

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

To: Appropriations

HOUSE BILL NO. 1634
(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 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.....\$ 94,528,128.00.

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 SECTION 2. The following sum, or so much thereof as may be
25 necessary, is hereby appropriated out of any money in any special
26 fund in the State Treasury to the credit of the Department of

27 Human Services which is comprised of special source funds
 28 collected by or otherwise available to the department for the
 29 support of the various divisions of the department, for the
 30 purpose of defraying the expenses of the department for the fiscal
 31 year beginning July 1, 2000, and ending June 30, 2001.....
 32\$ 346,925,860.00.

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

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

43 DIVISION OF FAMILY AND CHILDREN'S SERVICES

44 OFFICE OF YOUTH SERVICES

45 MAJOR OBJECTS OF EXPENDITURE:

46 Personal Services:

47	Salaries, Wages and Fringe Benefits...\$	18,735,470.00
48	Travel and Subsistence.....	190,133.00
49	Contractual Services.....	1,812,433.00
50	Commodities.....	1,920,798.00
51	Capital Outlay:	
52	Other Than Equipment.....	0.00
53	Equipment.....	544,158.00
54	Subsidies, Loans and Grants.....	<u>2,351,533.00</u>
55	Total.....\$	25,554,525.00

56 FUNDING:

57	General Funds.....\$	18,049,301.00
58	Special Funds.....	<u>7,505,224.00</u>
59	Total.....\$	25,554,525.00

60 AUTHORIZED POSITIONS:

61	Permanent:	Full Time.....	704
62		Part Time.....	8
63	Time-Limited:	Full Time.....	21

64 Part Time..... 1

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

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

84 OFFICE OF SOCIAL SERVICES

85 MAJOR OBJECTS OF EXPENDITURE:

86 Personal Services:

87	Salaries, Wages and Fringe Benefits...\$	24,586,157.00
88	Travel and Subsistence.....	1,800,000.00
89	Contractual Services.....	11,578,026.00
90	Commodities.....	325,087.00
91	Capital Outlay:	
92	Other Than Equipment.....	0.00
93	Equipment.....	1,510,235.00
94	Subsidies, Loans and Grants.....	<u>19,671,200.00</u>
95	Total.....\$	59,470,705.00

96 FUNDING:

97	General Funds.....	\$	13,745,383.00
98	Special Funds.....		<u>45,725,322.00</u>
99	Total.....	\$	59,470,705.00

100 AUTHORIZED POSITIONS:

101	Permanent:	Full Time.....	623
102		Part Time.....	0
103	Time-Limited:	Full Time.....	85
104		Part Time.....	0

105 DIVISION OF AGING AND ADULT SERVICES

106 MAJOR OBJECTS OF EXPENDITURE:

107	Personal Services:		
108	Salaries, Wages and Fringe Benefits...	\$	659,122.00
109	Travel and Subsistence.....		23,000.00
110	Contractual Services.....		248,338.00
111	Commodities.....		38,285.00
112	Capital Outlay:		
113	Other Than Equipment.....		0.00
114	Equipment.....		17,000.00
115	Subsidies, Loans and Grants.....		<u>18,585,759.00</u>
116	Total.....	\$	19,571,504.00

117 FUNDING:

118	General Funds.....	\$	808,152.00
119	Special Funds.....		<u>18,763,352.00</u>
120	Total.....	\$	19,571,504.00

121 AUTHORIZED POSITIONS:

122	Permanent:	Full Time.....	9
123		Part Time.....	0
124	Time-Limited:	Full Time.....	6
125		Part Time.....	0

126 DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE
127 FOR NEEDY FAMILIES (TANF)

128 MAJOR OBJECTS OF EXPENDITURE:

129 Personal Services:

130	Salaries, Wages and Fringe Benefits...\$	53,819,530.00
131	Travel and Subsistence.....	977,057.00
132	Contractual Services.....	24,253,447.00
133	Commodities.....	1,522,845.00
134	Capital Outlay:	
135	Other Than Equipment.....	0.00
136	Equipment.....	8,738,245.00
137	Subsidies, Loans and Grants.....	<u>95,622,960.00</u>
138	Total.....\$	184,934,084.00

