

By: Representatives Brown,  
Warren, Eaton, Flaggs, Gadd,  
Gibbs, Hamilton (109th),  
Holland, Middleton, Read,  
Stevens

To: Appropriations

HOUSE BILL NO. 81

1AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN  
2SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2006.  
3BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:  
4SECTION 1. The following sum, or so much thereof as may be  
5necessary, is hereby appropriated out of any money in the State  
6General Fund not otherwise appropriated, to the Department of  
7Human Services for the fiscal year beginning July 1, 2005, and  
8ending June 30, 2006..... \$ 86,276,935.00.  
9SECTION 2. The following sum, or so much thereof as may be  
10necessary, is hereby appropriated out of any money in any special  
11fund in the State Treasury to the credit of the Department of  
12Human Services which is comprised of special source funds  
13collected by or otherwise available to the department for the  
14support of the various divisions of the department, for the  
15purpose of defraying the expenses of the department for the fiscal  
16year beginning July 1, 2005, and ending June 30, 2006.....  
17..... \$ 673,288,609.00.  
18SECTION 3. None of the funds appropriated by this act shall  
19be expended for any purpose that is not actually required or  
20necessary for performing any of the powers or duties of the  
21Department of Human Services that are authorized by the  
22Mississippi Constitution of 1890, state or federal law, or rules  
23or regulations that implement state or federal law.  
24SECTION 4. Of the funds appropriated under the provisions of  
25Sections 1 and 2, not more than the amounts set forth below shall  
26be expended for the respective major objects or purposes of  
27expenditure:

28	DIVISION OF YOUTH SERVICES		
29	MAJOR OBJECTS OF EXPENDITURE:		
30	Personal Services:		
31	Salaries, Wages and Fringe Benefits..	\$	15,167,374.00
32	Travel and Subsistence.....		132,048.00
33	Contractual Services.....		2,578,121.00
34	Commodities.....		1,862,140.00
35	Capital Outlay:		
36	Other Than Equipment.....		0.00
37	Equipment.....		112,000.00
38	Subsidies, Loans and Grants.....		<u>9,750,000.00</u>
39	Total.....	\$	29,601,683.00
40	FUNDING:		
41	General Funds.....	\$	18,752,030.00
42	Special Funds.....		<u>10,849,653.00</u>
43	Total.....	\$	29,601,683.00
44	AUTHORIZED POSITIONS:		
45	Permanent: Full Time.....	490	
46	Part Time.....	4	
47	Time-Limited: Full Time.....	27	
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 intention of the Legislature that the Office of  
61 Youth 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..	\$	24,159,497.00
72           Travel and Subsistence.....		2,265,750.00
73           Contractual Services.....		16,671,627.00
74           Commodities.....		479,062.00

75       Capital Outlay:

76           Other Than Equipment.....		0.00
77           Equipment.....		103,370.00
78           Subsidies, Loans and Grants.....		<u>27,432,375.00</u>
79           Total.....	\$	71,111,681.00

80       FUNDING:

81           General Funds.....	\$	16,697,447.00
82           Special Funds.....		<u>54,414,234.00</u>
83           Total.....	\$	71,111,681.00

84       AUTHORIZED POSITIONS:

85           Permanent:	Full Time.....	509
86	Part Time.....	0
87           Time-Limited:	Full Time.....	168
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..	\$	495,343.00
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93	Travel and Subsistence.....	7,344.00
94	Contractual Services.....	90,499.00
95	Commodities.....	28,200.00
96	Capital Outlay:	
97	Other Than Equipment.....	0.00
98	Equipment.....	4,340.00
99	Subsidies, Loans and Grants.....	<u>18,501,870.00</u>
100	Total..... \$	19,127,596.00
101	FUNDING:	
102	General Funds..... \$	861,920.00
103	Special Funds.....	<u>18,265,676.00</u>
104	Total..... \$	19,127,596.00
105	AUTHORIZED POSITIONS:	
106	Permanent: Full Time.....	6
107	Part Time.....	0
108	Time-Limited: Full Time.....	6
109	Part Time.....	0
110	<b>DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE</b>	
111	<b>FOR NEEDY FAMILIES (TANF)</b>	
112	MAJOR OBJECTS OF EXPENDITURE:	
113	Personal Services:	
114	Salaries, Wages and Fringe Benefits.. \$	42,510,279.00
115	Travel and Subsistence.....	447,711.00
116	Contractual Services.....	33,232,936.00
117	Commodities.....	659,374.00
118	Capital Outlay:	
119	Other Than Equipment.....	0.00
120	Equipment.....	386,516.00
121	Subsidies, Loans and Grants.....	<u>408,097,994.00</u>
122	Total..... \$	485,334,810.00
123	FUNDING:	
124	General Funds..... \$	36,661,822.00
125	Special Funds.....	<u>448,672,988.00</u>

