

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

To: Appropriations

HOUSE BILL NO. 1576
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN
2 SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2007.

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, 2006, and
8 ending June 30, 2007..... \$ 93,530,087.00.

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, 2006, and ending June 30, 2007.....
17 \$ 681,721,677.00.

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..	\$	20,674,737.00
32	Travel and Subsistence.....		187,048.00
33	Contractual Services.....		3,124,096.00
34	Commodities.....		1,927,140.00
35	Capital Outlay:		
36	Other Than Equipment.....		0.00
37	Equipment.....		142,000.00
38	Subsidies, Loans and Grants.....		<u>5,750,000.00</u>
39	Total.....	\$	31,805,021.00

40 FUNDING:

41	General Funds.....	\$	19,149,718.00
42	Special Funds.....		<u>12,655,303.00</u>
43	Total.....	\$	31,805,021.00

44 AUTHORIZED POSITIONS:

45	Permanent:	Full Time.....	471
46		Part Time.....	4
47	Time-Limited:	Full Time.....	96
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..	\$	29,828,454.00
72	Travel and Subsistence.....		2,485,245.00
73	Contractual Services.....		14,127,039.00
74	Commodities.....		654,062.00
75	Capital Outlay:		
76	Other Than Equipment.....		0.00
77	Equipment.....		102,170.00
78	Subsidies, Loans and Grants.....		<u>27,432,375.00</u>
79	Total.....	\$	74,629,345.00

80 FUNDING:

81	General Funds.....	\$	18,626,387.00
82	Special Funds.....		<u>56,002,958.00</u>
83	Total.....	\$	74,629,345.00

84 AUTHORIZED POSITIONS:

85	Permanent:	Full Time.....	584
86		Part Time.....	0
87	Time-Limited:	Full Time.....	202
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..	\$	1,129,514.00
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93	Travel and Subsistence.....	57,344.00
94	Contractual Services.....	264,499.00
95	Commodities.....	38,200.00
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.....	\$ 19,995,767.00

101 FUNDING:

102	General Funds.....	\$ 1,300,412.00
103	Special Funds.....	<u>18,695,355.00</u>
104	Total.....	\$ 19,995,767.00

105 AUTHORIZED POSITIONS:

106	Permanent: Full Time.....	23
107	Part Time.....	0
108	Time-Limited: Full Time.....	7
109	Part Time.....	0

110 **DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE**
111 **FOR NEEDY FAMILIES (TANF)**

112 MAJOR OBJECTS OF EXPENDITURE:

113 Personal Services:

114	Salaries, Wages and Fringe Benefits..	\$ 44,037,918.00
115	Travel and Subsistence.....	447,711.00
116	Contractual Services.....	32,645,537.00
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>409,097,994.00</u>
122	Total.....	\$ 487,275,050.00

123 FUNDING:

124	General Funds.....	\$ 39,549,525.00
125	Special Funds.....	<u>447,725,525.00</u>

126 Total..... \$ 487,275,050.00

127 AUTHORIZED POSITIONS:

128 Permanent: Full Time..... 1,044

129 Part Time..... 0

130 Time-Limited: Full Time..... 152

131 Part Time..... 0

132 **DIVISION OF CHILD SUPPORT ENFORCEMENT**

133 MAJOR OBJECTS OF EXPENDITURE:

134 Personal Services:

135 Salaries, Wages and Fringe Benefits.. \$ 19,864,417.00

136 Travel and Subsistence..... 375,000.00

137 Contractual Services..... 6,611,433.00

138 Commodities..... 269,450.00

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..... \$ 36,690,199.00

144 FUNDING:

145 General Funds..... \$ 5,499,239.00

146 Special Funds..... 31,190,960.00

147 Total..... \$ 36,690,199.00

148 AUTHORIZED POSITIONS:

149 Permanent: Full Time..... 298

150 Part Time..... 0

151 Time-Limited: Full Time..... 219

152 Part Time..... 0

153 **DIVISION OF COMMUNITY SERVICES**

154 MAJOR OBJECTS OF EXPENDITURE:

155 Personal Services:

156 Salaries, Wages and Fringe Benefits.. \$ 525,227.00

157 Travel and Subsistence..... 29,303.00

158 Contractual Services..... 388,421.00

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..... \$	28,223,376.00

165 FUNDING:

166	General Funds..... \$	0.00
167	Special Funds.....	<u>28,223,376.00</u>
168	Total..... \$	28,223,376.00

169 AUTHORIZED POSITIONS:

170	Permanent: Full Time.....	8
171	Part Time.....	0
172	Time-Limited: Full Time.....	3
173	Part Time.....	0

174 **DIVISION OF SUPPORT SERVICES**

175 MAJOR OBJECTS OF EXPENDITURE:

176 Personal Services:

177	Salaries, Wages and Fringe Benefits.. \$	9,965,597.00
178	Travel and Subsistence.....	93,050.00
179	Contractual Services.....	2,227,596.00
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..... \$	12,539,086.00

