

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

To: Appropriations

HOUSE BILL NO. 1689
(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 2008.

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, 2007, and
8 ending June 30, 2008..... \$ 95,994,907.00.

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, 2007, and ending June 30, 2008.....
17 \$ 665,320,211.00.

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..	\$	21,766,662.00
32	Travel and Subsistence.....		187,048.00
33	Contractual Services.....		3,860,700.00
34	Commodities.....		1,917,140.00
35	Capital Outlay:		
36	Other Than Equipment.....		0.00
37	Equipment.....		142,000.00
38	Vehicles.....		0.00
39	Wireless Communication Devices.....		0.00
40	Subsidies, Loans and Grants.....		<u>5,964,794.00</u>
41	Total.....	\$	33,838,344.00
42	FUNDING:		
43	General Funds.....	\$	20,873,098.00
44	Special Funds.....		<u>12,965,246.00</u>
45	Total.....	\$	33,838,344.00
46	AUTHORIZED POSITIONS:		
47	Permanent: Full Time.....		429
48	Part Time.....		4
49	Time-Limited: Full Time.....		81
50	Part Time.....		0
51	Any person within the Office of Youth Services classified as		
52	Youth Services Counselor Aide I, Youth Services Counselor Aide II,		
53	Youth Services Counselor Aide III, Security Officer I, Security		
54	Officer II, Security Officer III, Recreation Supervisor, General		
55	Services Employee I, General Services Employee II, Youth Services		
56	Counselor I, Youth Services Counselor II, and Youth Services		
57	Counselor III, who must work on a statutory holiday or any holiday		
58	proclaimed by the Governor, may at the discretion of the		
59	superintendents of the institutions and the Executive Director of		

60 the Office of Youth Services and within available personnel funds,
61 be paid "call back pay" in lieu of "compensatory time credit."

62 It is the intention of the Legislature that the Office of
63 Youth Services shall have the authority to accept from any source
64 including, but not limited to, proceeds from sale of vehicles,
65 equipment or any other property which becomes obsolete or is no
66 longer needed. It is the intent that such funds will be approved
67 for allocation and expenditure in a manner consistent with the
68 rules and regulations of the Department of Finance and
69 Administration.

70 **DIVISION OF FAMILY AND CHILDREN'S SERVICES**

71 MAJOR OBJECTS OF EXPENDITURE:

72 Personal Services:

73	Salaries, Wages and Fringe Benefits.. \$	29,232,512.00
74	Travel and Subsistence.....	2,485,245.00
75	Contractual Services.....	11,961,707.00
76	Commodities.....	654,062.00
77	Capital Outlay:	
78	Other Than Equipment.....	0.00
79	Equipment.....	102,170.00
80	Vehicles.....	0.00
81	Wireless Communication Devices.....	0.00
82	Subsidies, Loans and Grants.....	<u>27,432,375.00</u>
83	Total..... \$	71,868,071.00

84 FUNDING:

85	General Funds..... \$	18,543,449.00
86	Special Funds.....	<u>53,324,622.00</u>
87	Total..... \$	71,868,071.00

88 AUTHORIZED POSITIONS:

89	Permanent: Full Time.....	532
90	Part Time.....	0
91	Time-Limited: Full Time.....	190
92	Part Time.....	0

93	DIVISION OF AGING AND ADULT SERVICES		
94	MAJOR OBJECTS OF EXPENDITURE:		
95	Personal Services:		
96	Salaries, Wages and Fringe Benefits..	\$	1,288,830.00
97	Travel and Subsistence.....		45,611.00
98	Contractual Services.....		250,896.00
99	Commodities.....		38,200.00
100	Capital Outlay:		
101	Other Than Equipment.....		0.00
102	Equipment.....		4,340.00
103	Vehicles.....		0.00
104	Wireless Communication Devices.....		0.00
105	Subsidies, Loans and Grants.....		<u>18,501,870.00</u>
106	Total.....	\$	20,129,747.00
107	FUNDING:		
108	General Funds.....	\$	1,305,712.00
109	Special Funds.....		<u>18,824,035.00</u>
110	Total.....	\$	20,129,747.00
111	AUTHORIZED POSITIONS:		
112	Permanent: Full Time.....		28
113	Part Time.....		0
114	Time-Limited: Full Time.....		8
115	Part Time.....		0
116	DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE		
117	FOR NEEDY FAMILIES (TANF)		
118	MAJOR OBJECTS OF EXPENDITURE:		
119	Personal Services:		
120	Salaries, Wages and Fringe Benefits..	\$	43,590,037.00
121	Travel and Subsistence.....		447,711.00
122	Contractual Services.....		20,008,243.00
123	Commodities.....		659,374.00
124	Capital Outlay:		
125	Other Than Equipment.....		0.00

