

By: Representatives Moody, Hamilton, Bowles, Brown, Gibbs, Henderson, Holland, Read, Shows, Stevens, Stringer, Warren To: Appropriations

HOUSE BILL NO. 1551

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN
2 SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2004.

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

4 SECTION 1. The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, to the Department of
7 Human Services for the fiscal year beginning July 1, 2003, and
8 ending June 30, 2004..... \$ 75,959,069.00.

9 SECTION 2. The following sum, or so much thereof as may be
10 necessary, is hereby appropriated out of any money in any special
11 fund in the State Treasury to the credit of the Department of
12 Human Services which is comprised of special source funds
13 collected by or otherwise available to the department for the
14 support of the various divisions of the department, for the
15 purpose of defraying the expenses of the department for the fiscal
16 year beginning July 1, 2003, and ending June 30, 2004.....
17 ..... \$ 375,127,505.00.

18 SECTION 3. None of the funds appropriated by this act shall
19 be expended for any purpose that is not actually required or
20 necessary for performing any of the powers or duties of the
21 Department of Human Services that are authorized by the
22 Mississippi Constitution of 1890, state or federal law, or rules
23 or regulations that implement state or federal law.

24 SECTION 4. Of the funds appropriated under the provisions of
25 Sections 1 and 2, not more than the amounts set forth below shall
26 be expended for the respective major objects or purposes of
27 expenditure:



28 **DIVISION OF YOUTH SERVICES**

29 MAJOR OBJECTS OF EXPENDITURE:

30 Personal Services:

31	Salaries, Wages and Fringe Benefits.. \$	17,983,159.00
32	Travel and Subsistence.....	156,053.00
33	Contractual Services.....	1,705,050.00
34	Commodities.....	1,575,983.00
35	Capital Outlay:	
36	Other Than Equipment.....	0.00
37	Equipment.....	79,440.00
38	Subsidies, Loans and Grants.....	<u>1,229,562.00</u>
39	Total..... \$	22,729,247.00

40 FUNDING:

41	General Funds..... \$	15,125,312.00
42	Special Funds.....	<u>7,603,935.00</u>
43	Total..... \$	22,729,247.00

44 AUTHORIZED POSITIONS:

45	Permanent: Full Time.....	700
46	Part Time.....	8
47	Time-Limited: Full Time.....	13
48	Part Time.....	0

49 Any person within the Office of Youth Services classified as

50 Youth Services Counselor Aide I, Youth Services Counselor Aide II,

51 Youth Services Counselor Aide III, Security Officer I, Security

52 Officer II, Security Officer III, Recreation Supervisor, General

53 Services Employee I, General Services Employee II, Youth Services

54 Counselor I, Youth Services Counselor II, and Youth Services

55 Counselor III, who must work on a statutory holiday or any holiday

56 proclaimed by the Governor, may at the discretion of the

57 superintendents of the institutions and the Executive Director of

58 the Office of Youth Services and within available personnel funds,

59 be paid "call back pay" in lieu of "compensatory time credit."



60 It is the intent of the Legislature that the Office of Youth  
 61 Services shall have the authority to accept from any source  
 62 including, but not limited to, proceeds from sale of vehicles,  
 63 equipment or any other property which becomes obsolete or is no  
 64 longer needed. It is the intent that such funds will be approved  
 65 for allocation and expenditure in a manner consistent with the  
 66 rules and regulations of the Department of Finance and  
 67 Administration.

68 **DIVISION OF FAMILY AND CHILDREN'S SERVICES**

69 MAJOR OBJECTS OF EXPENDITURE:

70 Personal Services:

71	Salaries, Wages and Fringe Benefits.. \$	24,995,382.00
72	Travel and Subsistence.....	1,193,584.00
73	Contractual Services.....	13,222,252.00
74	Commodities.....	510,675.00
75	Capital Outlay:	
76	Other Than Equipment.....	0.00
77	Equipment.....	803,071.00
78	Subsidies, Loans and Grants.....	<u>69,358,346.00</u>
79	Total..... \$	110,083,310.00