186 FUNDING:

187	General Funds..... \$	3,564,308.00
188	Special Funds.....	<u>8,974,778.00</u>
189	Total..... \$	12,539,086.00

190 AUTHORIZED POSITIONS:

191	Permanent: Full Time.....	186
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192	Part Time.....	0
193	Time-Limited: Full Time.....	20
194	Part Time.....	0

SOCIAL SERVICES BLOCK GRANT PROGRAM

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

198	Salaries, Wages and Fringe Benefits.. \$	116,633.00
199	Travel and Subsistence.....	4,000.00
200	Contractual Services.....	79,793.00
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..... \$	5,706,916.00

FUNDING:

208	General Funds..... \$	0.00
209	Special Funds.....	<u>5,706,916.00</u>
210	Total..... \$	5,706,916.00

AUTHORIZED POSITIONS:

212	Permanent: Full Time.....	1
213	Part Time.....	0
214	Time-Limited: Full Time.....	1
215	Part Time.....	0

OFFICE FOR CHILDREN AND YOUTH

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

219	Salaries, Wages and Fringe Benefits.. \$	804,977.00
220	Travel and Subsistence.....	12,421.00
221	Contractual Services.....	353,795.00
222	Commodities.....	33,500.00
223	Capital Outlay:	
224	Other Than Equipment.....	0.00

225	Equipment.....	29,450.00
226	Subsidies, Loans and Grants.....	<u>77,152,861.00</u>
227	Total.....	\$ 78,387,004.00

228 FUNDING:

229	General Funds.....	\$ 5,840,498.00
230	Special Funds.....	<u>72,546,506.00</u>
231	Total.....	\$ 78,387,004.00

232 AUTHORIZED POSITIONS:

233	Permanent: Full Time.....	10
234	Part Time.....	0
235	Time-Limited: Full Time.....	6
236	Part Time.....	0

237 Funds are provided herein to adjust the Variable Compensation
 238 Plan to ensure that all full-time employees receive a pay increase
 239 equal to the realignment component of the Variable Compensation
 240 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
 241 with not more than one-half (1/2) to be awarded on July 1, 2006,
 242 with the remainder to be awarded on January 1, 2007.

243 With the funds herein appropriated, it is the intention of
 244 the Legislature that it shall be the agency's responsibility to
 245 make certain that funds required to be appropriated for "Personal
 246 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
 247 funds appropriated for that purpose, unless programs or positions
 248 are added to the agency's Fiscal Year 2008 budget by the
 249 Mississippi Legislature. Based on data provided by the
 250 Legislative Budget Office, the State Personnel Board shall
 251 determine and publish the projected annual cost to fully fund all
 252 appropriated positions in compliance with the provisions of this
 253 act. It shall be the responsibility of the agency head to insure
 254 that no single personnel action increases this projected annual
 255 cost and/or the Fiscal Year 2007 appropriation for "Personal
 256 Services" when annualized, with the exception of escalated funds.
 257 If, at the time the agency takes any action to change "Personal

258 Services," the State Personnel Board determines that the agency
259 has taken an action which would cause the agency to exceed this
260 projected annual cost or the Fiscal Year 2007 "Personal Services"
261 appropriated level, when annualized, then only those actions which
262 reduce the projected annual cost and/or the appropriation
263 requirement will be processed by the State Personnel Board until
264 such time as the requirements of this provision are met.

265 Any transfers or escalations shall be made in accordance with
266 the terms, conditions and procedures established by law or
267 allowable under the terms set forth within this act. The State
268 Personnel Board shall not escalate positions without written
269 approval from the Department of Finance and Administration. The
270 Department of Finance and Administration shall not provide written
271 approval to escalate any funds for salaries and/or positions
272 without proof of availability of new or additional funds above the
273 appropriated level.

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

278 **SECTION 5.** It is the intention of the Legislature that the
279 Department of Human Services shall maintain complete accounting
280 and personnel records related to the expenditure of all funds
281 appropriated under this act and that such records shall be in the
282 same format and level of detail as maintained for Fiscal Year
283 2006. It is further the intention of the Legislature that the
284 agency's budget request for Fiscal Year 2008 shall be submitted to
285 the Joint Legislative Budget Committee in a format and level of
286 detail comparable to the format and level of detail provided
287 during the Fiscal Year 2007 budget request process.

288 **SECTION 6.** None of the funds appropriated under the
289 provisions of Sections 1 and 2 shall be used to pay any contractor

290 that is not a successful bidder for genetic paternity testing
291 services bid by the Department of Human Services.

292 **SECTION 7.** Of the funds appropriated in Section 2, One
293 Million Dollars (\$1,000,000.00) shall be transferred to the
294 Department of Health, Child Care Licensure Program from the Child
295 Care Development Fund or other appropriate special fund. These
296 funds are to be transferred to the Board of Health no later than
297 July 31, 2006. The Department of Health shall make a complete
298 accounting to the Department of Human Services detailing the uses
299 of these funds in accordance with federal and state regulations.

