

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

To: Appropriations

HOUSE BILL NO. 82

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
2 REHABILITATION SERVICES FOR FISCAL YEAR 2006.

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 Rehabilitation Services for the fiscal year beginning
8 July 1, 2005, and ending June 30, 2006..... \$ 7,763,549.00.

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 Rehabilitation Services which is comprised of special source funds
13 collected by or otherwise available to the department for the
14 support of the various offices of the department, for the purpose
15 of defraying the expenses of the department for the fiscal year
16 beginning July 1, 2005, and ending June 30, 2006.....
17 \$ 131,323,869.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 2, Six Million Four Hundred Sixty-one Thousand Four
20 Hundred Twenty-one Dollars (\$6,461,421.00) shall be derived from
21 the Health Care Expendable Fund created in Section 43-13-407,
22 Mississippi Code of 1972. The above funds shall be allocated as
23 follows:

24 Fully match all available federal
25 funds.....\$4,883,338.00
26 Independent Living Program which
27 includes the State Attendant

28 Care Program.....\$1,500,322.00

29 Deaf and hard of hearing.....\$ 77,761.00

30 **SECTION 4.** Of the funds appropriated under the provisions of
31 Sections 1, 2 and 3, not more than the amounts set forth below
32 shall be expended for the respective major objects or purposes of
33 expenditure:

34 **OFFICE OF VOCATIONAL REHABILITATION**

35 MAJOR OBJECTS OF EXPENDITURE:

36 Personal Services:

37 Salaries, Wages and Fringe Benefits.. \$ 20,639,412.00

38 Travel and Subsistence..... 730,378.00

39 Contractual Services..... 3,978,040.00

40 Commodities..... 276,592.00

41 Capital Outlay:

42 Other Than Equipment..... 0.00

43 Equipment..... 392,426.00

44 Subsidies, Loans and Grants..... 21,903,350.00

45 Total..... \$ 47,920,198.00

46 FUNDING:

47 General Funds..... \$ 5,128,712.00

48 Special Funds..... 42,791,486.00

49 Total..... \$ 47,920,198.00

50 AUTHORIZED POSITIONS:

51 Permanent: Full Time..... 427

52 Part Time..... 7

53 Time-Limited: Full Time..... 100

54 Part Time..... 2

55 **OFFICE OF DISABILITY DETERMINATION SERVICES**

56 MAJOR OBJECTS OF EXPENDITURE:

57 Personal Services:

58 Salaries, Wages and Fringe Benefits.. \$ 13,747,183.00

59 Travel and Subsistence..... 225,000.00

60 Contractual Services..... 9,051,964.00

61	Commodities.....	523,390.00
62	Capital Outlay:	
63	Other Than Equipment.....	0.00
64	Equipment.....	1,000,000.00
65	Subsidies, Loans and Grants.....	<u>10,788,445.00</u>
66	Total..... \$	35,335,982.00

67 FUNDING:

68	General Funds..... \$	0.00
69	Special Funds.....	<u>35,335,982.00</u>
70	Total..... \$	35,335,982.00

71 AUTHORIZED POSITIONS:

72	Permanent: Full Time.....	274
73	Part Time.....	20
74	Time-Limited: Full Time.....	61
75	Part Time.....	0

76 **OFFICE OF VOCATIONAL REHABILITATION FOR THE BLIND**

77 MAJOR OBJECTS OF EXPENDITURE:

78	Personal Services:	
79	Salaries, Wages and Fringe Benefits.. \$	3,623,368.00
80	Travel and Subsistence.....	140,000.00
81	Contractual Services.....	853,238.00
82	Commodities.....	71,449.00
83	Capital Outlay:	
84	Other Than Equipment.....	12,000.00
85	Equipment.....	210,827.00
86	Subsidies, Loans and Grants.....	<u>7,092,740.00</u>
87	Total..... \$	12,003,622.00

88 FUNDING:

89	General Funds..... \$	1,101,591.00
90	Special Funds.....	<u>10,902,031.00</u>
91	Total..... \$	12,003,622.00

92 AUTHORIZED POSITIONS:

93	Permanent: Full Time.....	80
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94 Part Time..... 0
 95 Time-Limited: Full Time..... 4
 96 Part Time..... 2

97 The Office of Vocational Rehabilitation for the Blind shall
 98 remain accredited by using not more than Five Hundred Dollars
 99 (\$500.00) of the funds appropriated along with matching funds for
 100 payment of fees to an accreditation agency recommended by the
 101 Rehabilitation Services Administration.

