

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

To: Appropriations

HOUSE BILL NO. 1577
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
2 REHABILITATION SERVICES FOR 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 Rehabilitation Services for the fiscal year beginning
8 July 1, 2006, and ending June 30, 2007..... \$ 11,536,638.00.

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, 2006, and ending June 30, 2007.....
17 \$ 148,371,567.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 2, Five Million Seventy-one Thousand One Hundred Eighteen
20 Dollars (\$5,071,118.00) shall be derived from the Health Care
21 Expendable Fund created in Section 43-13-407, Mississippi Code of
22 1972. The above funds shall be allocated as follows:

23 Fully match all available federal
24 funds.....\$3,832,591.00
25 Independent Living Program which
26 includes the State Attendant
27 Care Program.....\$1,177,498.00

28 Deaf and hard of hearing.....\$ 61,029.00

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

33 **OFFICE OF VOCATIONAL REHABILITATION**

34 MAJOR OBJECTS OF EXPENDITURE:

35 Personal Services:

36	Salaries, Wages and Fringe Benefits.. \$	22,416,992.00
37	Travel and Subsistence.....	634,000.00
38	Contractual Services.....	3,703,624.00
39	Commodities.....	276,592.00
40	Capital Outlay:	
41	Other Than Equipment.....	0.00
42	Equipment.....	352,426.00
43	Subsidies, Loans and Grants.....	<u>23,456,666.00</u>
44	Total..... \$	50,840,300.00

45 FUNDING:

46	General Funds..... \$	6,559,048.00
47	Special Funds.....	<u>44,281,252.00</u>
48	Total..... \$	50,840,300.00

49 AUTHORIZED POSITIONS:

50	Permanent: Full Time.....	458
51	Part Time.....	7
52	Time-Limited: Full Time.....	100
53	Part Time.....	2

54 **OFFICE OF DISABILITY DETERMINATION SERVICES**

55 MAJOR OBJECTS OF EXPENDITURE:

56 Personal Services:

57	Salaries, Wages and Fringe Benefits.. \$	14,842,590.00
58	Travel and Subsistence.....	225,000.00
59	Contractual Services.....	9,051,964.00
60	Commodities.....	523,390.00

61	Capital Outlay:		
62	Other Than Equipment.....		0.00
63	Equipment.....		1,000,000.00
64	Subsidies, Loans and Grants.....		<u>10,788,445.00</u>
65	Total.....	\$	36,431,389.00

66	FUNDING:		
67	General Funds.....	\$	0.00
68	Special Funds.....		<u>36,431,389.00</u>
69	Total.....	\$	36,431,389.00

70	AUTHORIZED POSITIONS:		
71	Permanent: Full Time.....	274	
72	Part Time.....	20	
73	Time-Limited: Full Time.....	61	
74	Part Time.....	0	

OFFICE OF VOCATIONAL REHABILITATION FOR THE BLIND

76	MAJOR OBJECTS OF EXPENDITURE:		
77	Personal Services:		
78	Salaries, Wages and Fringe Benefits..	\$	3,886,080.00
79	Travel and Subsistence.....		131,514.00
80	Contractual Services.....		803,130.00
81	Commodities.....		71,449.00
82	Capital Outlay:		
83	Other Than Equipment.....		12,000.00
84	Equipment.....		178,827.00
85	Subsidies, Loans and Grants.....		<u>7,240,411.00</u>
86	Total.....	\$	12,323,411.00

87	FUNDING:		
88	General Funds.....	\$	1,300,050.00
89	Special Funds.....		<u>11,023,361.00</u>
90	Total.....	\$	12,323,411.00

91	AUTHORIZED POSITIONS:		
92	Permanent: Full Time.....	80	
93	Part Time.....	0	

94 Time-Limited: Full Time..... 4
 95 Part Time..... 2

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

101 **OFFICE OF SUPPORT SERVICES**

102 MAJOR OBJECTS OF EXPENDITURE:

103 Personal Services:

104	Salaries, Wages and Fringe Benefits..	\$	1,654,020.00
105	Travel and Subsistence.....		79,727.00
106	Contractual Services.....		368,199.00
107	Commodities.....		43,760.00
108	Capital Outlay:		
109	Other Than Equipment.....		0.00
110	Equipment.....		16,057.00
111	Subsidies, Loans and Grants.....		<u>73,000.00</u>
112	Total.....	\$	2,234,763.00

