

Senate Amendments to House Bill No. 1576

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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..... \$ 84,967,651.00.

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 \$ 674,246,627.00.

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:

DIVISION OF YOUTH SERVICES

MAJOR OBJECTS OF EXPENDITURE:

30	Personal Services:		
31	Salaries, Wages and Fringe Benefits..	\$	19,888,146.00
32	Travel and Subsistence.....		157,048.00
33	Contractual Services.....		3,047,088.00
34	Commodities.....		1,877,140.00
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.....	\$	30,861,422.00

40 FUNDING:

41	General Funds.....	\$	18,779,291.00
42	Special Funds.....		<u>12,082,131.00</u>
43	Total.....	\$	30,861,422.00

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.. \$	25,787,645.00
72	Travel and Subsistence.....	1,983,073.00
73	Contractual Services.....	14,055,113.00
74	Commodities.....	479,062.00
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..... \$	69,839,438.00

80 FUNDING:

81	General Funds..... \$	15,924,438.00
82	Special Funds.....	<u>53,915,000.00</u>
83	Total..... \$	69,839,438.00

84 AUTHORIZED POSITIONS:

85	Permanent: Full Time.....	487
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.. \$	532,365.00
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..... \$ 19,164,618.00

101 FUNDING:

102 General Funds..... \$ 866,761.00

103 Special Funds..... 18,297,857.00

104 Total..... \$ 19,164,618.00

105 AUTHORIZED POSITIONS:

106 Permanent: Full Time..... 6

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.. \$ 43,254,953.00

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..... 405,750,743.00

122 Total..... \$ 483,144,834.00

123 FUNDING:

124 General Funds..... \$ 36,068,814.00

125 Special Funds..... 447,076,020.00

126 Total..... \$ 483,144,834.00

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..	\$	18,023,884.00
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.....		<u>9,481,199.00</u>
143	Total.....	\$	34,532,929.00

144 FUNDING:

145	General Funds.....	\$	4,428,794.00
146	Special Funds.....		<u>30,104,135.00</u>
147	Total.....	\$	34,532,929.00

148 AUTHORIZED POSITIONS:

149	Permanent:	Full Time.....	248
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..	\$	526,220.00
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.....	\$	28,224,369.00

165 FUNDING:

166	General Funds.....	\$	0.00
167	Special Funds.....		<u>28,224,369.00</u>
168	Total.....	\$	28,224,369.00

169 AUTHORIZED POSITIONS:

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

DIVISION OF SUPPORT SERVICES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

177	Salaries, Wages and Fringe Benefits..	\$	9,051,590.00
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.....	\$	11,625,079.00

FUNDING:

187	General Funds.....	\$	3,091,453.00
188	Special Funds.....		<u>8,533,626.00</u>
189	Total.....	\$	11,625,079.00

AUTHORIZED POSITIONS:

191	Permanent:	Full Time.....	165
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..	\$	116,904.00
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.....	\$	5,707,187.00

207 FUNDING:

208	General Funds.....	\$	0.00
209	Special Funds.....		<u>5,707,187.00</u>
210	Total.....	\$	5,707,187.00

211 AUTHORIZED POSITIONS:

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

216 **OFFICE FOR CHILDREN AND YOUTH**

217 MAJOR OBJECTS OF EXPENDITURE:

218 Personal Services:

219	Salaries, Wages and Fringe Benefits..	\$	751,321.00
220	Travel and Subsistence.....		7,421.00
221	Contractual Services.....		348,795.00
222	Commodities.....		28,500.00
223	Capital Outlay:		
224	Other Than Equipment.....		0.00
225	Equipment.....		29,450.00
226	Subsidies, Loans and Grants.....		<u>74,948,915.00</u>
227	Total.....	\$	76,114,402.00

228 FUNDING:

229	General Funds.....	\$	5,808,100.00
230	Special Funds.....		<u>70,306,302.00</u>
231	Total.....	\$	76,114,402.00

232 AUTHORIZED POSITIONS:

233	Permanent: Full Time.....	9
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 Twelve Hundred Dollars (\$1,200.00), whichever is greater,
241 beginning on July 1, 2006.