126                   Total..... \$     485,334,810.00

127   AUTHORIZED POSITIONS:

128       Permanent:       Full Time.....     1,171

129                           Part Time.....         0

130       Time-Limited:   Full Time.....     169

131                           Part Time.....         0

132                   **DIVISION OF CHILD SUPPORT ENFORCEMENT**

133   MAJOR OBJECTS OF EXPENDITURE:

134       Personal Services:

135           Salaries, Wages and Fringe Benefits.. \$     16,105,803.00

136           Travel and Subsistence.....             200,000.00

137           Contractual Services.....                6,519,696.00

138           Commodities.....                         219,450.00

139       Capital Outlay:

140           Other Than Equipment.....               0.00

141           Equipment.....                           88,700.00

142           Subsidies, Loans and Grants.....         9,481,199.00

143           Total..... \$     32,614,848.00

144   FUNDING:

145       General Funds..... \$     4,182,956.00

146       Special Funds.....         28,431,892.00

147       Total..... \$     32,614,848.00

148   AUTHORIZED POSITIONS:

149       Permanent:       Full Time.....     263

150                           Part Time.....         0

151       Time-Limited:   Full Time.....     194

152                           Part Time.....         0

153                   **DIVISION OF COMMUNITY SERVICES**

154   MAJOR OBJECTS OF EXPENDITURE:

155       Personal Services:

156           Salaries, Wages and Fringe Benefits.. \$     499,791.00

157           Travel and Subsistence.....             33,704.00

158           Contractual Services.....                407,792.00

159	Commodities.....		77,425.00
160	Capital Outlay:		
161	Other Than Equipment.....		0.00
162	Equipment.....		8,000.00
163	Subsidies, Loans and Grants.....		<u>27,195,000.00</u>
164	Total.....	\$	28,221,712.00
165	FUNDING:		
166	General Funds.....	\$	0.00
167	Special Funds.....		<u>28,221,712.00</u>
168	Total.....	\$	28,221,712.00
169	AUTHORIZED POSITIONS:		
170	Permanent: Full Time.....	8	
171	Part Time.....	0	
172	Time-Limited: Full Time.....	3	
173	Part Time.....	0	
174	<b>DIVISION OF SUPPORT SERVICES</b>		
175	MAJOR OBJECTS OF EXPENDITURE:		
176	Personal Services:		
177	Salaries, Wages and Fringe Benefits..	\$	8,888,971.00
178	Travel and Subsistence.....		113,200.00
179	Contractual Services.....		2,267,596.00
180	Commodities.....		97,307.00
181	Capital Outlay:		
182	Other Than Equipment.....		0.00
183	Equipment.....		91,136.00
184	Subsidies, Loans and Grants.....		<u>64,400.00</u>
185	Total.....	\$	11,522,610.00
186	FUNDING:		
187	General Funds.....	\$	3,137,660.00
188	Special Funds.....		<u>8,384,950.00</u>
189	Total.....	\$	11,522,610.00
190	AUTHORIZED POSITIONS:		
191	Permanent: Full Time.....	174	

