

By: Representative Capps

To: Appropriations

HOUSE BILL NO. 1293
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 3 OF CHAPTER 135, LAWS OF 2002, TO
2 TRANSFER FUNDS IN THE FISCAL YEAR 2003 APPROPRIATION TO THE
3 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 3, Chapter 135, Laws of 2002, is amended
7 as follows:

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

12 SUPPORT

13 MAJOR OBJECTS OF EXPENDITURE:

14 Personal Services:

15	Salaries, Wages and Fringe Benefits....	\$ 122,837,350.00
16	Travel and Subsistence.....	492,934.00
17	Contractual Services.....	17,940,910.00
18	Commodities.....	10,388,710.00
19	Capital Outlay:	
20	Other Than Equipment.....	204,578.00
21	Equipment.....	615,972.00
22	Subsidies, Loans and Grants.....	<u>97,320.00</u>
23	Total.....	\$ 152,577,774.00

24 FUNDING:

25	General Funds.....	\$ 142,357,656.00
26	Special Funds.....	<u>10,220,118.00</u>
27	Total.....	\$ 152,577,774.00

28 AUTHORIZED POSITIONS:



29	Permanent:	Full Time.....	3,871
30		Part Time.....	35
31	Time-Limited:	Full Time.....	116
32		Part Time.....	0

33 MEDICAL SERVICES

34 FUNDING:

35	General Funds.....	\$ 22,466,178.00
36	Special Funds.....	<u>275,079.00</u>
37	Total.....	\$ 22,741,257.00

38 AUTHORIZED POSITIONS:

39	Permanent:	Full Time.....	0
40		Part Time.....	0
41	Time-Limited:	Full Time.....	0
42		Part Time.....	0

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

56 PAROLE BOARD

57 MAJOR OBJECTS OF EXPENDITURE:

58 Personal Services:

59	Salaries, Wages and Fringe Benefits....	\$ 372,562.00
60	Travel and Subsistence.....	25,000.00
61	Contractual Services.....	90,398.00



62	Commodities.....		20,800.00
63	Capital Outlay:		
64	Other Than Equipment.....		0.00
65	Equipment.....		2,700.00
66	Subsidies, Loans and Grants.....		<u>0.00</u>
67	Total.....	\$	511,460.00

68 FUNDING:

69	General Funds.....	\$	511,460.00
70	Special Funds.....		<u>0.00</u>
71	Total.....	\$	511,460.00

72 AUTHORIZED POSITIONS:

73	Permanent: Full Time.....	8
74	Part Time.....	0
75	Time-Limited: Full Time.....	0
76	Part Time.....	0

77 FARMING OPERATIONS

78 MAJOR OBJECTS OF EXPENDITURE:

79 Personal Services:

80	Salaries, Wages and Fringe Benefits....	\$	701,992.00
81	Travel and Subsistence.....		5,100.00
82	Contractual Services.....		557,350.00
83	Commodities.....		2,144,076.00
84	Capital Outlay:		
85	Other Than Equipment.....		730,848.00
86	Equipment.....		248,733.00
87	Subsidies, Loans and Grants.....		<u>33,000.00</u>
88	Total.....	\$	4,421,099.00

89 FUNDING:

90	General Funds.....	\$	0.00
91	Special Funds.....		<u>4,421,099.00</u>
92	Total.....	\$	4,421,099.00

93 AUTHORIZED POSITIONS:

94	Permanent: Full Time.....	17
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95 Part Time..... 0
 96 Time-Limited: Full Time..... 0
 97 Part Time..... 0

98 PRIVATE PRISONS

99 FUNDING:

100 General Funds..... \$ 48,709,758.00
 101 Special Funds..... 0.00
 102 Total..... \$ 48,709,758.00

103 AUTHORIZED POSITIONS:

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

108 REGIONAL FACILITIES

109 FUNDING:

110 General Funds..... \$ 19,689,277.00
 111 Special Funds..... 1,540,121.00
 112 Total..... \$ 21,229,398.00

113 AUTHORIZED POSITIONS:

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

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

123 With the funds herein appropriated, it is the intention of
 124 the Legislature that it shall be the agency's responsibility to
 125 make certain that funds required to be appropriated for "Personal
 126 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
 127 funds appropriated for that purpose, unless programs, positions or



128 pay increases are added to the agency's budget by the Mississippi
129 Legislature. Based on data provided by the Legislative Budget
130 Office, the State Personnel Board shall, on July 1, 2002, publish
131 separate annual projection reports, based on July 1, 2002, data,
132 for the period of July 1, 2002, through December 31, 2002, and
133 January 1, 2003, through June 30, 2003, that project the annual
134 cost to fully fund all appropriated positions in compliance with
135 the provisions of this act. It shall be the responsibility of the
136 agency head to ensure that no single personnel action increases
137 this projected cost and/or the Fiscal Year 2003 appropriation for
138 "Personal Services," as annualized on a semiannual basis in
139 accordance with the provisions of this act. If, at the end of any
140 calendar month, the State Personnel Board determines that the
141 agency has taken action(s) which would cause the agency to exceed
142 this projected annual cost or the Fiscal Year 2003 "Personal
143 Services" appropriated level, when annualized in compliance with
144 the provisions of this act, then only those actions which reduce
145 the projected annual cost and/or the appropriation requirement
146 will be processed by the State Personnel Board until such time as
147 the requirements of this provision are met.

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

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

156 **SECTION 2.** This act shall take effect and be in force from
157 and after its passage.