242 Pursuant to policies established by the State Personnel
243 Board, agency heads may, on a case by case basis and within funds
244 available, recommend equity salary adjustments to Fiscal Year 2006
245 agency appropriation acts where application of limitations result
246 in awarding one employee a salary increase greater than another
247 employee within the same agency, with the same job classification
248 series and greater longevity.

249 With the funds herein appropriated, it is the intention of
250 the Legislature that it shall be the agency's responsibility to
251 make certain that funds required to be appropriated for "Personal
252 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
253 funds appropriated for that purpose, unless programs or positions
254 are added to the agency's Fiscal Year 2008 budget by the
255 Mississippi Legislature. Based on data provided by the
256 Legislative Budget Office, the State Personnel Board shall
257 determine and publish the projected annual cost to fully fund all
258 appropriated positions in compliance with the provisions of this
259 act. It shall be the responsibility of the agency head to insure
260 that no single personnel action increases this projected annual
261 cost and/or the Fiscal Year 2007 appropriation for "Personal
262 Services" when annualized, with the exception of escalated funds.
263 If, at the time the agency takes any action to change "Personal
264 Services," the State Personnel Board determines that the agency
265 has taken an action which would cause the agency to exceed this
266 projected annual cost or the Fiscal Year 2007 "Personal Services"
267 appropriated level, when annualized, then only those actions which
268 reduce the projected annual cost and/or the appropriation
269 requirement will be processed by the State Personnel Board until
270 such time as the requirements of this provision are met.

271 Any transfers or escalations shall be made in accordance with
272 the terms, conditions and procedures established by law or
273 allowable under the terms set forth within this act. The State
274 Personnel Board shall not escalate positions without written

275 approval from the Department of Finance and Administration. The
276 Department of Finance and Administration shall not provide written
277 approval to escalate any funds for salaries and/or positions
278 without proof of availability of new or additional funds above the
279 appropriated level.

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

284 **SECTION 5.** It is the intention of the Legislature that the
285 Department of Human Services shall maintain complete accounting
286 and personnel records related to the expenditure of all funds
287 appropriated under this act and that such records shall be in the
288 same format and level of detail as maintained for Fiscal Year
289 2006. It is further the intention of the Legislature that the
290 agency's budget request for Fiscal Year 2008 shall be submitted to
291 the Joint Legislative Budget Committee in a format and level of
292 detail comparable to the format and level of detail provided
293 during the Fiscal Year 2007 budget request process.

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

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

306 **SECTION 8.** It is the intention of the Legislature that the
307 Department of Human Services contract with the Department of
308 Health to operate the School Nurse Teen Pregnancy Prevention Pilot
309 Program as described in House Bill No. 766 of the 1997 Legislative

310 Session, in compliance with all applicable TANF federal and state
311 regulations.

312 **SECTION 9.** Of the funds appropriated in Section 2, Four
313 Million Five Hundred Thousand Dollars (\$4,500,000.00) of TANF
314 (Temporary Assistance for Needy Families) federal funds shall be
315 transferred to the Office of the Attorney General for the purpose
316 of subgranting with entities which will develop and implement
317 programs that serve unmet needs of "at risk" youth in the state,
318 including, but not being limited to, Boys and Girls Clubs, Big
319 Brothers Big Sisters of America, Communities in Schools, and the
320 State Coalition of Young Men's Christian Association (YMCA). Of
321 the funds authorized in this section, not more than Two Million
322 Five Hundred Thousand Dollars (\$2,500,000.00) shall be allocated
323 among Boys and Girls Clubs, Big Brothers Big Sisters of America,
324 and Communities in Schools, and not more than Two Million Dollars
325 (\$2,000,000.00) shall be allocated to the State Coalition of Young
326 Men's Christian Association (YMCA). The Attorney General shall
327 administer the transferred TANF funds.

328 **SECTION 10.** 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 11.** 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 12.** 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 13.** 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 14.** 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 15.** 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 16.** 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 17.** The money herein appropriated shall be paid by
392 the State Treasurer out of any money in the State Treasury to the
393 credit of the proper fund or funds as set forth in this act, upon
394 warrants issued by the State Fiscal Officer; and the State Fiscal
395 Officer shall issue his warrants upon requisitions signed by the
396 proper person, officer or officers, in the manner provided by law.

397 **SECTION 18.** This act shall take effect and be in force from
398 and after July 1, 2006.

SS05\HB1576A.J

John O. Gilbert
Secretary of the Senate