113 FUNDING:

114	General Funds.....	\$	0.00
115	Special Funds.....		<u>2,234,763.00</u>
116	Total.....	\$	2,234,763.00

117 AUTHORIZED POSITIONS:

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

122 **SPINAL CORD AND HEAD INJURY PROGRAM**

123 MAJOR OBJECTS OF EXPENDITURE:

124 Personal Services:

125	Salaries, Wages and Fringe Benefits..	\$	895,013.00
126	Travel and Subsistence.....		29,021.00

127	Contractual Services.....	71,828.00
128	Commodities.....	10,840.00
129	Capital Outlay:	
130	Other Than Equipment.....	0.00
131	Equipment.....	5,800.00
132	Subsidies, Loans and Grants.....	<u>18,495,082.00</u>
133	Total..... \$	19,507,584.00

134 FUNDING:

135	General Funds..... \$	0.00
136	Special Funds.....	<u>19,507,584.00</u>
137	Total..... \$	19,507,584.00

138 AUTHORIZED POSITIONS:

139	Permanent: Full Time.....	23
140	Part Time.....	0
141	Time-Limited: Full Time.....	0
142	Part Time.....	0

143 **SPECIAL DISABILITY PROGRAM**

144 MAJOR OBJECTS OF EXPENDITURE:

145 Personal Services:

146	Salaries, Wages and Fringe Benefits.. \$	2,121,048.00
147	Travel and Subsistence.....	92,000.00
148	Contractual Services.....	248,308.00
149	Commodities.....	23,000.00
150	Capital Outlay:	
151	Other Than Equipment.....	0.00
152	Equipment.....	20,000.00
153	Subsidies, Loans and Grants.....	<u>36,066,402.00</u>
154	Total..... \$	38,570,758.00

155 FUNDING:

156	General Funds..... \$	3,677,540.00
157	Special Funds.....	<u>34,893,218.00</u>
158	Total..... \$	38,570,758.00

159 AUTHORIZED POSITIONS:

160	Permanent:	Full Time.....	55
161		Part Time.....	0
162	Time-Limited:	Full Time.....	9
163		Part Time.....	0

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

170 With the funds herein appropriated, it is the intention of
171 the Legislature that it shall be the agency's responsibility to
172 make certain that funds required to be appropriated for "Personal
173 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
174 funds appropriated for that purpose, unless programs or positions
175 are added to the agency's Fiscal Year 2008 budget by the
176 Mississippi Legislature. Based on data provided by the
177 Legislative Budget Office, the State Personnel Board shall
178 determine and publish the projected annual cost to fully fund all
179 appropriated positions in compliance with the provisions of this
180 act. It shall be the responsibility of the agency head to insure
181 that no single personnel action increases this projected annual
182 cost and/or the Fiscal Year 2007 appropriation for "Personal
183 Services" when annualized, with the exception of escalated funds.
184 If, at the time the agency takes any action to change "Personal
185 Services," the State Personnel Board determines that the agency
186 has taken an action which would cause the agency to exceed this
187 projected annual cost or the Fiscal Year 2007 "Personal Services"
188 appropriated level, when annualized, then only those actions which
189 reduce the projected annual cost and/or the appropriation
190 requirement will be processed by the State Personnel Board until
191 such time as the requirements of this provision are met.

192 Any transfers or escalations shall be made in accordance with
193 the terms, conditions and procedures established by law or
194 allowable under the terms set forth within this act. The State
195 Personnel Board shall not escalate positions without written
196 approval from the Department of Finance and Administration. The
197 Department of Finance and Administration shall not provide written
198 approval to escalate any funds for salaries and/or positions
199 without proof of availability of new or additional funds above the
200 appropriated level.

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

205 It is the intention of the Legislature that the Executive
206 Director of the Department of Rehabilitation Services may transfer
207 between the various offices authorized herein both funds and
208 positions not to exceed twenty-five percent (25%) of the receiving
209 office in addition to any other transfers or escalations made in
210 accordance with Section 27-104-17(3), Mississippi Code of 1972,
211 Annotated. The Executive Director of the Department of
212 Rehabilitation Services shall submit written justification for the
213 transfer to the Legislative Budget Office and the Department of
214 Finance and Administration on or before the fifteenth of the month
215 prior to the effective date of the transfer. It is further the
216 intention of the Legislature that any transfers made under the
217 provisions of this paragraph shall be of an emergency nature and
218 that in no case shall the transfers be made which substantially
219 alter the legislative intent for the various offices as set forth
220 in the original appropriations made under this act.

