

By: Moody, Hamilton, Bowles, Brown, Gibbs,
Henderson, Holland, Read, Shows, Stevens,
Stringer, Warren

To: Appropriations

HOUSE BILL NO. 1634
(As Passed the House)

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN
2 SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2001.

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, 2000, and
8 ending June 30, 2001.....\$ 93,989,326.00.

9 Of the funds appropriated under the provisions of this act,
10 no funds shall be expended to expand, establish or otherwise
11 prepare for any expansion of the privatization of the Child
12 Support Program beyond Hinds and Warren Counties.

13 Of the funds appropriated under the provisions of this act,
14 not more than a total of Two Million Four Hundred Thousand Dollars
15 (\$2,400,000.00) from General Funds and federal matching funds for
16 those General Funds shall be expended for the direct or indirect
17 support of the child support privatization program of MAXIMUS,
18 Inc., in Hinds and Warren Counties. However, any additional funds
19 generated for the Department of Human Services through a revenue
20 maximization program designed and implemented on behalf of the
21 department may be used by the department to pay additional costs
22 of MAXIMUS in implementing the child support privatization program
23 in Hinds and Warren Counties.

24 Of the funds appropriated under the provisions of this act,
25 no funds shall be transferred from any division or program of the
26 Department of Human Services into the major object of expenditure

27 "Contractual Services" of the Division of Child Support
28 Enforcement.

29 SECTION 2. The following sum, or so much thereof as may be
30 necessary, is hereby appropriated out of any money in any special
31 fund in the State Treasury to the credit of the Department of
32 Human Services which is comprised of special source funds
33 collected by or otherwise available to the department for the
34 support of the various divisions of the department, for the
35 purpose of defraying the expenses of the department for the fiscal
36 year beginning July 1, 2000, and ending June 30, 2001.....
37\$ 337,826,322.00.

38 SECTION 3. None of the funds appropriated by this act shall
39 be expended for any purpose that is not actually required or
40 necessary for performing any of the powers or duties of the
41 Department of Human Services that are authorized by the
42 Mississippi Constitution of 1890, state or federal law, or rules
43 or regulations that implement state or federal law.

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

48 DIVISION OF FAMILY AND CHILDREN'S SERVICES

49 OFFICE OF YOUTH SERVICES

50 MAJOR OBJECTS OF EXPENDITURE:

51 Personal Services:

52	Salaries, Wages and Fringe Benefits...\$	17,814,554.00
53	Travel and Subsistence.....	190,133.00
54	Contractual Services.....	1,812,433.00
55	Commodities.....	1,920,798.00
56	Capital Outlay:	
57	Other Than Equipment.....	0.00
58	Equipment.....	544,158.00
59	Subsidies, Loans and Grants.....	<u>2,351,533.00</u>
60	Total.....\$	24,633,609.00

61 FUNDING:

62	General Funds.....\$	17,962,269.00
63	Special Funds.....	<u>6,671,340.00</u>

64 Total.....\$ 24,633,609.00

65 AUTHORIZED POSITIONS:

66	Permanent:	Full Time.....	682
67		Part Time.....	8
68	Time-Limited:	Full Time.....	20
69		Part Time.....	1

70 Any person within the Office of Youth Services classified as
71 Youth Services Counselor Aide I, Youth Services Counselor Aide II,
72 Youth Services Counselor Aide III, Security Officer I, Security
73 Officer II, Security Officer III, Recreation Supervisor, General
74 Services Employee I, General Services Employee II, Youth Services
75 Counselor I, Youth Services Counselor II, and Youth Services
76 Counselor III, who must work on a statutory holiday or any holiday
77 proclaimed by the Governor, may at the discretion of the
78 superintendents of the institutions and the Executive Director of
79 the Office of Youth Services and within available personnel funds,
80 be paid "call back pay" in lieu of "compensatory time credit."

81 It is the intent of the Legislature that the Office of Youth
82 Services shall have the authority to accept from any source
83 including, but not limited to, proceeds from sale of vehicles,
84 equipment or any other property which becomes obsolete or is no
85 longer needed. It is the intent that such funds will be approved
86 for allocation and expenditure in a manner consistent with the
87 rules and regulations of the Department of Finance and
88 Administration.