80 FUNDING:

81	General Funds..... \$	10,849,141.00
82	Special Funds.....	<u>99,234,169.00</u>
83	Total..... \$	110,083,310.00

84 AUTHORIZED POSITIONS:

85	Permanent: Full Time.....	625
86	Part Time.....	0
87	Time-Limited: Full Time.....	196
88	Part Time.....	0

89 **DIVISION OF AGING AND ADULT SERVICES**

90 MAJOR OBJECTS OF EXPENDITURE:

91 Personal Services:

92	Salaries, Wages and Fringe Benefits.. \$	560,451.00
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93	Travel and Subsistence.....		31,000.00
94	Contractual Services.....		133,567.00
95	Commodities.....		30,000.00
96	Capital Outlay:		
97	Other Than Equipment.....		0.00
98	Equipment.....		9,350.00
99	Subsidies, Loans and Grants.....		<u>18,525,625.00</u>
100	Total.....	\$	19,289,993.00

101 FUNDING:

102	General Funds.....	\$	720,729.00
103	Special Funds.....		<u>18,569,264.00</u>
104	Total.....	\$	19,289,993.00

105 AUTHORIZED POSITIONS:

106	Permanent: Full Time.....	7
107	Part Time.....	0
108	Time-Limited: Full Time.....	6
109	Part Time.....	0

110 Of the funds appropriated herein, Seven Million Six Hundred  
111 Fifty Thousand Dollars (\$7,650,000.00) is provided for the Home  
112 Delivered Meals Program.

113 **DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE**  
114 **FOR NEEDY FAMILIES (TANF)**

115 MAJOR OBJECTS OF EXPENDITURE:

116	Personal Services:		
117	Salaries, Wages and Fringe Benefits..	\$	51,564,422.00
118	Travel and Subsistence.....		698,500.00
119	Contractual Services.....		28,846,669.00
120	Commodities.....		889,565.00
121	Capital Outlay:		
122	Other Than Equipment.....		0.00
123	Equipment.....		2,381,553.00
124	Subsidies, Loans and Grants.....		<u>69,330,893.00</u>
125	Total.....	\$	153,711,602.00



126	FUNDING:	
127	General Funds.....	\$ 38,789,846.00
128	Special Funds.....	<u>114,921,756.00</u>
129	Total.....	\$ 153,711,602.00

130 AUTHORIZED POSITIONS:

131	Permanent: Full Time.....	1,516
132	Part Time.....	0
133	Time-Limited: Full Time.....	217
134	Part Time.....	3

135 **DIVISION OF CHILD SUPPORT ENFORCEMENT**

136 MAJOR OBJECTS OF EXPENDITURE:

137 Personal Services:

138	Salaries, Wages and Fringe Benefits..	\$ 18,904,046.00
139	Travel and Subsistence.....	200,419.00
140	Contractual Services.....	7,101,288.00
141	Commodities.....	231,165.00
142	Capital Outlay:	
143	Other Than Equipment.....	0.00
144	Equipment.....	266,750.00
145	Subsidies, Loans and Grants.....	<u>8,405,855.00</u>
146	Total.....	\$ 35,109,523.00

147 FUNDING:

148	General Funds.....	\$ 4,389,470.00
149	Special Funds.....	<u>30,720,053.00</u>
150	Total.....	\$ 35,109,523.00

151 AUTHORIZED POSITIONS:

152	Permanent: Full Time.....	326
153	Part Time.....	0
154	Time-Limited: Full Time.....	234
155	Part Time.....	0

156 **DIVISION OF COMMUNITY SERVICES**

157 MAJOR OBJECTS OF EXPENDITURE:

158 Personal Services:



159	Salaries, Wages and Fringe Benefits..	\$	609,835.00
160	Travel and Subsistence.....		27,422.00
161	Contractual Services.....		315,461.00
162	Commodities.....		30,000.00
163	Capital Outlay:		
164	Other Than Equipment.....		0.00
165	Equipment.....		7,000.00
166	Subsidies, Loans and Grants.....		<u>22,346,706.00</u>
167	Total.....	\$	23,336,424.00