221 **SECTION 5.** In addition to all other sums herein
222 appropriated, the following sum, or so much thereof as may be
223 necessary, is hereby appropriated out of any funds which are
224 received by or otherwise become available to the Mississippi

225 Department of Rehabilitation Services to provide funding for
226 construction grants and establishment grants for the fiscal year
227 beginning July 1, 2006, and ending June 30, 2007.....
228 \$ 4,000,000.00.

229 **SECTION 6.** It is the intention of the Legislature that the
230 Department of Rehabilitation Services shall maintain complete
231 accounting and personnel records related to the expenditure of all
232 funds appropriated under this act and that such records shall be
233 in the same format and level of detail as maintained for Fiscal
234 Year 2006. It is further the intention of the Legislature that
235 the agency's budget request for Fiscal Year 2008 shall be
236 submitted to the Joint Legislative Budget Committee in a format
237 and level of detail comparable to the format and level of detail
238 provided during the Fiscal Year 2007 budget request process.

239 **SECTION 7.** It shall be unlawful for any officer, employee or
240 other person whatsoever to use or permit or authorize the use of
241 any automobile or any other motor vehicle owned by the State of
242 Mississippi or any department, agency or institution thereof for
243 any purpose other than upon the official business of the State of
244 Mississippi or any agency, department or institution thereof.

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

248 **SECTION 8.** Of the funds in Sections 1, 2 and 3, the
249 Mississippi Department of Rehabilitation Services through the
250 Office of Vocational Rehabilitation for the Blind is authorized to
251 expend an amount not to exceed One Hundred Thousand Dollars
252 (\$100,000.00) for the National Federation for the Blind (NFB) News
253 line service to allow blind and visually impaired persons to
254 access newspapers through toll-free telephone calls.

255 **SECTION 9.** It is the intention of the Legislature that
256 whenever two (2) or more bids are received by this agency for the
257 purchase of commodities or equipment, and whenever all things

258 stated in such received bids are equal with respect to price,
259 quality and service, the Mississippi Industries for the Blind
260 shall be given preference. A similar preference shall be given to
261 the Mississippi Industries for the Blind whenever purchases are
262 made without competitive bids.

263 **SECTION 10.** Of the funds appropriated herein, the following
264 amount of Two Million Five Hundred Thousand Dollars
265 (\$2,500,000.00) shall be derived from Treasury Fund No. 3332 for
266 the purpose of matching all available federal funds. The
267 Executive Director shall have the authority to transfer funds
268 herein between the Office of Special Disability budget and the
269 Spinal Cord and Head Injury Trust Fund budget.

270 **SECTION 11.** In addition to any funds appropriated herein,
271 Three Hundred Thousand Dollars (\$300,000.00) shall be derived from
272 the Budget Contingency Fund, as created in Section 27-103-301,
273 Mississippi Code of 1972.

274 **SECTION 12.** Of the funds appropriated in Section 11, Three
275 Hundred Thousand Dollars (\$300,000.00) is provided to the
276 Mississippi Industries for the Blind for a certain manufacturing
277 project and of this amount, Eighty Thousand Dollars (\$80,000.00)
278 shall be utilized to secure a contract for personal services to
279 develop a business plan. Said contractor shall have expertise and
280 experience in financial planning and the development of
281 comprehensive business plans. Two Hundred Twenty Thousand Dollars
282 (\$220,000.00) shall be utilized to purchase manufacturing
283 equipment.

284 **SECTION 13.** The money herein appropriated shall be paid by
285 the State Treasurer out of any money in the State Treasury to the
286 credit of the proper fund or funds as set forth in this act, upon
287 warrants issued by the State Fiscal Officer; and the State Fiscal
288 Officer shall issue his warrants upon requisitions signed by the
289 proper person, officer or officers, in the manner provided by law.

290 **SECTION 14.** This act shall take effect and be in force from
291 and after July 1, 2006.