89 OFFICE OF SOCIAL SERVICES

90 MAJOR OBJECTS OF EXPENDITURE:

91 Personal Services:

92	Salaries, Wages and Fringe Benefits...\$	22,320,765.00
93	Travel and Subsistence.....	1,800,000.00
94	Contractual Services.....	11,578,026.00
95	Commodities.....	325,087.00

96 Capital Outlay:

97	Other Than Equipment.....	0.00
98	Equipment.....	1,510,235.00
99	Subsidies, Loans and Grants.....	<u>19,671,200.00</u>
100	Total.....\$	57,205,313.00

101 FUNDING:

102	General Funds.....\$	13,720,428.00
103	Special Funds.....	<u>43,484,885.00</u>
104	Total.....\$	57,205,313.00

105 AUTHORIZED POSITIONS:

106	Permanent: Full Time.....	610
107	Part Time.....	0
108	Time-Limited: Full Time.....	43
109	Part Time.....	0

110 DIVISION OF AGING AND ADULT SERVICES

111 MAJOR OBJECTS OF EXPENDITURE:

112 Personal Services:

113	Salaries, Wages and Fringe Benefits...\$	586,938.00
114	Travel and Subsistence.....	23,000.00
115	Contractual Services.....	248,338.00
116	Commodities.....	38,285.00

117 Capital Outlay:

118	Other Than Equipment.....	0.00
119	Equipment.....	17,000.00
120	Subsidies, Loans and Grants.....	<u>18,335,759.00</u>
121	Total.....\$	19,249,320.00

122 FUNDING:

123	General Funds.....\$	557,722.00
124	Special Funds.....	<u>18,691,598.00</u>
125	Total.....\$	19,249,320.00

126 AUTHORIZED POSITIONS:

127	Permanent: Full Time.....	7
128	Part Time.....	0
129	Time-Limited: Full Time.....	6

130	Part Time.....	0
131	DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE	
132	FOR NEEDY FAMILIES (TANF)	
133	MAJOR OBJECTS OF EXPENDITURE:	
134	Personal Services:	
135	Salaries, Wages and Fringe Benefits...\$	50,539,354.00
136	Travel and Subsistence.....	977,057.00
137	Contractual Services.....	24,253,447.00
138	Commodities.....	1,522,845.00
139	Capital Outlay:	
140	Other Than Equipment.....	0.00
141	Equipment.....	8,738,245.00
142	Subsidies, Loans and Grants.....	<u>95,622,960.00</u>
143	Total.....\$	181,653,908.00
144	FUNDING:	
145	General Funds.....\$	48,483,130.00
146	Special Funds.....	<u>133,170,778.00</u>
147	Total.....\$	181,653,908.00
148	AUTHORIZED POSITIONS:	
149	Permanent: Full Time.....	1,565
150	Part Time.....	0
151	Time-Limited: Full Time.....	153
152	Part Time.....	0
153	Division of Economic Assistance/Temporary Assistance for	
154	Needy Families (TANF) includes budgets previously known as	
155	Division of Economic Assistance, Division of Food Stamp Employment	
156	and Training, Job Opportunities and Basic Skills Training Program	
157	and Welfare Restructuring Program.	
158	DIVISION OF CHILD SUPPORT ENFORCEMENT	
159	MAJOR OBJECTS OF EXPENDITURE:	
160	Personal Services:	
161	Salaries, Wages and Fringe Benefits...\$	18,034,860.00
162	Travel and Subsistence.....	383,961.00

163	Contractual Services.....		11,473,482.00
164	Commodities.....		292,500.00
165	Capital Outlay:		
166	Other Than Equipment.....		0.00
167	Equipment.....		1,167,389.00
168	Subsidies, Loans and Grants.....		<u>9,718,222.00</u>
169	Total.....	\$	41,070,414.00
170	FUNDING:		
171	General Funds.....	\$	5,224,562.00
172	Special Funds.....		<u>35,845,852.00</u>
173	Total.....	\$	41,070,414.00
174	AUTHORIZED POSITIONS:		
175	Permanent: Full Time.....	313	
176	Part Time.....	0	
177	Time-Limited: Full Time.....	244	
178	Part Time.....	0	
179	DIVISION OF COMMUNITY SERVICES		
180	MAJOR OBJECTS OF EXPENDITURE:		
181	Personal Services:		
182	Salaries, Wages and Fringe Benefits...\$		525,038.00
183	Travel and Subsistence.....		27,422.00
184	Contractual Services.....		328,141.00
185	Commodities.....		39,812.00
186	Capital Outlay:		
187	Other Than Equipment.....		0.00
188	Equipment.....		10,365.00
189	Subsidies, Loans and Grants.....		<u>16,357,783.00</u>
190	Total.....	\$	17,288,561.00
191	FUNDING:		
192	General Funds.....	\$	0.00
193	Special Funds.....		<u>17,288,561.00</u>
194	Total.....	\$	17,288,561.00
195	AUTHORIZED POSITIONS:		