102 **OFFICE OF SUPPORT SERVICES**

103 MAJOR OBJECTS OF EXPENDITURE:

104 Personal Services:

105	Salaries, Wages and Fringe Benefits.. \$	1,594,726.00
106	Travel and Subsistence.....	82,250.00
107	Contractual Services.....	411,199.00
108	Commodities.....	43,760.00
109	Capital Outlay:	
110	Other Than Equipment.....	0.00
111	Equipment.....	25,000.00
112	Subsidies, Loans and Grants.....	<u>30,000.00</u>
113	Total..... \$	2,186,935.00

114 FUNDING:

115	General Funds..... \$	0.00
116	Special Funds.....	<u>2,186,935.00</u>
117	Total..... \$	2,186,935.00

118 AUTHORIZED POSITIONS:

119 Permanent: Full Time..... 23
 120 Part Time..... 1
 121 Time-Limited: Full Time..... 0
 122 Part Time..... 0

123 **SPINAL CORD AND HEAD INJURY PROGRAM**

124 MAJOR OBJECTS OF EXPENDITURE:

125 Personal Services:

126	Salaries, Wages and Fringe Benefits.. \$	206,872.00
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127	Travel and Subsistence.....		32,500.00
128	Contractual Services.....		75,728.00
129	Commodities.....		11,440.00
130	Capital Outlay:		
131	Other Than Equipment.....		0.00
132	Equipment.....		10,000.00
133	Subsidies, Loans and Grants.....		<u>13,286,749.00</u>
134	Total.....	\$	13,623,289.00
135	FUNDING:		
136	General Funds.....	\$	0.00
137	Special Funds.....		<u>13,623,289.00</u>
138	Total.....	\$	13,623,289.00
139	AUTHORIZED POSITIONS:		
140	Permanent: Full Time.....	5	
141	Part Time.....	0	
142	Time-Limited: Full Time.....	0	
143	Part Time.....	0	
144	SPECIAL DISABILITY PROGRAM		
145	MAJOR OBJECTS OF EXPENDITURE:		
146	Personal Services:		
147	Salaries, Wages and Fringe Benefits..	\$	1,984,349.00
148	Travel and Subsistence.....		92,000.00
149	Contractual Services.....		248,308.00
150	Commodities.....		23,000.00
151	Capital Outlay:		
152	Other Than Equipment.....		0.00
153	Equipment.....		20,000.00
154	Subsidies, Loans and Grants.....		<u>25,649,735.00</u>
155	Total.....	\$	28,017,392.00
156	FUNDING:		
157	General Funds.....	\$	1,533,246.00
158	Special Funds.....		<u>26,484,146.00</u>
159	Total.....	\$	28,017,392.00

160 AUTHORIZED POSITIONS:

161	Permanent:	Full Time.....	34
162		Part Time.....	0
163	Time-Limited:	Full Time.....	9
164		Part Time.....	0

165 With the funds herein appropriated, it is the intention of
166 the Legislature that it shall be the agency's responsibility to
167 make certain that funds required to be appropriated for "Personal
168 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
169 funds appropriated for that purpose, unless programs or positions
170 are added to the agency's Fiscal Year 2007 budget by the
171 Mississippi Legislature. Based on data provided by the
172 Legislative Budget Office, the State Personnel Board shall
173 determine and publish the projected annual cost to fully fund all
174 appropriated positions in compliance with the provisions of this
175 act. It shall be the responsibility of the agency head to insure
176 that no single personnel action increases this projected annual
177 cost and/or the Fiscal Year 2006 appropriation for "Personal
178 Services" when annualized, with the exception of escalated funds.
179 If, at the time the agency takes any action to change "Personal
180 Services," the State Personnel Board determines that the agency
181 has taken an action which would cause the agency to exceed this
182 projected annual cost or the Fiscal Year 2006 "Personal Services"
183 appropriated level, when annualized, then only those actions which
184 reduce the projected annual cost and/or the appropriation
185 requirement will be processed by the State Personnel Board until
186 such time as the requirements of this provision are met.