126	Equipment.....	386,516.00
127	Vehicles.....	0.00
128	Wireless Communication Devices.....	0.00
129	Subsidies, Loans and Grants.....	<u>409,097,994.00</u>
130	Total.....	\$ 474,189,875.00

131 FUNDING:

132	General Funds.....	\$ 39,996,269.00
133	Special Funds.....	<u>434,193,606.00</u>
134	Total.....	\$ 474,189,875.00

135 AUTHORIZED POSITIONS:

136	Permanent: Full Time.....	998
137	Part Time.....	0
138	Time-Limited: Full Time.....	149
139	Part Time.....	0

140 **DIVISION OF CHILD SUPPORT ENFORCEMENT**

141 MAJOR OBJECTS OF EXPENDITURE:

142 Personal Services:

143	Salaries, Wages and Fringe Benefits..	\$ 19,777,282.00
144	Travel and Subsistence.....	375,000.00
145	Contractual Services.....	6,598,707.00
146	Commodities.....	269,450.00

147 Capital Outlay:

148	Other Than Equipment.....	0.00
149	Equipment.....	88,700.00
150	Vehicles.....	0.00
151	Wireless Communication Devices.....	0.00
152	Subsidies, Loans and Grants.....	<u>9,481,199.00</u>
153	Total.....	\$ 36,590,338.00

154 FUNDING:

155	General Funds.....	\$ 5,709,046.00
156	Special Funds.....	<u>30,881,292.00</u>
157	Total.....	\$ 36,590,338.00

158 AUTHORIZED POSITIONS:

159	Permanent:	Full Time.....	277
160		Part Time.....	0
161	Time-Limited:	Full Time.....	213
162		Part Time.....	0

DIVISION OF COMMUNITY SERVICES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

166	Salaries, Wages and Fringe Benefits..	\$	614,936.00
167	Travel and Subsistence.....		29,303.00
168	Contractual Services.....		294,123.00
169	Commodities.....		77,425.00

Capital Outlay:

171	Other Than Equipment.....		0.00
172	Equipment.....		8,000.00
173	Vehicles.....		0.00
174	Wireless Communication Devices.....		0.00
175	Subsidies, Loans and Grants.....		<u>27,195,000.00</u>

176	Total.....	\$	28,218,787.00
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FUNDING:

178	General Funds.....	\$	0.00
179	Special Funds.....		<u>28,218,787.00</u>

180	Total.....	\$	28,218,787.00
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AUTHORIZED POSITIONS:

182	Permanent:	Full Time.....	8
183		Part Time.....	0
184	Time-Limited:	Full Time.....	4
185		Part Time.....	0

DIVISION OF SUPPORT SERVICES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

189	Salaries, Wages and Fringe Benefits..	\$	9,799,295.00
190	Travel and Subsistence.....		93,050.00
191	Contractual Services.....		2,196,068.00

192	Commodities.....		97,307.00
193	Capital Outlay:		
194	Other Than Equipment.....		0.00
195	Equipment.....		91,136.00
196	Vehicles.....		0.00
197	Wireless Communication Devices.....		0.00
198	Subsidies, Loans and Grants.....		<u>64,400.00</u>
199	Total.....	\$	12,341,256.00
200	FUNDING:		
201	General Funds.....	\$	3,726,835.00
202	Special Funds.....		<u>8,614,421.00</u>
203	Total.....	\$	12,341,256.00
204	AUTHORIZED POSITIONS:		
205	Permanent: Full Time.....	174	
206	Part Time.....	0	
207	Time-Limited: Full Time.....	19	
208	Part Time.....	0	
209	SOCIAL SERVICES BLOCK GRANT PROGRAM		
210	MAJOR OBJECTS OF EXPENDITURE:		
211	Personal Services:		
212	Salaries, Wages and Fringe Benefits..	\$	172,618.00
213	Travel and Subsistence.....		4,000.00
214	Contractual Services.....		79,793.00
215	Commodities.....		2,800.00
216	Capital Outlay:		
217	Other Than Equipment.....		0.00
218	Equipment.....		3,690.00
219	Vehicles.....		0.00
220	Wireless Communication Devices.....		0.00
221	Subsidies, Loans and Grants.....		<u>5,500,000.00</u>
222	Total.....	\$	5,762,901.00
223	FUNDING:		
224	General Funds.....	\$	0.00

225	Special Funds.....		<u>5,762,901.00</u>
226	Total.....	\$	5,762,901.00

227 AUTHORIZED POSITIONS:

228	Permanent:	Full Time.....	1
229		Part Time.....	0
230	Time-Limited:	Full Time.....	2
231		Part Time.....	0

232 **OFFICE FOR CHILDREN AND YOUTH**

233 MAJOR OBJECTS OF EXPENDITURE:

234 Personal Services:

235	Salaries, Wages and Fringe Benefits..	\$	797,396.00
236	Travel and Subsistence.....		12,421.00
237	Contractual Services.....		350,171.00
238	Commodities.....		33,500.00

