

By: Representative Stringer

To: Appropriations

HOUSE BILL NO. 1364  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 4 OF CHAPTER 3, LAWS OF 2006, TO  
2 AUTHORIZE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF MENTAL  
3 HEALTH TO TRANSFER GENERAL FUNDS FROM THE APPROPRIATION TO THE  
4 MENTAL HEALTH CRISIS CENTERS TO THE BUDGET OF THE MISSISSIPPI  
5 STATE HOSPITAL AND REDUCE THE BUDGET OF THE CRISIS CENTERS BY A  
6 CORRESPONDING AMOUNT; TO AMEND SECTION 4 OF CHAPTER 107, LAWS OF  
7 2006, TO PROVIDE THAT IF THE EXECUTIVE DIRECTOR TRANSFERS GENERAL  
8 FUNDS TO THE BUDGET OF THE MISSISSIPPI STATE HOSPITAL UNDER THE  
9 PRECEDING PROVISION, THE EXECUTIVE DIRECTOR SHALL BE AUTHORIZED TO  
10 ESCALATE THE BUDGET OF THE MISSISSIPPI STATE HOSPITAL BY THE  
11 AMOUNT OF FUNDS THAT WERE TRANSFERRED TO THAT BUDGET; TO AMEND  
12 SECTION 7 OF CHAPTER 64, LAWS OF 2006, TO INCREASE THE MAXIMUM  
13 AMOUNT BY WHICH THE MISSISSIPPI ARTS COMMISSION MAY ESCALATE ITS  
14 BUDGET; TO AMEND SECTION 13 OF CHAPTER 100, LAWS OF 2006, TO  
15 INCREASE THE MAXIMUM AMOUNT THAT THE MISSISSIPPI EMERGENCY  
16 MANAGEMENT AGENCY MAY TRANSFER AMONG TREASURY FUNDS AND BUDGET  
17 CATEGORIES; AND FOR RELATED PURPOSES.

18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

19 **SECTION 1.** Section 4 of Chapter 3, Laws of 2006, is amended  
20 as follows:

21 Section 4. With the funds appropriated under the provisions  
22 of this act, the following positions are authorized:

23	Permanent:	Full Time.....	385
24		Part Time.....	0
25	Time-Limited:	Full Time.....	0
26		Part Time.....	0

27 The Executive Director of the Department of Mental Health  
28 shall have the authority to transfer not more than One Million Two  
29 Hundred Thousand Dollars (\$1,200,000.00) from general funds that  
30 were appropriated under Section 1 of Chapter 3, Laws of 2006, to  
31 the budget of the Mississippi State Hospital and reduce the budget  
32 of the mental health crisis centers by a corresponding amount.  
33 The executive director shall submit justification for such a  
34 transfer to the Director of the Legislative Budget Office and the

35 Executive Director of the Department of Finance and Administration  
 36 on or before the fifteenth day of the month preceding the month in  
 37 which the transfer is to be made. However, notwithstanding any  
 38 provision of this section to the contrary, the executive director  
 39 shall not reduce funding at any crisis center below that which is  
 40 required to operate that crisis center at full funding of the  
 41 reasonable cost of operation at full capacity during fiscal year  
 42 2007.

43 **SECTION 2.** Section 4 of Chapter 107, Laws of 2006, is  
 44 amended as follows:

45 Section 4. Of the funds appropriated under the provisions of  
 46 Section 1 and authorized for expenditure under the provisions of  
 47 Section 2, not more than the amounts set forth below shall be  
 48 expended for the respective major objects or purposes of  
 49 expenditure:

50 **CENTRAL OFFICE**

51 MAJOR OBJECTS OF EXPENDITURE:

52 Personal Services:

53	Salaries, Wages and Fringe Benefits.. \$	5,850,825.00
54	Travel and Subsistence.....	260,600.00
55	Contractual Services.....	889,475.00
56	Commodities.....	143,860.00
57	Capital Outlay:	
58	Other Than Equipment.....	0.00
59	Equipment.....	45,000.00
60	Subsidies, Loans and Grants.....	<u>4,866,772.00</u>
61	Total..... \$	12,056,532.00

62 FUNDING:

63	General Funds..... \$	3,233,309.00
64	Special Funds.....	<u>8,823,223.00</u>
65	Total..... \$	12,056,532.00

66 AUTHORIZED POSITIONS:

67	Permanent: Full Time.....	79
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68	Part Time.....	0
69	Time-Limited: Full Time.....	21
70	Part Time.....	0