192	Part Time.....	0
193	Time-Limited: Full Time.....	20
194	Part Time.....	0
195	<b>SOCIAL SERVICES BLOCK GRANT PROGRAM</b>	
196	MAJOR OBJECTS OF EXPENDITURE:	
197	Personal Services:	
198	Salaries, Wages and Fringe Benefits.. \$	144,904.00
199	Travel and Subsistence.....	4,000.00
200	Contractual Services.....	82,580.00
201	Commodities.....	2,800.00
202	Capital Outlay:	
203	Other Than Equipment.....	0.00
204	Equipment.....	3,690.00
205	Subsidies, Loans and Grants.....	<u>5,500,000.00</u>
206	Total..... \$	5,737,974.00
207	FUNDING:	
208	General Funds..... \$	0.00
209	Special Funds.....	<u>5,737,974.00</u>
210	Total..... \$	5,737,974.00
211	AUTHORIZED POSITIONS:	
212	Permanent: Full Time.....	1
213	Part Time.....	0
214	Time-Limited: Full Time.....	2
215	Part Time.....	0
216	<b>OFFICE FOR CHILDREN AND YOUTH</b>	
217	MAJOR OBJECTS OF EXPENDITURE:	
218	Personal Services:	
219	Salaries, Wages and Fringe Benefits.. \$	714,781.00
220	Travel and Subsistence.....	8,748.00
221	Contractual Services.....	381,686.00
222	Commodities.....	28,500.00
223	Capital Outlay:	
224	Other Than Equipment.....	0.00

225	Equipment.....	35,000.00
226	Subsidies, Loans and Grants.....	<u>75,123,915.00</u>
227	Total.....	\$ 76,292,630.00

228	FUNDING:	
229	General Funds.....	\$ 5,983,100.00
230	Special Funds.....	<u>70,309,530.00</u>
231	Total.....	\$ 76,292,630.00

232	AUTHORIZED POSITIONS:	
233	Permanent: Full Time.....	9
234	Part Time.....	0
235	Time-Limited: Full Time.....	6
236	Part Time.....	0

237 With the funds herein appropriated, it is the intention of  
 238 the Legislature that it shall be the agency's responsibility to  
 239 make certain that funds required to be appropriated for "Personal  
 240 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
 241 funds appropriated for that purpose, unless programs or positions  
 242 are added to the agency's Fiscal Year 2007 budget by the  
 243 Mississippi Legislature. Based on data provided by the  
 244 Legislative Budget Office, the State Personnel Board shall  
 245 determine and publish the projected annual cost to fully fund all  
 246 appropriated positions in compliance with the provisions of this  
 247 act. It shall be the responsibility of the agency head to insure  
 248 that no single personnel action increases this projected annual  
 249 cost and/or the Fiscal Year 2006 appropriation for "Personal  
 250 Services" when annualized, with the exception of escalated funds.  
 251 If, at the time the agency takes any action to change "Personal  
 252 Services," the State Personnel Board determines that the agency  
 253 has taken an action which would cause the agency to exceed this  
 254 projected annual cost or the Fiscal Year 2006 "Personal Services"  
 255 appropriated level, when annualized, then only those actions which  
 256 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 or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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.

The agency shall not take any action to promote or otherwise award salary increases through reallocation, reclassification, realignment, education benchmark, career ladder, or any other means to increase salaries of employees or positions unless specifically exempted by the following conditions: the award of teacher pay increases, the advancement of a trainee/cadet to the next level of a bona fide career ladder, the award of an educational benchmark for the attainment of Certified Public Accountant License or higher level professional certification as determined by the State Personnel Board, the immediate replacement of a departing employee with an individual from within state service or a new hire at a salary level equivalent to that of the departing employee, and the emergency appointment of nurses, pharmacists or other health care professionals at a salary to be determined by the State Personnel Board, unless otherwise authorized in this act.

**SECTION 5.** It is the intention of the Legislature that the Department of Human Services shall maintain complete accounting

and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2005. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2007 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2006 budget request process.

**SECTION 6.** None of the funds appropriated under the provisions of Sections 1 and 2 shall be used to pay any contractor that is not a successful bidder for genetic paternity testing services bid by the Department of Human Services.