168 FUNDING:

169	General Funds.....	\$	0.00
170	Special Funds.....		<u>23,336,424.00</u>
171	Total.....	\$	23,336,424.00

172 AUTHORIZED POSITIONS:

173	Permanent: Full Time.....	9
174	Part Time.....	0
175	Time-Limited: Full Time.....	5
176	Part Time.....	0

177 **DIVISION OF SUPPORT SERVICES**

178 MAJOR OBJECTS OF EXPENDITURE:

179 Personal Services:

180	Salaries, Wages and Fringe Benefits..	\$	8,464,668.00
181	Travel and Subsistence.....		109,674.00
182	Contractual Services.....		2,279,231.00
183	Commodities.....		251,890.00
184	Capital Outlay:		
185	Other Than Equipment.....		0.00
186	Equipment.....		95,522.00
187	Subsidies, Loans and Grants.....		<u>55,763.00</u>
188	Total.....	\$	11,256,748.00

189 FUNDING:

190	General Funds.....	\$	3,175,916.00
191	Special Funds.....		<u>8,080,832.00</u>



192 Total..... \$ 11,256,748.00

193 AUTHORIZED POSITIONS:

194 Permanent: Full Time..... 173

195 Part Time..... 0

196 Time-Limited: Full Time..... 22

197 Part Time..... 0

198 SOCIAL SERVICES BLOCK GRANT PROGRAM

199 MAJOR OBJECTS OF EXPENDITURE:

200 Personal Services:

201 Salaries, Wages and Fringe Benefits.. \$ 144,594.00

202 Travel and Subsistence..... 5,000.00

203 Contractual Services..... 172,375.00

204 Commodities..... 4,700.00

205 Capital Outlay:

206 Other Than Equipment..... 0.00

207 Equipment..... 5,000.00

208 Subsidies, Loans and Grants..... 25,483,891.00

209 Total..... \$ 25,815,560.00

210 FUNDING:

211 General Funds..... \$ 0.00

212 Special Funds..... 25,815,560.00

213 Total..... \$ 25,815,560.00

214 AUTHORIZED POSITIONS:

215 Permanent: Full Time..... 1

216 Part Time..... 0

217 Time-Limited: Full Time..... 2

218 Part Time..... 0

219 Of the funds authorized herein to be expended from the  
220 Subsidies, Loans and Grants Major Object of Expenditure of the  
221 Social Services Block Grant Program, a minimum of Two Million  
222 Dollars (\$2,000,000.00) shall be allocated to the Office of Youth  
223 Services to be used in the Community Services Program.

224 OFFICE FOR CHILDREN AND YOUTH



225 MAJOR OBJECTS OF EXPENDITURE:

226 Personal Services:

227	Salaries, Wages and Fringe Benefits.. \$	778,678.00
228	Travel and Subsistence.....	25,000.00
229	Contractual Services.....	800,000.00
230	Commodities.....	125,000.00
231	Capital Outlay:	
232	Other Than Equipment.....	0.00
233	Equipment.....	250,000.00
234	Subsidies, Loans and Grants.....	<u>47,775,489.00</u>
235	Total..... \$	49,754,167.00

236 FUNDING:

237	General Funds..... \$	2,908,655.00
238	Special Funds.....	<u>46,845,512.00</u>
239	Total..... \$	49,754,167.00

240 AUTHORIZED POSITIONS:

241	Permanent: Full Time.....	10
242	Part Time.....	0
243	Time-Limited: Full Time.....	7
244	Part Time.....	0

245 With the funds herein appropriated, it is the intention of  
246 the Legislature that it shall be the agency's responsibility to  
247 make certain that funds required to be appropriated for "Personal  
248 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
249 funds appropriated for that purpose, unless programs or positions  
250 are added to the agency's Fiscal Year 2005 budget by the  
251 Mississippi Legislature. Based on data provided by the  
252 Legislative Budget Office, the State Personnel Board shall  
253 determine and publish the projected annual cost to fully fund all  
254 appropriated positions in compliance with the provisions of this  
255 act. It shall be the responsibility of the agency head to insure  
256 that no single personnel action increases this projected annual  
257 cost and/or the Fiscal Year 2004 appropriation for "Personal





258 Services" when annualized. If, at the end of any calendar month,  
259 the State Personnel Board determines that the agency has taken  
260 action(s) which would cause the agency to exceed this projected  
261 annual cost or the Fiscal Year 2004 "Personal Services"  
262 appropriated level, when annualized, then only those actions which  
263 reduce the projected annual cost and/or the appropriation  
264 requirement will be processed by the State Personnel Board until  
265 such time as the requirements of this provision are met.