71 **SERVICE BUDGET**

72 MAJOR OBJECTS OF EXPENDITURE:

73 Personal Services:

74	Salaries, Wages and Fringe Benefits.. \$	0.00
75	Travel and Subsistence.....	0.00
76	Contractual Services.....	1,147,251.00
77	Commodities.....	0.00
78	Capital Outlay:	
79	Other Than Equipment.....	0.00
80	Equipment.....	0.00
81	Subsidies, Loans and Grants.....	<u>53,609,862.00</u>
82	Total..... \$	54,757,113.00

83 FUNDING:

84	General Funds..... \$	19,442,993.00
85	Special Funds.....	<u>35,314,120.00</u>
86	Total..... \$	54,757,113.00

87 AUTHORIZED POSITIONS:

88	Permanent: Full Time.....	0
89	Part Time.....	0
90	Time-Limited: Full Time.....	0
91	Part Time.....	0

92 **EAST MISSISSIPPI STATE HOSPITAL**

93 MAJOR OBJECTS OF EXPENDITURE:

94 Personal Services:

95	Salaries, Wages and Fringe Benefits.. \$	40,642,791.00
96	Travel and Subsistence.....	40,000.00
97	Contractual Services.....	3,234,112.00
98	Commodities.....	6,073,861.00
99	Capital Outlay:	
100	Other Than Equipment.....	25,000.00

101	Equipment.....		475,832.00
102	Subsidies, Loans and Grants.....		<u>3,200,000.00</u>
103	Total.....	\$	53,691,596.00
104	FUNDING:		
105	General Funds.....	\$	35,298,526.00
106	Special Funds.....		<u>18,393,070.00</u>
107	Total.....	\$	53,691,596.00
108	AUTHORIZED POSITIONS:		
109	Permanent: Full Time.....	1,236	
110	Part Time.....	4	
111	Time-Limited: Full Time.....	102	
112	Part Time.....	23	
113	<b>ELLISVILLE STATE SCHOOL AND FARM</b>		
114	MAJOR OBJECTS OF EXPENDITURE:		
115	Personal Services:		
116	Salaries, Wages and Fringe Benefits..	\$	55,897,738.00
117	Travel and Subsistence.....		126,000.00
118	Contractual Services.....		4,653,109.00
119	Commodities.....		5,252,965.00
120	Capital Outlay:		
121	Other Than Equipment.....		400,000.00
122	Equipment.....		489,344.00
123	Subsidies, Loans and Grants.....		<u>15,532,898.00</u>
124	Total.....	\$	82,352,054.00
125	FUNDING:		
126	General Funds.....	\$	17,636,442.00
127	Special Funds.....		<u>64,715,612.00</u>
128	Total.....	\$	82,352,054.00
129	AUTHORIZED POSITIONS:		
130	Permanent: Full Time.....	1,602	
131	Part Time.....	31	
132	Time-Limited: Full Time.....	54	
133	Part Time.....	0	

134	<b>MISSISSIPPI STATE HOSPITAL</b>		
135	MAJOR OBJECTS OF EXPENDITURE:		
136	Personal Services:		
137	Salaries, Wages and Fringe Benefits..	\$	91,729,672.00
138	Travel and Subsistence.....		62,989.00
139	Contractual Services.....		12,682,461.00
140	Commodities.....		10,903,836.00
141	Capital Outlay:		
142	Other Than Equipment.....		106,859.00
143	Equipment.....		437,036.00
144	Subsidies, Loans and Grants.....		<u>6,484,975.00</u>
145	Total.....	\$	122,407,828.00
146	FUNDING:		
147	General Funds.....	\$	82,059,876.00
148	Special Funds.....		<u>40,347,952.00</u>
149	Total.....	\$	122,407,828.00
150	AUTHORIZED POSITIONS:		
151	Permanent: Full Time.....	2,818	
152	Part Time.....	10	
153	Time-Limited: Full Time.....	203	
154	Part Time.....	0	
155	<b>CENTRAL MISSISSIPPI RESIDENTIAL CENTER</b>		
156	MAJOR OBJECTS OF EXPENDITURE:		
157	Personal Services:		
158	Salaries, Wages and Fringe Benefits..	\$	3,971,408.00
159	Travel and Subsistence.....		9,460.00
160	Contractual Services.....		673,924.00
161	Commodities.....		618,638.00
162	Capital Outlay:		
163	Other Than Equipment.....		60,000.00
164	Equipment.....		55,953.00
165	Subsidies, Loans and Grants.....		<u>2,000.00</u>
166	Total.....	\$	5,391,383.00

