122,837,350.00
Travel and Subsistence.....	492,934.00
Contractual Services.....	12,437,299.00
Commodities.....	9,875,365.00
Capital Outlay:	
Other Than Equipment.....	204,578.00

Equipment 615,972.00

Subsidies, Loans and Grants 97,320.00

Total ..... $ 146,560,818.00

FUNDING:

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

Special Funds 10,220,118.00

Total ..... $ 146,560,818.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	3,871
	Part Time	35
Time-Limited:	Full Time	116
	Part Time	0

MEDICAL SERVICES

FUNDING:

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

Special Funds 275,079.00

Total ..... $ 22,741,257.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	0
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

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

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

PAROLE BOARD

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:		
Salaries, Wages and Fringe Benefits....	$	372,562.00
Travel and Subsistence.....		25,000.00
Contractual Services.....		90,398.00
Commodities.....		20,800.00
Capital Outlay:		
Other Than Equipment.....		0.00
Equipment.....		2,700.00
Subsidies, Loans and Grants.....		0.00
Total.....	$	511,460.00

FUNDING:

General Funds.....	$	511,460.00
Special Funds.....		0.00
Total.....	$	511,460.00

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	8
	Part Time.....	0
Time-Limited:	Full Time.....	0
	Part Time.....	0

FARMING OPERATIONS

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:		
Salaries, Wages and Fringe Benefits....	$	701,992.00
Travel and Subsistence.....		5,100.00
Contractual Services.....		557,350.00
Commodities.....		2,144,076.00
Capital Outlay:		
Other Than Equipment.....		730,848.00
Equipment.....		248,733.00

Subsidies, Loans and Grants..... 33,000.00

Total..... $ 4,421,099.00

FUNDING:

General Funds..... $ 0.00

Special Funds..... 4,421,099.00

Total..... $ 4,421,099.00

AUTHORIZED POSITIONS:

Permanent: Full Time..... 17

Part Time..... 0

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

Part Time..... 0

PRIVATE PRISONS

FUNDING:

General Funds..... $ 48,709,758.00

Special Funds..... 0.00

Total..... $ 48,709,758.00

AUTHORIZED POSITIONS:

Permanent: Full Time..... 0

Part Time..... 0

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

Part Time..... 0

REGIONAL FACILITIES

FUNDING:

General Funds..... $ 19,689,277.00

Special Funds..... 1,540,121.00

Total..... $ 21,229,398.00

AUTHORIZED POSITIONS:

Permanent: Full Time..... 0

Part Time..... 0

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

Part Time..... 0

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, except that no transfers shall be made which reduce funds allocated in Section 3 to Regional Facilities or Private Prisons.

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 3. Section 16, Chapter 135, Laws of 2002, is amended as follows:

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

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