139 FUNDING:

140	General Funds.....\$	48,607,648.00
141	Special Funds.....	<u>136,326,436.00</u>
142	Total.....\$	184,934,084.00

143 AUTHORIZED POSITIONS:

144	Permanent: Full Time.....	1,565
145	Part Time.....	0
146	Time-Limited: Full Time.....	228
147	Part Time.....	0

148 Division of Economic Assistance/Temporary Assistance for
149 Needy Families (TANF) includes budgets previously known as
150 Division of Economic Assistance, Division of Food Stamp Employment
151 and Training, Job Opportunities and Basic Skills Training Program
152 and Welfare Restructuring Program.

153 DIVISION OF CHILD SUPPORT ENFORCEMENT

154 MAJOR OBJECTS OF EXPENDITURE:

155 Personal Services:

156	Salaries, Wages and Fringe Benefits...\$	19,597,268.00
157	Travel and Subsistence.....	383,961.00
158	Contractual Services.....	11,473,482.00
159	Commodities.....	292,500.00
160	Capital Outlay:	
161	Other Than Equipment.....	0.00
162	Equipment.....	1,167,389.00

163 Subsidies, Loans and Grants..... 9,718,222.00

164 Total.....\$ 42,632,822.00

165 FUNDING:

166 General Funds.....\$ 5,263,568.00

167 Special Funds..... 37,369,254.00

168 Total.....\$ 42,632,822.00

169 AUTHORIZED POSITIONS:

170 Permanent: Full Time..... 313

171 Part Time..... 0

172 Time-Limited: Full Time..... 279

173 Part Time..... 0

174 DIVISION OF COMMUNITY SERVICES

175 MAJOR OBJECTS OF EXPENDITURE:

176 Personal Services:

177 Salaries, Wages and Fringe Benefits...\$ 527,222.00

178 Travel and Subsistence..... 27,422.00

179 Contractual Services..... 328,141.00

180 Commodities..... 39,812.00

181 Capital Outlay:

182 Other Than Equipment..... 0.00

183 Equipment..... 10,365.00

184 Subsidies, Loans and Grants..... 16,357,783.00

185 Total.....\$ 17,290,745.00

186 FUNDING:

187 General Funds.....\$ 0.00

188 Special Funds..... 17,290,745.00

189 Total.....\$ 17,290,745.00

190 AUTHORIZED POSITIONS:

191 Permanent: Full Time..... 11

192 Part Time..... 0

193 Time-Limited: Full Time..... 3

194 Part Time..... 0

195 DIVISION OF SUPPORT SERVICES

196 MAJOR OBJECTS OF EXPENDITURE:

197 Personal Services:

198	Salaries, Wages and Fringe Benefits...\$	10,488,209.00
199	Travel and Subsistence.....	215,393.00
200	Contractual Services.....	3,700,236.00
201	Commodities.....	359,400.00
202	Capital Outlay:	
203	Other Than Equipment.....	0.00
204	Equipment.....	600,386.00
205	Subsidies, Loans and Grants.....	<u>37,276.00</u>
206	Total.....\$	15,400,900.00

207 FUNDING:

208	General Funds.....\$	4,280,355.00
209	Special Funds.....	<u>11,120,545.00</u>
210	Total.....\$	15,400,900.00

211 AUTHORIZED POSITIONS:

212	Permanent: Full Time.....	221
213	Part Time.....	0
214	Time-Limited: Full Time.....	43
215	Part Time.....	0

216 SOCIAL SERVICES BLOCK GRANT PROGRAM

217 MAJOR OBJECTS OF EXPENDITURE:

218 Personal Services:

219	Salaries, Wages and Fringe Benefits...\$	125,197.00
220	Travel and Subsistence.....	5,000.00
221	Contractual Services.....	172,375.00
222	Commodities.....	4,700.00
223	Capital Outlay:	
224	Other Than Equipment.....	0.00
225	Equipment.....	5,000.00
226	Subsidies, Loans and Grants.....	<u>25,483,891.00</u>
227	Total.....\$	25,796,163.00