167	FUNDING:		
168	General Funds.....	\$	4,336,402.00
169	Special Funds.....		<u>1,054,981.00</u>
170	Total.....	\$	5,391,383.00

171 AUTHORIZED POSITIONS:

172	Permanent:	Full Time.....	153
173		Part Time.....	0
174	Time-Limited:	Full Time.....	13
175		Part Time.....	0

176 **BROOKHAVEN JUVENILE REHABILITATION FACILITY**

177 MAJOR OBJECTS OF EXPENDITURE:

178	Personal Services:		
179	Salaries, Wages and Fringe Benefits..	\$	3,887,175.00
180	Travel and Subsistence.....		7,300.00
181	Contractual Services.....		584,389.00
182	Commodities.....		377,955.00
183	Capital Outlay:		
184	Other Than Equipment.....		7,000.00
185	Equipment.....		41,640.00
186	Subsidies, Loans and Grants.....		<u>6,000.00</u>
187	Total.....	\$	4,911,459.00

188 FUNDING:

189	General Funds.....	\$	4,864,209.00
190	Special Funds.....		<u>47,250.00</u>
191	Total.....	\$	4,911,459.00

192 AUTHORIZED POSITIONS:

193	Permanent:	Full Time.....	111
194		Part Time.....	0
195	Time-Limited:	Full Time.....	9
196		Part Time.....	0

197 **SPECIALIZED TREATMENT FACILITY**

198 MAJOR OBJECTS OF EXPENDITURE:

199 Personal Services:

200	Salaries, Wages and Fringe Benefits..	\$	3,748,915.00
201	Travel and Subsistence.....		12,257.00
202	Contractual Services.....		516,258.00
203	Commodities.....		345,121.00
204	Capital Outlay:		
205	Other Than Equipment.....		30,000.00
206	Equipment.....		64,138.00
207	Subsidies, Loans and Grants.....		<u>492,836.00</u>
208	Total.....	\$	5,209,525.00
209	FUNDING:		
210	General Funds.....	\$	1,910,950.00
211	Special Funds.....		<u>3,298,575.00</u>
212	Total.....	\$	5,209,525.00
213	AUTHORIZED POSITIONS:		
214	Permanent: Full Time.....	80	
215	Part Time.....	0	
216	Time-Limited: Full Time.....	0	
217	Part Time.....	0	
218	<b>DIVISION OF ALCOHOL AND DRUG ABUSE</b>		
219	MAJOR OBJECTS OF EXPENDITURE:		
220	Personal Services:		
221	Salaries, Wages and Fringe Benefits..	\$	336,930.00
222	Travel and Subsistence.....		23,100.00
223	Contractual Services.....		48,827.00
224	Commodities.....		8,700.00
225	Capital Outlay:		
226	Other Than Equipment.....		0.00
227	Equipment.....		18,300.00
228	Subsidies, Loans and Grants.....		<u>4,700,000.00</u>
229	Total.....	\$	5,135,857.00
230	FUNDING:		
231	General Funds.....	\$	0.00
232	Special Funds.....		<u>5,135,857.00</u>