266 It is the intention of the Legislature that the Executive  
267 Director of the Department of Human Services may transfer between  
268 the various divisions authorized herein both funds and positions  
269 not to exceed ten percent (10%) of the receiving division  
270 consistent with the provisions of Section 1 of this act.  
271 Provided, however, that no county office positions shall be  
272 transferred to any regional office or to the state office. The  
273 Executive Director of the Department of Human Services shall  
274 submit written justification for the transfer to the Legislative  
275 Budget Office and the Department of Finance and Administration on  
276 or before the fifteenth of the month prior to the effective date  
277 of the transfer. It is further the intention of the Legislature  
278 that any transfers made under the provisions of this paragraph  
279 shall be of an emergency nature and that in no case shall the  
280 transfers be made which substantially alter the legislative intent  
281 for the various divisions or offices as set forth in the original  
282 appropriations made under this act.

283 Any transfers within major object of expenditure within each  
284 specific budget or escalations shall be made in accordance with  
285 the terms, conditions and procedures established by law.

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



290 Unless expressly authorized herein by the Legislature, no  
291 funds appropriated to be expended for travel and subsistence shall  
292 be expended to pay expenses incurred by more than six (6)  
293 employees or other representatives of the agency for attending the  
294 same out-of-state conference, seminar or workshop; however, such  
295 funds may be expended for expenses incurred by more than six (6)  
296 employees or other representatives for attendance at the same  
297 conference, seminar or workshop (a) if attendance is required in  
298 order to maintain professional certification or licensure, which  
299 certification or licensure is required by the employees' job  
300 descriptions or by law, or (b) if such expenditure has received  
301 the prior written approval of the Department of Finance and  
302 Administration.

303 **SECTION 5.** Of the funds appropriated in Section 2, Two  
304 Million Eighty-six Thousand Six Hundred Eighty-three Dollars  
305 (\$2,086,683.00) is provided for the support of a contract with the  
306 State Board of Community and Junior Colleges Industrial Training  
307 Program for the training of TANF clients.

308 These funds shall be transferred to the State Board of  
309 Community and Junior Colleges Industrial Training budget and shall  
310 be expended in accordance with Sections 37-31-103 through  
311 37-31-111, Mississippi Code of 1972. Training will be conducted  
312 in the areas outlined in Section 37-31-103(2) for TANF recipients.  
313 The terms and provisions for program operation will be established  
314 through a nonfinancial agreement between the State Board of  
315 Community and Junior Colleges and the Mississippi Department of  
316 Human Services. This nonfinancial agreement will be initiated by  
317 the State Board of Community and Junior Colleges in accordance  
318 with current laws, rules and regulations as approved by the State  
319 Board of Community and Junior Colleges.

320 Identification, eligibility, certification, enrollment,  
321 follow-up, performance standards and sanction liabilities of the



322 TANF clients will be the sole responsibility of the Department of  
323 Human Services.

324         **SECTION 6.** It is the intention of the Legislature that the  
325 Executive Director of the Department of Human Services shall make  
326 a complete report to the Joint Legislative Budget Committee and  
327 the Department of Finance and Administration no later than October  
328 15, 2003, concerning the distribution of the funds provided in the  
329 Social Services Block Grant. This report shall contain data from  
330 the two (2) previous fiscal years for comparison purposes. The  
331 two (2) previous fiscal years along with new distribution of funds  
332 shall be presented side by side with a column showing the  
333 differences between the previous fiscal year and the new  
334 distribution of funds.

335         **SECTION 7.** Of the funds appropriated under the provisions of  
336 Sections 1 and 2, and authorized for expenditure in Section 4, the  
337 amount of One Hundred Fifty Thousand Dollars (\$150,000.00) is  
338 provided for the support of the Jackson State University -  
339 Continuing Education Learning Center.

340         **SECTION 8.** None of the funds appropriated under the  
341 provisions of Sections 1 and 2 shall be used to pay any contractor  
342 that is not a successful bidder for genetic paternity testing  
343 services bid by the Department of Human Services.

