

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

To: Appropriations

HOUSE BILL NO. 1690
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
2 REHABILITATION SERVICES FOR 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 Rehabilitation Services for the fiscal year beginning
8 July 1, 2007, and ending June 30, 2008..... \$ 12,881,350.00.

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, 2007, and ending June 30, 2008.....
17 \$ 153,450,345.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 2, Three Million Six Hundred Eighty-one Thousand Eight
20 Hundred Two Dollars (\$3,681,802.00) shall be derived from the
21 Health Care Expendable Fund created in Section 43-13-407,
22 Mississippi Code of 1972. The above funds shall be allocated as
23 follows:

24 Fully match all available federal
25 funds.....\$2,782,590.00
26 Independent Living Program which
27 includes the State Attendant



28 Care Program.....\$ 854,903.00

29 Deaf and hard of hearing.....\$ 44,309.00

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

34 **OFFICE OF VOCATIONAL REHABILITATION**

35 MAJOR OBJECTS OF EXPENDITURE:

36 Personal Services:

37 Salaries, Wages and Fringe Benefits.. \$ 23,864,315.00

38 Travel and Subsistence..... 854,000.00

39 Contractual Services..... 4,076,591.00

40 Commodities..... 306,592.00

41 Capital Outlay:

42 Other Than Equipment..... 0.00

43 Equipment..... 352,426.00

44 Vehicles..... 0.00

45 Wireless Communication Devices..... 0.00

46 Subsidies, Loans and Grants..... 24,206,666.00

47 Total..... \$ 53,660,590.00

48 FUNDING:

49 General Funds..... \$ 7,323,267.00

50 Special Funds..... 46,337,323.00

51 Total..... \$ 53,660,590.00

52 AUTHORIZED POSITIONS:

53 Permanent: Full Time..... 458

54 Part Time..... 7

55 Time-Limited: Full Time..... 111

56 Part Time..... 2

57 **OFFICE OF DISABILITY DETERMINATION SERVICES**

58 MAJOR OBJECTS OF EXPENDITURE:

59 Personal Services:

60 Salaries, Wages and Fringe Benefits.. \$ 15,757,138.00



61	Travel and Subsistence.....		225,000.00
62	Contractual Services.....		9,051,964.00
63	Commodities.....		523,390.00
64	Capital Outlay:		
65	Other Than Equipment.....		0.00
66	Equipment.....		1,000,000.00
67	Vehicles.....		0.00
68	Wireless Communication Devices.....		0.00
69	Subsidies, Loans and Grants.....		<u>10,788,445.00</u>
70	Total.....	\$	37,345,937.00
71	FUNDING:		
72	General Funds.....	\$	0.00
73	Special Funds.....		<u>37,345,937.00</u>
74	Total.....	\$	37,345,937.00
75	AUTHORIZED POSITIONS:		
76	Permanent: Full Time.....	274	
77	Part Time.....	20	
78	Time-Limited: Full Time.....	61	
79	Part Time.....	0	
80	OFFICE OF VOCATIONAL REHABILITATION FOR THE BLIND		
81	MAJOR OBJECTS OF EXPENDITURE:		
82	Personal Services:		
83	Salaries, Wages and Fringe Benefits..	\$	3,982,416.00
84	Travel and Subsistence.....		156,514.00
85	Contractual Services.....		853,130.00
86	Commodities.....		71,449.00
87	Capital Outlay:		
88	Other Than Equipment.....		12,000.00
89	Equipment.....		153,827.00
90	Vehicles.....		0.00
91	Wireless Communication Devices.....		0.00
92	Subsidies, Loans and Grants.....		<u>7,365,411.00</u>
93	Total.....	\$	12,594,747.00



94	FUNDING:	
95	General Funds.....	\$ 1,317,649.00
96	Special Funds.....	<u>11,277,098.00</u>
97	Total.....	\$ 12,594,747.00

98	AUTHORIZED POSITIONS:	
99	Permanent: Full Time.....	80
100	Part Time.....	0
101	Time-Limited: Full Time.....	4
102	Part Time.....	2

103 The Office of Vocational Rehabilitation for the Blind shall
 104 remain accredited by using not more than Five Hundred Dollars
 105 (\$500.00) of the funds appropriated along with matching funds for
 106 payment of fees to an accreditation agency recommended by the
 107 Rehabilitation Services Administration.