233 Total..... \$ 5,135,857.00

234 AUTHORIZED POSITIONS:

235 Permanent: Full Time..... 6

236 Part Time..... 0

237 Time-Limited: Full Time..... 0

238 Part Time..... 0

239 **BOSWELL REGIONAL CENTER**

240 MAJOR OBJECTS OF EXPENDITURE:

241 Personal Services:

242 Salaries, Wages and Fringe Benefits.. \$ 20,829,292.00

243 Travel and Subsistence..... 45,000.00

244 Contractual Services..... 3,097,352.00

245 Commodities..... 2,304,374.00

246 Capital Outlay:

247 Other Than Equipment..... 250,000.00

248 Equipment..... 320,176.00

249 Subsidies, Loans and Grants..... 5,575,680.00

250 Total..... \$ 32,421,874.00

251 FUNDING:

252 General Funds..... \$ 9,086,058.00

253 Special Funds..... 23,335,816.00

254 Total..... \$ 32,421,874.00

255 AUTHORIZED POSITIONS:

256 Permanent: Full Time..... 495

257 Part Time..... 3

258 Time-Limited: Full Time..... 110

259 Part Time..... 2

260 **NORTH MISSISSIPPI STATE HOSPITAL**

261 MAJOR OBJECTS OF EXPENDITURE:

262 Personal Services:

263 Salaries, Wages and Fringe Benefits.. \$ 5,402,446.00

264 Travel and Subsistence..... 30,000.00

265 Contractual Services..... 931,556.00



266	Commodities.....		1,132,191.00
267	Capital Outlay:		
268	Other Than Equipment.....		30,000.00
269	Equipment.....		71,000.00
270	Subsidies, Loans and Grants.....		<u>0.00</u>
271	Total.....	\$	7,597,193.00

272 FUNDING:

273	General Funds.....	\$	6,666,193.00
274	Special Funds.....		<u>931,000.00</u>
275	Total.....	\$	7,597,193.00

276 AUTHORIZED POSITIONS:

277	Permanent: Full Time.....	188
278	Part Time.....	0
279	Time-Limited: Full Time.....	3
280	Part Time.....	0

281 **NORTH MISSISSIPPI REGIONAL CENTER**

282 MAJOR OBJECTS OF EXPENDITURE:

283 Personal Services:

284	Salaries, Wages and Fringe Benefits..	\$	39,329,933.00
285	Travel and Subsistence.....		115,300.00
286	Contractual Services.....		4,719,549.00
287	Commodities.....		5,640,525.00
288	Capital Outlay:		
289	Other Than Equipment.....		65,000.00
290	Equipment.....		830,511.00
291	Subsidies, Loans and Grants.....		<u>13,920,026.00</u>
292	Total.....	\$	64,620,844.00

293 FUNDING:

294	General Funds.....	\$	10,637,267.00
295	Special Funds.....		<u>53,983,577.00</u>
296	Total.....	\$	64,620,844.00

297 AUTHORIZED POSITIONS:

298	Permanent: Full Time.....	980
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299	Part Time.....	11	
300	Time-Limited: Full Time.....	163	
301	Part Time.....	12	
302	<b>HUDSPETH REGIONAL CENTER</b>		
303	MAJOR OBJECTS OF EXPENDITURE:		
304	Personal Services:		
305	Salaries, Wages and Fringe Benefits..	\$	33,308,734.00
306	Travel and Subsistence.....		122,500.00
307	Contractual Services.....		4,109,425.00
308	Commodities.....		3,791,800.00
309	Capital Outlay:		
310	Other Than Equipment.....		260,100.00
311	Equipment.....		339,900.00
312	Subsidies, Loans and Grants.....		<u>11,949,031.00</u>
313	Total.....	\$	53,881,490.00
314	FUNDING:		
315	General Funds.....	\$	8,912,376.00
316	Special Funds.....		<u>44,969,114.00</u>
317	Total.....	\$	53,881,490.00
318	AUTHORIZED POSITIONS:		
319	Permanent: Full Time.....	924	
320	Part Time.....	28	
321	Time-Limited: Full Time.....	42	
322	Part Time.....	0	
323	<b>SOUTH MISSISSIPPI REGIONAL CENTER</b>		
324	MAJOR OBJECTS OF EXPENDITURE:		
325	Personal Services:		
326	Salaries, Wages and Fringe Benefits..	\$	23,157,093.00
327	Travel and Subsistence.....		77,000.00
328	Contractual Services.....		3,736,164.00
329	Commodities.....		2,420,483.00
330	Capital Outlay:		
331	Other Than Equipment.....		102,500.00

332	Equipment.....		367,637.00
333	Subsidies, Loans and Grants.....		<u>5,842,459.00</u>
334	Total.....	\$	35,703,336.00
335	FUNDING:		
336	General Funds.....	\$	7,529,545.00
337	Special Funds.....		<u>28,173,791.00</u>
338	Total.....	\$	35,703,336.00
339	AUTHORIZED POSITIONS:		
340	Permanent: Full Time.....	582	
341	Part Time.....	8	
342	Time-Limited: Full Time.....	97	
343	Part Time.....	3	
344	<b>SOUTH MISSISSIPPI STATE HOSPITAL</b>		
345	MAJOR OBJECTS OF EXPENDITURE:		
346	Personal Services:		
347	Salaries, Wages and Fringe Benefits..	\$	5,109,310.00
348	Travel and Subsistence.....		11,000.00
349	Contractual Services.....		396,288.00
350	Commodities.....		102,635.00
351	Capital Outlay:		
352	Other Than Equipment.....		20,000.00
353	Equipment.....		51,202.00
354	Subsidies, Loans and Grants.....		<u>10,000.00</u>
355	Total.....	\$	5,700,435.00
356	FUNDING:		
357	General Funds.....	\$	5,314,712.00
358	Special Funds.....		<u>385,723.00</u>
359	Total.....	\$	5,700,435.00
360	AUTHORIZED POSITIONS:		
361	Permanent: Full Time.....	144	
362	Part Time.....	0	
363	Time-Limited: Full Time.....	1	
364	Part Time.....	0	