**SECTION 7.** Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2005. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

**SECTION 8.** It is the intention of the Legislature that the Department of Human Services contract with the Department of Health to operate the School Nurse Teen Pregnancy Prevention Pilot Program as described in House Bill No. 766 of the 1997 Legislative Session, in compliance with all applicable TANF federal and state regulations.

**SECTION 9.** Of the funds appropriated in Section 2, Four Million Five Hundred Thousand Dollars (\$4,500,000.00) of TANF (Temporary Assistance for Needy Families) federal funds shall be transferred to the Office of the Attorney General for the purpose of subgranting with entities which will develop and implement programs that serve unmet needs of "at risk" youth in the state, including, but not being limited to, Boys and Girls Clubs, Big

Brothers Big Sisters of America, Communities in Schools, and the State Coalition of Young Men's Christian Association (YMCA). Of the funds authorized in this section, not more than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be allocated among Boys and Girls Clubs, Big Brothers Big Sisters of America, and Communities in Schools, and not more than Two Million Dollars (\$2,000,000.00) shall be allocated to the State Coalition of Young Men's Christian Association (YMCA). The Attorney General shall administer the transferred TANF funds.

**SECTION 10.** None of the above funds shall be used to hire employees under Personal Service Contracts except for Personal Service Contracts for the Office for Children and Youth - Child Care and Office for Children and Youth - Child Care Managers.

**SECTION 11.** From the funds provided herein, the department shall have the authority to adjust salaries of academic teachers and speech pathologists to be commensurate to the teacher's salary scale as provided in the Mississippi Teacher Opportunity Program for the 2005-2006 school year, as outlined in Section 37-19-7, Mississippi Code of 1972.

**SECTION 12.** The Department shall shift expenditures from the Temporary Assistance for Needy Families (TANF) portion of the Child Care Development Block Grant Funds (CCDF) to the CCDF matching grant portion for the continued funding of the Families First Resource Centers through the current federal fiscal year (September 30, 2005).

The department shall utilize TANF funds from the federal Fiscal Year 2006 allotment for the continued funding of the Families First Resource Centers through June 30, 2006.

**SECTION 13.** The department is authorized to escalate, budget and expend special and/or federal funds received from any source to carry out the duties of the department in an amount not to exceed Twenty Million Dollars (\$20,000,000.00). Such funds are to be escalated in accordance with procedures for federal fund

escalations as established in Section 27-104-21, Mississippi Code of 1972, and expended for the purposes of performing such duties as set forth by law in accordance with applicable rules and regulations of the State Fiscal Officer.

**SECTION 14.** It is the intention of the Legislature that the Executive Director of the Department of Human Services may authorize increases in major objects of expenditure in total amounts not to exceed twenty-five percent (25%) of the appropriated amount of each major object of expenditure, provided that other major objects of expenditure are decreased by a corresponding dollar amount. However, no transfers shall be authorized which increase the major object of expenditure "Salaries, Wages and Fringe Benefits."

**SECTION 15.** It is the intention of the Legislature that the Executive Director of the Department of Human Services may transfer between the various offices authorized herein General Funds, Special Funds and spending authority not to exceed twenty-five percent (25%) of the receiving office in addition to any other transfers or escalations made in accordance with Section 27-104-17(3), Mississippi Code of 1972. However, the budget category of "Salaries, Wages and Fringe Benefits" shall not be changed.

The Executive Director of the Department of Human Services shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer. It is further the intention of the Legislature that any transfers made under the provisions of this paragraph shall be of an emergency nature and that in no case shall the transfers be made which substantially alter the legislative intent for the various offices as set forth in the original appropriations made under this act.

388           **SECTION 16.** Of the funds appropriated under the provisions  
389 of Section 2, Two Million Three Hundred Forty-seven Thousand Two  
390 Hundred Fifty-one Dollars (\$2,347,251.00) shall be derived from  
391 the Budget Contingency Fund, as created in Section 27-103-301,  
392 Mississippi Code of 1972.

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

399           **SECTION 18.** This act shall take effect and be in force from  
400 and after July 1, 2005.