108 **OFFICE OF SUPPORT SERVICES**

109 MAJOR OBJECTS OF EXPENDITURE:

110	Personal Services:	
111	Salaries, Wages and Fringe Benefits..	\$ 1,791,456.00
112	Travel and Subsistence.....	79,727.00
113	Contractual Services.....	368,199.00
114	Commodities.....	43,760.00
115	Capital Outlay:	
116	Other Than Equipment.....	0.00
117	Equipment.....	15,157.00
118	Vehicles.....	0.00
119	Wireless Communication Devices.....	900.00
120	Subsidies, Loans and Grants.....	<u>161,779.00</u>
121	Total.....	\$ 2,460,978.00

122	FUNDING:	
123	General Funds.....	\$ 0.00
124	Special Funds.....	<u>2,460,978.00</u>
125	Total.....	\$ 2,460,978.00

126 AUTHORIZED POSITIONS:



127	Permanent:	Full Time.....	23
128		Part Time.....	1
129	Time-Limited:	Full Time.....	0
130		Part Time.....	0

SPINAL CORD AND HEAD INJURY PROGRAM

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

134	Salaries, Wages and Fringe Benefits..	\$	914,390.00
135	Travel and Subsistence.....		38,521.00
136	Contractual Services.....		94,828.00
137	Commodities.....		14,340.00

Capital Outlay:

139	Other Than Equipment.....		0.00
140	Equipment.....		5,800.00
141	Vehicles.....		0.00
142	Wireless Communication Devices.....		0.00
143	Subsidies, Loans and Grants.....		<u>18,495,082.00</u>
144	Total.....	\$	19,562,961.00

FUNDING:

146	General Funds.....	\$	0.00
147	Special Funds.....		<u>19,562,961.00</u>
148	Total.....	\$	19,562,961.00

AUTHORIZED POSITIONS:

150	Permanent:	Full Time.....	23
151		Part Time.....	0
152	Time-Limited:	Full Time.....	0
153		Part Time.....	0

SPECIAL DISABILITY PROGRAM

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

157	Salaries, Wages and Fringe Benefits..	\$	2,202,162.00
158	Travel and Subsistence.....		167,000.00
159	Contractual Services.....		398,308.00



160	Commodities.....		48,000.00
161	Capital Outlay:		
162	Other Than Equipment.....		0.00
163	Equipment.....		20,000.00
164	Vehicles.....		0.00
165	Wireless Communication Devices.....		0.00
166	Subsidies, Loans and Grants.....		<u>37,871,012.00</u>
167	Total.....	\$	40,706,482.00
168	FUNDING:		
169	General Funds.....	\$	4,240,434.00
170	Special Funds.....		<u>36,466,048.00</u>
171	Total.....	\$	40,706,482.00

172 AUTHORIZED POSITIONS:

173	Permanent:	Full Time.....	55
174		Part Time.....	0
175	Time-Limited:	Full Time.....	9
176		Part Time.....	0

177 Funds are provided herein to adjust the Variable Compensation
178 Plan to ensure that all full-time employees receive a pay increase
179 equal to the realignment component of the Variable Compensation
180 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
181 is greater, to be awarded on July 1, 2007.

182 With the funds herein appropriated, it is the intention of
183 the Legislature that it shall be the agency's responsibility to
184 make certain that funds required to be appropriated for "Personal
185 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
186 funds appropriated for that purpose, unless programs or positions
187 are added to the agency's Fiscal Year 2008 budget by the
188 Mississippi Legislature. Based on data provided by the
189 Legislative Budget Office, the State Personnel Board shall
190 determine and publish the projected annual cost to fully fund all
191 appropriated positions in compliance with the provisions of this
192 act. It shall be the responsibility of the agency head to insure



193 that no single personnel action increases this projected annual
194 cost and/or the Fiscal Year 2008 appropriations for "Personal
195 Services" when annualized, with the exception of escalated funds
196 and educational benchmarks. If, at the time the agency takes any
197 action to change "Personal Services", the State Personnel Board
198 determines that the agency has taken an action which would cause
199 the agency to exceed this projected annual cost or the Fiscal Year
200 2008 "Personal Services" appropriated level, when annualized, then
201 only those actions which reduce the projected annual cost and/or
202 the appropriation requirement will be processed by the State
203 Personnel Board until such time as the requirements of this
204 provision are met. On January 1, 2008, the State Personnel Board
205 will make adjustments to the structure side of the compliance
206 report based on data provided by the Legislative Budget Office in
207 order for agencies to award educational benchmarks.