228 FUNDING:

229	General Funds.....	\$	0.00
230	Special Funds.....		<u>25,796,163.00</u>
231	Total.....	\$	25,796,163.00

232 AUTHORIZED POSITIONS:

233	Permanent:	Full Time.....	1
234		Part Time.....	0
235	Time-Limited:	Full Time.....	2
236		Part Time.....	0

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

242 OFFICE FOR CHILDREN AND YOUTH

243 MAJOR OBJECTS OF EXPENDITURE:

244 Personal Services:

245	Salaries, Wages and Fringe Benefits...	\$	1,117,060.00
246	Travel and Subsistence.....		34,032.00
247	Contractual Services.....		1,825,163.00
248	Commodities.....		934,798.00
249	Capital Outlay:		
250	Other Than Equipment.....		0.00
251	Equipment.....		538,839.00
252	Subsidies, Loans and Grants.....		<u>46,352,648.00</u>
253	Total.....	\$	50,802,540.00

254 FUNDING:

255	General Funds.....	\$	3,773,721.00
256	Special Funds.....		<u>47,028,819.00</u>
257	Total.....	\$	50,802,540.00

258 AUTHORIZED POSITIONS:

259	Permanent:	Full Time.....	16
260		Part Time.....	0
261	Time-Limited:	Full Time.....	11

262 Part Time..... 0

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

284 It is the intention of the Legislature that the Executive
285 Director of the Department of Human Services may transfer between
286 the various divisions authorized herein both funds and positions
287 not to exceed five percent (5%) of the receiving division
288 consistent with the provisions of Section 1 of this act.
289 Provided, however, that no county office positions shall be
290 transferred to any regional office or to the state office. The
291 Executive Director of the Department of Human Services shall
292 submit written justification for the transfer to the Legislative
293 Budget Office and the Department of Finance and Administration on
294 or before the fifteenth of the month prior to the effective date

295 of the transfer. It is further the intention of the Legislature
296 that any transfers made under the provisions of this paragraph
297 shall be of an emergency nature and that in no case shall the
298 transfers be made which substantially alter the legislative intent
299 for the various divisions or offices as set forth in the original
300 appropriations made under this act.

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

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

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

321 SECTION 5. Of the funds appropriated in Section 2, Two
322 Million Eighty-six Thousand Six Hundred Eighty-three Dollars
323 (\$2,086,683.00) is provided for the support of a contract with the
324 Department of Education, Industrial Training Program for the
325 training of TANF clients.

326 These funds shall be transferred to the Mississippi
327 Department of Education Industrial Training budget and shall be

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

338 Identification, eligibility, certification, enrollment,
339 follow-up, performance standards and sanction liabilities of the
340 TANF clients will be the sole responsibility of the Department of
341 Human Services.

342 SECTION 6. It is the intention of the Legislature that the
343 Executive Director of the Department of Human Services shall make
344 a complete report to the Joint Legislative Budget Committee and
345 the Department of Finance and Administration no later than October
346 15, 2000, concerning the distribution of the funds provided in the
347 Social Services Block Grant. This report shall contain data from
348 the two (2) previous fiscal years for comparison purposes. The
349 two (2) previous fiscal years along with new distribution of funds
350 shall be presented side by side with a column showing the
351 differences between the previous fiscal year and the new
352 distribution of funds.

353 SECTION 7. Of the funds appropriated in Section 2 and
354 allocated in Section 4 in the Contractual Services major object of
355 expenditure of the Division of Child Support Enforcement that are
356 derived from child support collection incentive payments actually
357 received by the state from the federal government that are
358 attributable to child support collections in Hinds and Warren
359 Counties, the Department of Human Services shall make bonus
360 payments to MAXIMUS for child support collection, which shall be

361 calculated as follows:

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

366 (b) From the amount determined under paragraph (a) for
367 each quarter of Fiscal Year 2001, there shall be subtracted the
368 total amount of child support collections in Hinds and Warren
369 Counties during the same quarter of Fiscal Year 1999, based on
370 collections received on behalf of Hinds and Warren Counties.