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

306 **SECTION 9.** Of the funds appropriated in Section 2, Five
307 Million Five Hundred Thousand Dollars (\$5,500,000.00) of TANF
308 (Temporary Assistance for Needy Families) federal funds shall be
309 transferred to the Office of the Attorney General for the purpose
310 of subgranting with entities which will develop and implement
311 programs that serve unmet needs of "at risk" youth in the state,
312 including, but not being limited to, Boys and Girls Clubs, Big
313 Brothers Big Sisters of America, Communities in Schools, and the
314 State Coalition of Young Men's Christian Association (YMCA). Of
315 the funds authorized in this section, not more than Two Million
316 Five Hundred Thousand Dollars (\$2,500,000.00) shall be allocated
317 among Boys and Girls Clubs, Big Brothers Big Sisters of America,
318 and Communities in Schools, and not more than Two Million Dollars
319 (\$2,000,000.00) shall be allocated to the State Coalition of Young
320 Men's Christian Association (YMCA). The Attorney General shall
321 administer the transferred TANF funds.

322 **SECTION 10.** Of the funds authorized in Section 9, an amount
323 not to exceed One Million Dollars (\$1,000,000.00) of TANF funds as
324 contained in the federal "TANF Emergency Response and Recovery Act
325 of 2005," shall be transferred to the Attorney General for the
326 purpose of contracting with Boys and Girls Clubs in the Katrina
327 impacted areas of the State of Mississippi.

328 **SECTION 11.** None of the above funds shall be used to hire
329 employees under Personal Service Contracts except for Personal
330 Service Contracts for the Office for Children and Youth - Child
331 Care and Office for Children and Youth - Child Care Managers.

332 **SECTION 12.** The Department shall shift expenditures from the
333 Temporary Assistance for Needy Families (TANF) portion of the
334 Child Care Development Block Grant Funds (CCDF) to the CCDF
335 matching grant portion for the continued funding of the Families
336 First Resource Centers through the current federal fiscal year
337 (September 30, 2006).

338 The department shall utilize TANF funds from the federal
339 Fiscal Year 2007 allotment for the continued funding of the
340 Families First Resource Centers through June 30, 2007.

341 **SECTION 13.** The department is authorized to escalate, budget
342 and expend special and/or federal funds received from any source
343 to carry out the duties of the department in an amount not to
344 exceed Twenty Million Dollars (\$20,000,000.00). Such funds are to
345 be escalated in accordance with procedures for federal fund
346 escalations as established in Section 27-104-21, Mississippi Code
347 of 1972, and expended for the purposes of performing such duties
348 as set forth by law in accordance with applicable rules and
349 regulations of the State Fiscal Officer.

350 **SECTION 14.** It is the intention of the Legislature that the
351 Executive Director of the Department of Human Services may
352 authorize increases in major objects of expenditure in total
353 amounts not to exceed twenty-five percent (25%) of the
354 appropriated amount of each major object of expenditure, provided

355 that other major objects of expenditure are decreased by a
356 corresponding dollar amount. However, no transfers shall be
357 authorized which increase the major object of expenditure
358 "Salaries, Wages and Fringe Benefits."

359 **SECTION 15.** It is the intention of the Legislature that the
360 Executive Director of the Department of Human Services may
361 transfer between the various offices authorized herein General
362 Funds, Special Funds and spending authority not to exceed
363 twenty-five percent (25%) of the receiving office in addition to
364 any other transfers or escalations made in accordance with Section
365 27-104-17(3), Mississippi Code of 1972. However, the budget
366 category of "Salaries, Wages and Fringe Benefits" shall not be
367 changed.

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

378 **SECTION 16.** Of the funds in Sections 1 and 2, and authorized
379 positions in Section 4, the agency shall establish a full time,
380 permanent Nutritionist Supervisor position (Occupation Code 1967)
381 in the Office of Aging and Adult Services on July 1, 2006, and
382 shall fill this position as soon as practicable.

383 **SECTION 17.** It is the intention of the Legislature that
384 whenever two (2) or more bids are received by this agency for the
385 purchase of commodities or equipment, and whenever all things
386 stated in such received bids are equal with respect to price,
387 quality and service, the Mississippi Industries for the Blind

388 shall be given preference. A similar preference shall be given to
389 the Mississippi Industries for the Blind whenever purchases are
390 made without competitive bids.

391 **SECTION 18.** The Department of Human Services is hereby
392 authorized to expend available funds on technology or equipment
393 upgrades or replacements when it will generate savings through
394 efficiency or when the savings generated from such upgrades or
395 replacements exceed expenditures thereof.

396 **SECTION 19.** The money herein appropriated shall be paid by
397 the State Treasurer out of any money in the State Treasury to the
398 credit of the proper fund or funds as set forth in this act, upon
399 warrants issued by the State Fiscal Officer; and the State Fiscal
400 Officer shall issue his warrants upon requisitions signed by the
401 proper person, officer or officers, in the manner provided by law.

402 **SECTION 20.** This act shall take effect and be in force from
403 and after July 1, 2006.