344         **SECTION 9.** Of the funds appropriated in Section 2, One  
345 Million Dollars (\$1,000,000.00) shall be transferred to the  
346 Department of Health, Child Care Licensure Program from the Child  
347 Care Development Fund or other appropriate special fund. These  
348 funds are to be transferred to the Board of Health no later than  
349 July 31, 2003. The Department of Health shall make a complete  
350 accounting to the Department of Human Services detailing the uses  
351 of these funds in accordance with federal and state regulations.

352         **SECTION 10.** It is the intention of the Legislature that the  
353 Department of Human Services contract with the Department of  
354 Health to operate the School Nurse Teen Pregnancy Prevention Pilot



355 Program as described in House Bill No. 766 of the 1997 Legislative  
356 Session, in compliance with all applicable TANF federal and state  
357 regulations.

358         **SECTION 11.** It is the intent of the Legislature that the  
359 Department of Human Services have authority to escalate the  
360 various budgets only in the major objects of Contractual Services  
361 and Subsidies and only with the approval of the State Fiscal  
362 Officer, from special funds collected or available from the TANF  
363 (Temporary Assistance for Needy Families) Grant, in the current or  
364 any prior fiscal year, not to exceed Seventy-one Million Dollars  
365 (\$71,000,000.00). Upon such approval, the Department of Human  
366 Services may expend such funds in the manner authorized by law.

367         The Executive Director of the Department of Human Services  
368 shall submit to the Department of Finance and Administration a  
369 certified statement providing a detailed explanation for any  
370 escalation and an assessment of the impact on the agency's General  
371 Fund budget for the three (3) fiscal years following the fiscal  
372 year in which the escalation is requested. A copy of this  
373 submission shall be sent to the Legislative Budget Office.

374         **SECTION 12.** Of the funds appropriated in Section 2, Two  
375 Million Five Hundred Thousand Dollars (\$2,500,000.00) of TANF  
376 (Temporary Assistance for Needy Families) federal funds shall be  
377 transferred to the Office of the Attorney General for the purpose  
378 of subgranting with entities which will develop and implement  
379 programs that serve unmet needs of "at risk" youth in the state.  
380 The Attorney General shall administer the transferred TANF funds.

381         **SECTION 13.** Of the funds appropriated in Section 2, an  
382 amount not to exceed One Million Six Hundred Thousand Dollars  
383 (\$1,600,000.00) of TANF (Temporary Assistance for Needy Families)  
384 federal funds shall be made available through a grant(s) or  
385 contract(s) to the State Coalition of the YMCA (Young Men's  
386 Christian Association) for the purpose of developing and  
387 implementing statewide programs that serve the unmet needs of



388 youth by way of Adolescent Offenders programs and Teen Leadership  
389 Programs for the state to be administered by the Statewide  
390 Coalition of the YMCA. These funds shall be administered in  
391 compliance with all applicable state and federal regulations.

392 **SECTION 14.** Of the funds appropriated in Section 2 and  
393 allocated in Section 4, Three Hundred Thousand Dollars  
394 (\$300,000.00) shall be used to defray the cost of the Amer-I-Can  
395 Program as established in House Bill No. 1109, 2001 Regular  
396 Session.

397 **SECTION 15.** None of the above funds shall be used to hire  
398 employees under Personal Service Contracts except for Personal  
399 Service Contracts for the Office for Children and Youth - Child  
400 Care and Office for Children and Youth - Child Care Managers.

401 **SECTION 16.** It is the intention of the Legislature that none  
402 of the funds appropriated by this act shall be expended for  
403 increased charges for State and School Employees' Health Insurance  
404 Plan premium rates assessed by the Department of Finance and  
405 Administration in excess of the Fiscal Year 2003 premium rates for  
406 the health insurance plan.

407 **SECTION 17.** The money herein appropriated shall be paid by  
408 the State Treasurer out of any money in the State Treasury to the  
409 credit of the proper fund or funds as set forth in this act, upon  
410 warrants issued by the State Fiscal Officer; and the State Fiscal  
411 Officer shall issue his warrants upon requisitions signed by the  
412 proper person, officer or officers, in the manner provided by law.

413 **SECTION 18.** This act shall take effect and be in force from  
414 and after July 1, 2003.