187 Any transfers or escalations shall be made in accordance with
188 the terms, conditions and procedures established by law or
189 allowable under the terms set forth within this act. The State
190 Personnel Board shall not escalate positions without written
191 approval from the Department of Finance and Administration. The
192 Department of Finance and Administration shall not provide written

193 approval to escalate any funds for salaries and/or positions
194 without proof of availability of new or additional funds above the
195 appropriated level.

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

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

216 It is the intention of the Legislature that the Executive
217 Director of the Department of Rehabilitation Services may transfer
218 between the various offices authorized herein both funds and
219 positions not to exceed twenty-five percent (25%) of the receiving
220 office in addition to any other transfers or escalations made in
221 accordance with Section 27-104-17(3), Mississippi Code of 1972,
222 Annotated. The Executive Director of the Department of
223 Rehabilitation Services shall submit written justification for the
224 transfer to the Legislative Budget Office and the Department of
225 Finance and Administration on or before the fifteenth of the month

226 prior to the effective date of the transfer. It is further the
227 intention of the Legislature that any transfers made under the
228 provisions of this paragraph shall be of an emergency nature and
229 that in no case shall the transfers be made which substantially
230 alter the legislative intent for the various offices as set forth
231 in the original appropriations made under this act.

232 **SECTION 5.** In addition to all other sums herein
233 appropriated, the following sum, or so much thereof as may be
234 necessary, is hereby appropriated out of any funds which are
235 received by or otherwise become available to the Mississippi
236 Department of Rehabilitation Services to provide funding for
237 construction grants and establishment grants for the fiscal year
238 beginning July 1, 2005, and ending June 30, 2006.....
239 \$ 4,000,000.00.

240 **SECTION 6.** It is the intention of the Legislature that the
241 Department of Rehabilitation Services shall maintain complete
242 accounting and personnel records related to the expenditure of all
243 funds appropriated under this act and that such records shall be
244 in the same format and level of detail as maintained for Fiscal
245 Year 2005. It is further the intention of the Legislature that
246 the agency's budget request for Fiscal Year 2007 shall be
247 submitted to the Joint Legislative Budget Committee in a format
248 and level of detail comparable to the format and level of detail
249 provided during the Fiscal Year 2006 budget request process.

250 **SECTION 7.** It shall be unlawful for any officer, employee or
251 other person whatsoever to use or permit or authorize the use of
252 any automobile or any other motor vehicle owned by the State of
253 Mississippi or any department, agency or institution thereof for
254 any purpose other than upon the official business of the State of
255 Mississippi or any agency, department or institution thereof.

256 It is the intent of the Legislature that motor vehicles
257 authorized to be owned and operated by this agency shall comply
258 with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

259 **SECTION 8.** Of the funds in Sections 1, 2 and 3, the
260 Mississippi Department of Rehabilitation Services through the
261 Office of Vocational Rehabilitation for the Blind is authorized to
262 expend an amount not to exceed One Hundred Thousand Dollars
263 (\$100,000.00) for the National Federation for the Blind (NFB) News
264 line service to allow blind and visually impaired persons to
265 access newspapers through toll-free telephone calls.

266 **SECTION 9.** Of the funds appropriated herein within this act
267 the following amount of Two Million Five Hundred Thousand Dollars
268 (\$2,500,000.00) shall be derived from Treasury Fund No. 3332 for
269 the purpose of matching all available federal funds.

270 **SECTION 10.** The money herein appropriated shall be paid by
271 the State Treasurer out of any money in the State Treasury to the
272 credit of the proper fund or funds as set forth in this act, upon
273 warrants issued by the State Fiscal Officer; and the State Fiscal
274 Officer shall issue his warrants upon requisitions signed by the
275 proper person, officer or officers, in the manner provided by law.

276 **SECTION 11.** This act shall take effect and be in force from
277 and after July 1, 2005.