239 Capital Outlay:

240	Other Than Equipment.....		0.00
241	Equipment.....		29,450.00
242	Vehicles.....		0.00
243	Wireless Communication Devices.....		0.00
244	Subsidies, Loans and Grants.....		<u>77,152,861.00</u>

245	Total.....	\$	78,375,799.00
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246 FUNDING:

247	General Funds.....	\$	5,840,498.00
248	Special Funds.....		<u>72,535,301.00</u>
249	Total.....	\$	78,375,799.00

250 AUTHORIZED POSITIONS:

251	Permanent:	Full Time.....	9
252		Part Time.....	0
253	Time-Limited:	Full Time.....	6
254		Part Time.....	0

255 Funds are provided herein to adjust the Variable Compensation
 256 Plan to ensure that all full-time employees receive a pay increase
 257 equal to the realignment component of the Variable Compensation

258 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
259 is greater, to be awarded on July 1, 2007.

260 With the funds herein appropriated, it is the intention of
261 the Legislature that it shall be the agency's responsibility to
262 make certain that funds required to be appropriated for "Personal
263 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
264 funds appropriated for that purpose, unless programs or positions
265 are added to the agency's Fiscal Year 2008 budget by the
266 Mississippi Legislature. Based on data provided by the
267 Legislative Budget Office, the State Personnel Board shall
268 determine and publish the projected annual cost to fully fund all
269 appropriated positions in compliance with the provisions of this
270 act. It shall be the responsibility of the agency head to insure
271 that no single personnel action increases this projected annual
272 cost and/or the Fiscal Year 2008 appropriations for "Personal
273 Services" when annualized, with the exception of escalated funds
274 and educational benchmarks. If, at the time the agency takes any
275 action to change "Personal Services", the State Personnel Board
276 determines that the agency has taken an action which would cause
277 the agency to exceed this projected annual cost or the Fiscal Year
278 2008 "Personal Services" appropriated level, when annualized, then
279 only those actions which reduce the projected annual cost and/or
280 the appropriation requirement will be processed by the State
281 Personnel Board until such time as the requirements of this
282 provision are met. On January 1, 2008, the State Personnel Board
283 will make adjustments to the structure side of the compliance
284 report based on data provided by the Legislative Budget Office in
285 order for agencies to award educational benchmarks.

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

291 Department of Finance and Administration shall not provide written
292 approval to escalate any funds for salaries and/or positions
293 without proof of availability of new or additional funds above the
294 appropriated level.

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

299 **SECTION 5.** It is the intention of the Legislature that the
300 Department of Human Services shall maintain complete accounting
301 and personnel records related to the expenditure of all funds
302 appropriated under this act and that such records shall be in the
303 same format and level of detail as maintained for Fiscal Year
304 2007. It is further the intention of the Legislature that the
305 agency's budget request for Fiscal Year 2009 shall be submitted to
306 the Joint Legislative Budget Committee in a format and level of
307 detail comparable to the format and level of detail provided
308 during the Fiscal Year 2008 budget request process.

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

313 **SECTION 7.** Of the funds appropriated in Section 2, One
314 Million Dollars (\$1,000,000.00) shall be transferred to the
315 Department of Health, Child Care Licensure Program from the Child
316 Care Development Fund or other appropriate special fund. These
317 funds are to be transferred to the Board of Health no later than
318 July 31, 2007. The Department of Health shall make a complete
319 accounting to the Department of Human Services detailing the uses
320 of these funds in accordance with federal and state regulations.

321 **SECTION 8.** It is the intention of the Legislature that the
322 Department of Human Services contract with the Department of
323 Health to operate the School Nurse Teen Pregnancy Prevention Pilot

324 Program as described in House Bill No. 766 of the 1997 Legislative
325 Session, in compliance with all applicable TANF federal and state
326 regulations.