196	Permanent:	Full Time.....	11
197		Part Time.....	0
198	Time-Limited:	Full Time.....	3
199		Part Time.....	0

200 DIVISION OF SUPPORT SERVICES

201 MAJOR OBJECTS OF EXPENDITURE:

202 Personal Services:

203	Salaries, Wages and Fringe Benefits...\$	9,397,809.00
204	Travel and Subsistence.....	215,393.00
205	Contractual Services.....	3,700,236.00
206	Commodities.....	359,400.00
207	Capital Outlay:	
208	Other Than Equipment.....	0.00
209	Equipment.....	600,386.00
210	Subsidies, Loans and Grants.....	<u>37,276.00</u>
211	Total.....\$	14,310,500.00

212 FUNDING:

213	General Funds.....\$	4,267,581.00
214	Special Funds.....	<u>10,042,919.00</u>
215	Total.....\$	14,310,500.00

216 AUTHORIZED POSITIONS:

217	Permanent:	Full Time.....	215
218		Part Time.....	0
219	Time-Limited:	Full Time.....	23
220		Part Time.....	0

221 SOCIAL SERVICES BLOCK GRANT PROGRAM

222 MAJOR OBJECTS OF EXPENDITURE:

223 Personal Services:

224	Salaries, Wages and Fringe Benefits...\$	84,729.00
225	Travel and Subsistence.....	5,000.00
226	Contractual Services.....	172,375.00
227	Commodities.....	4,700.00
228	Capital Outlay:	

229	Other Than Equipment.....	0.00
230	Equipment.....	5,000.00
231	Subsidies, Loans and Grants.....	<u>25,483,891.00</u>
232	Total.....\$	25,755,695.00

233 FUNDING:

234	General Funds.....\$	0.00
235	Special Funds.....	<u>25,755,695.00</u>
236	Total.....\$	25,755,695.00

237 AUTHORIZED POSITIONS:

238	Permanent: Full Time.....	1
239	Part Time.....	0
240	Time-Limited: Full Time.....	1
241	Part Time.....	0

242 Of the funds authorized herein to be expended from the
 243 Subsidies, Loans and Grants Major Object of Expenditure of the
 244 Social Services Block Grant Program, a minimum of Two Million
 245 Dollars (\$2,000,000.00) shall be allocated to the Office of Youth
 246 Services to be used in the Community Services Program.

247 OFFICE FOR CHILDREN AND YOUTH

248 MAJOR OBJECTS OF EXPENDITURE:

249 Personal Services:

250	Salaries, Wages and Fringe Benefits...\$	962,848.00
251	Travel and Subsistence.....	34,032.00
252	Contractual Services.....	1,825,163.00
253	Commodities.....	934,798.00

254 Capital Outlay:

255	Other Than Equipment.....	0.00
256	Equipment.....	538,839.00
257	Subsidies, Loans and Grants.....	<u>46,352,648.00</u>
258	Total.....\$	50,648,328.00

259 FUNDING:

260	General Funds.....\$	3,773,634.00
261	Special Funds.....	<u>46,874,694.00</u>

262 Total.....\$ 50,648,328.00

263 AUTHORIZED POSITIONS:

264	Permanent:	Full Time.....	14
265		Part Time.....	0
266	Time-Limited:	Full Time.....	9
267		Part Time.....	0

268 With the funds herein appropriated, it is the intention of
269 the Legislature that it shall be the agency's responsibility to
270 make certain that funds required to be appropriated for "Personal
271 Services" for Fiscal Year 2002 do not exceed Fiscal Year 2001
272 funds appropriated for that purpose, unless programs or positions
273 are added to the agency's Fiscal Year 2002 budget by the
274 Mississippi Legislature. Based on data provided by the
275 Legislative Budget Office, the State Personnel Board shall
276 determine and publish the projected annual cost to fully fund all
277 appropriated positions in compliance with the provisions of this
278 act. It shall be the responsibility of the agency head to insure
279 that no single personnel action increases this projected annual
280 cost and/or the Fiscal Year 2001 appropriation for "Personal
281 Services" when annualized. If, at the end of any calendar month,
282 the State Personnel Board determines that the agency has taken
283 action(s) which would cause the agency to exceed this projected
284 annual cost or the Fiscal Year 2001 "Personal Services"
285 appropriated level, when annualized, then only those actions which
286 reduce the projected annual cost and/or the appropriation
287 requirement will be processed by the State Personnel Board until
288 such time as the requirements of this provision are met.