208 Any transfers or escalations shall be made in accordance with
209 the terms, conditions and procedures established by law or
210 allowable under the terms set forth within this act. The State
211 Personnel Board shall not escalate positions without written
212 approval from the Department of Finance and Administration. The
213 Department of Finance and Administration shall not provide written
214 approval to escalate any funds for salaries and/or positions
215 without proof of availability of new or additional funds above the
216 appropriated level.

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

221 It is the intention of the Legislature that the Executive
222 Director of the Department of Rehabilitation Services may transfer
223 between the various offices authorized herein both funds and
224 positions not to exceed twenty-five percent (25%) of the receiving
225 office in addition to any other transfers or escalations made in



226 accordance with Section 27-104-17(3), Mississippi Code of 1972,
227 Annotated. The Executive Director of the Department of
228 Rehabilitation Services shall submit written justification for the
229 transfer to the Legislative Budget Office and the Department of
230 Finance and Administration on or before the fifteenth of the month
231 prior to the effective date of the transfer. It is further the
232 intention of the Legislature that any transfers made under the
233 provisions of this paragraph shall be of an emergency nature and
234 that in no case shall the transfers be made which substantially
235 alter the legislative intent for the various offices as set forth
236 in the original appropriations made under this act.

237 **SECTION 5.** In addition to all other sums herein
238 appropriated, the following sum, or so much thereof as may be
239 necessary, is hereby appropriated out of any funds which are
240 received by or otherwise become available to the Mississippi
241 Department of Rehabilitation Services to provide funding for
242 construction grants and establishment grants for the fiscal year
243 beginning July 1, 2007, and ending June 30, 2008.....
244 \$ 4,000,000.00.

245 **SECTION 6.** It is the intention of the Legislature that the
246 Department of Rehabilitation Services shall maintain complete
247 accounting and personnel records related to the expenditure of all
248 funds appropriated under this act and that such records shall be
249 in the same format and level of detail as maintained for Fiscal
250 Year 2007. It is further the intention of the Legislature that
251 the agency's budget request for Fiscal Year 2009 shall be
252 submitted to the Joint Legislative Budget Committee in a format
253 and level of detail comparable to the format and level of detail
254 provided during the Fiscal Year 2008 budget request process.

255 **SECTION 7.** It shall be unlawful for any officer, employee or
256 other person whatsoever to use or permit or authorize the use of
257 any automobile or any other motor vehicle owned by the State of
258 Mississippi or any department, agency or institution thereof for



259 any purpose other than upon the official business of the State of
260 Mississippi or any agency, department or institution thereof.

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

264 **SECTION 8.** Of the funds in Sections 1, 2 and 3, the
265 Mississippi Department of Rehabilitation Services through the
266 Office of Vocational Rehabilitation for the Blind is authorized to
267 expend an amount not to exceed One Hundred Thousand Dollars
268 (\$100,000.00) for the National Federation for the Blind (NFB) News
269 line service to allow blind and visually impaired persons to
270 access newspapers through toll-free telephone calls.

271 **SECTION 9.** It is the intention of the Legislature that
272 whenever two (2) or more bids are received by this agency for the
273 purchase of commodities or equipment, and whenever all things
274 stated in such received bids are equal with respect to price,
275 quality and service, the Mississippi Industries for the Blind
276 shall be given preference. A similar preference shall be given to
277 the Mississippi Industries for the Blind whenever purchases are
278 made without competitive bids.

279 **SECTION 10.** It is the intention of the Legislature that the
280 Executive Director of the Department of Rehabilitation Services
281 shall have the authority to transfer funds between the Office of
282 Special Disability budget and the Spinal Cord and the Head Injury
283 Trust Fund budget. The authority granted in this section shall be
284 in addition to any other transfer authority granted by this
285 appropriation or contained in state statute.

286 It is further the intention of the Legislature that the
287 Executive Director of the Department of Rehabilitation Services
288 shall submit written justification for the transfer to the
289 Legislative Budget Office and the Department of Finance and
290 Administration on or before the fifteenth of the month prior to
291 the effective date of the transfer.



292 **SECTION 11.** The money herein appropriated shall be paid by
293 the State Treasurer out of any money in the State Treasury to the
294 credit of the proper fund or funds as set forth in this act, upon
295 warrants issued by the State Fiscal Officer; and the State Fiscal
296 Officer shall issue his warrants upon requisitions signed by the
297 proper person, officer or officers, in the manner provided by law.

298 **SECTION 12.** This act shall take effect and be in force from
299 and after July 1, 2007.