327 **SECTION 9.** Of the funds appropriated in Section 2, Five
328 Million Five Hundred Thousand Dollars (\$5,500,000.00) of TANF
329 (Temporary Assistance for Needy Families) federal funds shall be
330 transferred to the Office of the Attorney General for the purpose
331 of subgranting with entities which will develop and implement
332 programs that serve unmet needs of "at risk" youth in the state,
333 including, but not being limited to, Boys and Girls Clubs, Big
334 Brothers Big Sisters of America, Communities in Schools, and the
335 State Coalition of Young Men's Christian Association (YMCA). Of
336 the funds authorized in this section, not more than Two Million
337 Five Hundred Thousand Dollars (\$2,500,000.00) shall be allocated
338 among Boys and Girls Clubs, Big Brothers Big Sisters of America,
339 and Communities in Schools; not more than Three Million Dollars
340 (\$3,000,000.00) shall be allocated to the State Coalition of Young
341 Men's Christian Association (YMCA); not more than Three Hundred
342 Thousand Dollars (\$300,000.00) shall be allocated to Learning
343 Through Sports; not more than Two Hundred Thousand Dollars
344 (\$200,000.00) shall be allocated to the Institute of America's
345 Health; and not more than Two Hundred Fifty Thousand Dollars
346 (\$250,000.00) shall be allocated to the Cal Ripkin, Sr.
347 Foundation. The Attorney General shall administer the transferred
348 TANF funds.

349 **SECTION 10.** None of the above funds shall be used to hire
350 employees under Personal Service Contracts except for Personal
351 Service Contracts for the Office for Children and Youth - Child
352 Care and Office for Children and Youth - Child Care Managers.

353 **SECTION 11.** The Department shall shift expenditures from the
354 Temporary Assistance for Needy Families (TANF) portion of the
355 Child Care Development Block Grant Funds (CCDF) to the CCDF
356 matching grant portion for the continued funding of the Families

357 First Resource Centers through the current federal fiscal year
358 (September 30, 2007).

359 The department shall utilize TANF funds from the federal
360 Fiscal Year 2008 allotment for the continued funding of the
361 Families First Resource Centers through June 30, 2008.

362 **SECTION 12.** The department is authorized to escalate, budget
363 and expend special and/or federal funds received from any source
364 to carry out the duties of the department in an amount not to
365 exceed Twenty Million Dollars (\$20,000,000.00). Such funds are to
366 be escalated in accordance with procedures for federal fund
367 escalations as established in Section 27-104-21, Mississippi Code
368 of 1972, and expended for the purposes of performing such duties
369 as set forth by law in accordance with applicable rules and
370 regulations of the State Fiscal Officer.

371 **SECTION 13.** It is the intention of the Legislature that the
372 Executive Director of the Department of Human Services may
373 authorize increases in major objects of expenditure in total
374 amounts not to exceed twenty-five percent (25%) of the
375 appropriated amount of each major object of expenditure, provided
376 that other major objects of expenditure are decreased by a
377 corresponding dollar amount. However, no transfers shall be
378 authorized which increase the major object of expenditure
379 "Salaries, Wages and Fringe Benefits."

380 **SECTION 14.** It is the intention of the Legislature that the
381 Executive Director of the Department of Human Services may
382 transfer between the various offices authorized herein General
383 Funds, Special Funds and spending authority not to exceed
384 twenty-five percent (25%) of the receiving office in addition to
385 any other transfers or escalations made in accordance with Section
386 27-104-17(3), Mississippi Code of 1972. However, the budget
387 category of "Salaries, Wages and Fringe Benefits" shall not be
388 changed.

389 The Executive Director of the Department of Human Services
390 shall submit written justification for the transfer to the
391 Legislative Budget Office and the Department of Finance and
392 Administration on or before the fifteenth of the month prior to
393 the effective date of the transfer. It is further the intention
394 of the Legislature that any transfers made under the provisions of
395 this paragraph shall be of an emergency nature and that in no case
396 shall the transfers be made which substantially alter the
397 legislative intent for the various offices as set forth in the
398 original appropriations made under this act.

399 **SECTION 15.** It is the intention of the Legislature that
400 whenever two (2) or more bids are received by this agency for the
401 purchase of commodities or equipment, and whenever all things
402 stated in such received bids are equal with respect to price,
403 quality and service, the Mississippi Industries for the Blind
404 shall be given preference. A similar preference shall be given to
405 the Mississippi Industries for the Blind whenever purchases are
406 made without competitive bids.

407 **SECTION 16.** The Department of Human Services is hereby
408 authorized to expend available funds on technology or equipment
409 upgrades or replacements when it will generate savings through
410 efficiency or when the savings generated from such upgrades or
411 replacements exceed expenditures thereof.

412 **SECTION 17.** Of the funds appropriated in Section 1, Two
413 Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred
414 to the Juvenile Facility Monitoring Unit at the Department of
415 Public Safety no later than July 31, 2007.

416 **SECTION 18.** The money herein appropriated shall be paid by
417 the State Treasurer out of any money in the State Treasury to the
418 credit of the proper fund or funds as set forth in this act, upon
419 warrants issued by the State Fiscal Officer; and the State Fiscal
420 Officer shall issue his warrants upon requisitions signed by the
421 proper person, officer or officers, in the manner provided by law.

422 **SECTION 19.** This act shall take effect and be in force from
423 and after July 1, 2007.