289 It is the intention of the Legislature that the Executive
290 Director of the Department of Human Services may transfer between
291 the various divisions authorized herein both funds and positions
292 not to exceed five percent (5%) of the receiving division
293 consistent with the provisions of Section 1 of this act. Provided,
294 however, that no county office positions shall be transferred to

295 any regional office or to the state office. The Executive
296 Director of the Department of Human Services shall submit written
297 justification for the transfer to the Legislative Budget Office
298 and the Department of Finance and Administration on or before the
299 fifteenth of the month prior to the effective date of the
300 transfer. It is further the intention of the Legislature that any
301 transfers made under the provisions of this paragraph shall be of
302 an emergency nature and that in no case shall the transfers be
303 made which substantially alter the legislative intent for the
304 various divisions or offices as set forth in the original
305 appropriations made under this act.

306 Any transfers within major object of expenditure within each
307 specific budget or escalations shall be made in accordance with
308 the terms, conditions and procedures established by law.

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

313 Unless expressly authorized herein by the Legislature, no
314 funds appropriated to be expended for travel and subsistence shall
315 be expended to pay expenses incurred by more than six (6)
316 employees or other representatives of the agency for attending the
317 same out-of-state conference, seminar or workshop; however, such
318 funds may be expended for expenses incurred by more than six (6)
319 employees or other representatives for attendance at the same
320 conference, seminar or workshop (a) if attendance is required in
321 order to maintain professional certification or licensure, which
322 certification or licensure is required by the employees' job
323 descriptions or by law, or (b) if such expenditure has received
324 the prior written approval of the Department of Finance and
325 Administration.

326 SECTION 5. Of the funds appropriated in Section 2, Two
327 Million Eighty-six Thousand Six Hundred Eighty-three

328 (\$2,086,683.00) is provided for the support of a contract with the
329 Department of Education, Industrial Training Program for the
330 training of TANF clients.

331 These funds shall be transferred to the Mississippi
332 Department of Education Industrial Training budget and shall be
333 expended in accordance with Sections 37-31-103 through 37-31-111,
334 Mississippi Code of 1972. Training will be conducted in the areas
335 outlined in Section 37-31-103 (2) for TANF recipients. The terms
336 and provisions for program operation will be established through a
337 nonfinancial agreement between the Mississippi Department of
338 Education and the Mississippi Department of Human Services. This
339 nonfinancial agreement will be initiated by the Mississippi
340 Department of Education, Office of Vocational and Technical
341 Education in accordance with current laws, rules and regulations
342 as approved by the Mississippi State Board of Education.

343 Identification, eligibility, certification, enrollment,
344 follow-up, performance standards and sanction liabilities of the
345 TANF clients will be the sole responsibility of the Department of
346 Human Services.

347 SECTION 6. It is the intention of the Legislature that the
348 Executive Director of the Department of Human Services shall make
349 a complete report to the Joint Legislative Budget Committee and
350 the Department of Finance and Administration no later than October
351 15, 2000, concerning the distribution of the funds provided in the
352 Social Services Block Grant. This report shall contain data from
353 the two (2) previous fiscal years for comparison purposes. The
354 two previous fiscal years along with new distribution of funds
355 shall be presented side by side with a column showing the
356 differences between the previous fiscal year and the new
357 distribution of funds.

358 SECTION 7. Of the funds appropriated in Section 2 and
359 allocated in Section 4 in the Contractual Services major object of
360 expenditure of the Division of Child Support Enforcement that are

361 derived from child support collection incentive payments actually
362 received by the state from the federal government that are
363 attributable to child support collections in Hinds and Warren
364 Counties, the Department of Human Services shall make bonus
365 payments to MAXIMUS for child support collection, which shall be
366 calculated as follows:

367 (a) At the end of each quarter of Fiscal Year 2001, the
368 total amount of child support collections in Hinds and Warren
369 Counties for that quarter shall be determined, based on
370 collections received on behalf of Hinds and Warren Counties.