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

371 With the funds herein appropriated, it is the intention of  
372 the Legislature that it shall be the agency's responsibility to  
373 make certain that funds required to be appropriated for "Personal  
374 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007  
375 funds appropriated for that purpose, unless programs or positions  
376 are added to the agency's Fiscal Year 2008 budget by the  
377 Mississippi Legislature. Based on data provided by the  
378 Legislative Budget Office, the State Personnel Board shall  
379 determine and publish the projected annual cost to fully fund all  
380 appropriated positions in compliance with the provisions of this  
381 act. It shall be the responsibility of the agency head to insure  
382 that no single personnel action increases this projected annual  
383 cost and/or the Fiscal Year 2007 appropriation for "Personal  
384 Services" when annualized, with the exception of escalated funds.  
385 If, at the time the agency takes any action to change "Personal  
386 Services," the State Personnel Board determines that the agency  
387 has taken an action which would cause the agency to exceed this  
388 projected annual cost or the Fiscal Year 2007 "Personal Services"  
389 appropriated level, when annualized, then only those actions which  
390 reduce the projected annual cost and/or the appropriation  
391 requirement will be processed by the State Personnel Board until  
392 such time as the requirements of this provision are met.

393 Any transfers or escalations shall be made in accordance with  
394 the terms, conditions and procedures established by law or  
395 allowable under the terms set forth within this act. The State  
396 Personnel Board shall not escalate positions without written  
397 approval from the Department of Finance and Administration. The

398 Department of Finance and Administration shall not provide written  
399 approval to escalate any funds for salaries and/or positions  
400 without proof of availability of new or additional funds above the  
401 appropriated level.

402 If the Executive Director of the Department of Mental Health  
403 transfers general funds that were appropriated under Section 1 of  
404 Chapter 3, Laws of 2006, to the budget of the Mississippi State  
405 Hospital under the provisions of Section 1 of House Bill No. 1364,  
406 2007 Regular Session, the executive director shall have the  
407 authority to escalate the budget of the Mississippi State Hospital  
408 under this section by the amount of general funds that were  
409 transferred to that budget, not exceeding One Million Two Hundred  
410 Thousand Dollars (\$1,200,000.00), in accordance with the rules and  
411 regulations of the Department of Finance and Administration in a  
412 manner consistent with the escalation of federal funds.

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

417 **SECTION 3.** Section 7 of Chapter 64, Laws of 2006, is amended  
418 as follows:

419 Section 7. It is the intention of the Legislature that the  
420 Mississippi Arts Commission shall have the authority to escalate  
421 its budget and expend funds from any source available not to  
422 exceed One Million Dollars (\$1,000,000.00), that may become  
423 available to the commission in accordance with the rules and  
424 regulations of the Department of Finance and Administration in a  
425 manner consistent with the escalation of federal funds.

426 **SECTION 4.** Section 13 of Chapter 100, Laws of 2006, is  
427 amended as follows:

428 Section 13. It is the intention of the Legislature that the  
429 Executive Director of the Mississippi Emergency Management Agency  
430 shall have authority to transfer not more than One Million Dollars

431 (\$1,000,000.00) from any general or special fund treasury fund and  
432 major object budget category to another special or general fund  
433 treasury fund and major object budget category accordingly under  
434 the control of the Mississippi Emergency Management Agency. The  
435 purpose of this authority is to more efficiently use available  
436 cash reserves. It is further the intention of the Legislature  
437 that the Executive Director of the Mississippi Emergency  
438 Management Agency shall submit written justification for the  
439 transfer to the Legislative Budget Office and the Department of  
440 Finance and Administration on or before the fifteenth of the month  
441 prior to the effective date of the transfer.

442         **SECTION 5.** This act shall take effect and be in force from  
443 and after its passage.