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

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

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

383 SECTION 8. If MAXIMUS, Inc., notifies the Department of
384 Human Services that the proposed contract modification presented
385 to MAXIMUS by the Department of Human Services for Fiscal Year
386 2001 is unacceptable, such action shall be deemed to constitute a
387 termination of the contract by MAXIMUS, and the Executive Director
388 of the Department of Human Services shall immediately request new
389 bids or proposals for the operation of its child support
390 collection programs in Hinds and Warren Counties for Fiscal Year
391 2001 based upon the proposed contract. Such request for proposals
392 and the awarding of any new contract shall be in compliance with
393 applicable public bid requirements. Any contract entered into by

394 the Department of Human Services for the operation of its child
395 support program in Hinds and Warren Counties shall be for a period
396 of not more than one (1) year beginning on July 1, 2000. Such
397 contract shall be awarded to the lowest and best bidder, and if no
398 satisfactory bids are received, then the Executive Director of the
399 Department of Human Services shall have the authority effective
400 July 1, 2000, to transfer an amount not to exceed Six Million Six
401 Hundred Thousand Dollars (\$6,600,000.00) from the funds allocated
402 to the Contractual Services major object of expenditure of the
403 Division of Child Support Enforcement to any major object of
404 expenditure within the Division of Child Support Enforcement, and
405 to escalate positions not to exceed ninety (90) permanent
406 full-time positions.

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

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

416 SECTION 11. Of the funds appropriated in Section 2, One
417 Million Dollars (\$1,000,000.00) shall be transferred to the
418 Department of Health, Child Care Licensure Program from the Child
419 Care Development Fund or other appropriate special fund. These
420 funds are to be transferred to the Board of Health no later than
421 July 31, 2000. The Department of Health shall make a complete
422 accounting to the Department of Human Services detailing the uses
423 of these funds in accordance with federal and state regulations.

424 SECTION 12. It is the intention of the Legislature that the
425 Department of Human Services contract with the Department of
426 Health to operate the School Nurse Teen Pregnancy Prevention Pilot

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

430 SECTION 13. It is the intent of the Legislature that the
431 Department of Human Services have authority to escalate the
432 various budgets only in the major objects of Contractual Services
433 and Subsidies and only with the approval of the State Fiscal
434 Officer, from special funds collected or available from the TANF
435 (Temporary Assistance for Needy Families) Grant, in the current or
436 any prior fiscal year, not to exceed Seventy-one Million Dollars
437 (\$71,000,000.00). Upon such approval, the Department of Human
438 Services may expend such funds in the manner authorized by law.

439 The Executive Director of the Department of Human Services
440 shall submit to the Department of Finance and Administration a
441 certified statement providing a detailed explanation for any
442 escalation and an assessment of the impact on the agency's General
443 Fund budget for the three (3) fiscal years following the fiscal
444 year in which the escalation is requested. A copy of this
445 submission shall be sent to the Legislative Budget Office.

446 SECTION 14. Of the funds appropriated in Section 2, One
447 Million Two Hundred Thousand Dollars (\$1,200,000.00) of TANF
448 (Temporary Assistance for Needy Families) federal funds shall be
449 transferred to the Office of the Attorney General for the purpose
450 of subgranting with entities which will develop and implement
451 programs that serve unmet needs of "at risk" youth in the state.
452 The Attorney General shall administer the transferred TANF funds.

453 SECTION 15. The money herein appropriated shall be paid by
454 the State Treasurer out of any money in the State Treasury to the
455 credit of the proper fund or funds as set forth in this act, upon
456 warrants issued by the State Fiscal Officer; and the State Fiscal
457 Officer shall issue his warrants upon requisitions signed by the
458 proper person, officer or officers, in the manner provided by law.

459 SECTION 16. This act shall take effect and be in force from

460 and after July 1, 2000, with the exception of Section 8, which
461 shall take effect and be in force from and after the passage of
462 this act.