371 (b) From the amount determined under paragraph (a) for
372 each quarter of Fiscal Year 2001, there shall be subtracted the
373 total amount of child support collections in Hinds and Warren
374 Counties during the same quarter of Fiscal Year 1999, based on
375 collections received on behalf of Hinds and Warren Counties.

376 (c) The amount determined under paragraph (b) shall be
377 reduced by ten percent (10%).

378 (d) The resulting amount determined under paragraph (c)
379 in any quarter of Fiscal Year 2001, or the amount of child support
380 collection incentive payments actually received by the state from
381 the federal government that are attributable to child support
382 collections in Hinds and Warren Counties during that quarter,
383 whichever is less, shall be the amount of the bonus payment made
384 to MAXIMUS for that quarter.

385 (e) If the amount determined under paragraph (b) is
386 zero (0) or less in any quarter of Fiscal Year 2001, then no bonus
387 payment shall be made to MAXIMUS for that quarter.

388 SECTION 8. If MAXIMUS, Inc., notifies the Department of
389 Human Services that the proposed contract modification presented
390 to MAXIMUS by the Department of Human Services for Fiscal Year
391 2001 is unacceptable, such action shall be deemed to constitute a
392 termination of the contract by MAXIMUS, and the Executive Director
393 of the Department of Human Services shall immediately request new

394 bids or proposals for the operation of its child support
395 collection programs in Hinds and Warren Counties for Fiscal Year
396 2001 based upon the proposed contract. Such request for proposals
397 and the awarding of any new contract shall be in compliance with
398 applicable public bid requirements. Any contract entered into by
399 the Department of Human Services for the operation of its child
400 support program in Hinds and Warren Counties shall be for a period
401 of not more than one (1) year beginning on July 1, 2000. Such
402 contract shall be awarded to the lowest and best bidder, and if no
403 satisfactory bids are received, then the Executive Director of the
404 Department of Human Services shall have the authority effective
405 July 1, 2000, to transfer an amount not to exceed Six Million Six
406 Hundred Thousand Dollars (\$6,600,000.00) from the funds allocated
407 to the Contractual Services major object of expenditure of the
408 Division of Child Support Enforcement to any major object of
409 expenditure within the Division of Child Support Enforcement, and
410 to escalate positions not to exceed ninety (90) permanent
411 full-time positions.

412 SECTION 9. Of the funds appropriated under the provisions of
413 Sections 1 and 2, and authorized for expenditure in Section 4, the
414 amount of One Hundred Fifty Thousand Dollars (\$150,000.00) is
415 provided for the support of the Jackson State University -
416 Continuing Education Learning Center.

417 SECTION 10. None of the funds appropriated under the
418 provisions of Sections 1 and 2 shall be used to pay any contractor
419 that is not a successful bidder for genetic paternity testing
420 services bid by the Department of Human Services.

421 SECTION 11. Of the funds appropriated in Section 2, One
422 Million Dollars (\$1,000,000.00) shall be transferred to the
423 Department of Health, Child Care Licensure Program from the Child
424 Care Development Fund or other appropriate special fund. These
425 funds are to be transferred to the Board of Health no later than
426 July 31, 2000. The Department of Health shall make a complete

427 accounting to the Department of Human Services detailing the uses
428 of these funds in accordance with federal and state regulations.

429 SECTION 12. It is the intention of the Legislature that the
430 Department of Human Services contract with the Department of
431 Health to operate the School Nurse Teen Pregnancy Prevention Pilot
432 Program as described in House Bill No. 766 of the 1997 Legislative
433 Session, in compliance with all applicable TANF federal and state
434 regulations.

435 SECTION 13. The money herein appropriated shall be paid by
436 the State Treasurer out of any money in the State Treasury to the
437 credit of the proper fund or funds as set forth in this act, upon
438 warrants issued by the State Fiscal Officer; and the State Fiscal
439 Officer shall issue his warrants upon requisitions signed by the
440 proper person, officer or officers, in the manner provided by law.

441 SECTION 14. This act shall take effect and be in force from
442 and after July 1, 2000, with the exception of Section 8, which
443 shall take effect and be in force from and after the passage of
444 this act.