

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

HOUSE BILL NO. 1795 (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 2003.

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, 2002, and
8 ending June 30, 2003..... \$ 74,679,689.00.

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, 2002, and ending June 30, 2003.....
17 ..... \$ 329,957,711.00.

18 SECTION 3. The following sum, or so much thereof as may be
19 necessary, is hereby appropriated out of any money in the State
20 Treasury to the credit of the Health Care Expendable Fund, for the
21 purpose of defraying the expenses of the Department of Human
22 Services for the fiscal year beginning July 1, 2002, and ending
23 June 30, 2003..... \$ 250,000.00.

24 The above funds shall be allocated as follows:

25 Aging and Adult Services - Home
26 Delivered Meals.....\$ 250,000.00



27           **SECTION 4.** None of the funds appropriated by this act shall  
 28 be expended for any purpose that is not actually required or  
 29 necessary for performing any of the powers or duties of the  
 30 Department of Human Services that are authorized by the  
 31 Mississippi Constitution of 1890, state or federal law, or rules  
 32 or regulations that implement state or federal law.

33           **SECTION 5.** Of the funds appropriated under the provisions of  
 34 Sections 1 and 2, not more than the amounts set forth below shall  
 35 be expended for the respective major objects or purposes of  
 36 expenditure:

37                                           DIVISION OF YOUTH SERVICES

38           MAJOR OBJECTS OF EXPENDITURE:

39           Personal Services:

40	Salaries, Wages and Fringe Benefits.. \$	17,729,422.00
41	Travel and Subsistence.....	156,053.00
42	Contractual Services.....	1,705,050.00
43	Commodities.....	1,575,983.00
44	Capital Outlay:	
45	Other Than Equipment.....	0.00
46	Equipment.....	79,440.00
47	Subsidies, Loans and Grants.....	<u>1,229,562.00</u>
48	Total..... \$	22,475,510.00

49           FUNDING:

50	General Funds..... \$	14,908,794.00
51	Special Funds.....	<u>7,566,716.00</u>
52	Total..... \$	22,475,510.00

53           AUTHORIZED POSITIONS:

54	Permanent:     Full Time.....	700
55	Part Time.....	8
56	Time-Limited: Full Time.....	13
57	Part Time.....	0

58           Any person within the Office of Youth Services classified as  
 59 Youth Services Counselor Aide I, Youth Services Counselor Aide II,



60 Youth Services Counselor Aide III, Security Officer I, Security  
61 Officer II, Security Officer III, Recreation Supervisor, General  
62 Services Employee I, General Services Employee II, Youth Services  
63 Counselor I, Youth Services Counselor II, and Youth Services  
64 Counselor III, who must work on a statutory holiday or any holiday  
65 proclaimed by the Governor, may at the discretion of the  
66 superintendents of the institutions and the Executive Director of  
67 the Office of Youth Services and within available personnel funds,  
68 be paid "call back pay" in lieu of "compensatory time credit."

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

77 DIVISION OF FAMILY AND CHILDREN'S SERVICES

78 MAJOR OBJECTS OF EXPENDITURE:

79 Personal Services:

80	Salaries, Wages and Fringe Benefits.. \$	24,335,779.00
81	Travel and Subsistence.....	1,193,584.00
82	Contractual Services.....	13,222,252.00
83	Commodities.....	510,675.00
84	Capital Outlay:	
85	Other Than Equipment.....	0.00
86	Equipment.....	803,071.00
87	Subsidies, Loans and Grants.....	<u>31,358,346.00</u>
88	Total..... \$	71,423,707.00

89 FUNDING:

90	General Funds..... \$	10,632,136.00
91	Special Funds.....	<u>60,791,571.00</u>
92	Total..... \$	71,423,707.00



93 AUTHORIZED POSITIONS:

94	Permanent:	Full Time.....	625
95		Part Time.....	0
96	Time-Limited:	Full Time.....	196
97		Part Time.....	0

98 DIVISION OF AGING AND ADULT SERVICES

99 MAJOR OBJECTS OF EXPENDITURE:

100 Personal Services:

101	Salaries, Wages and Fringe Benefits..	\$	526,034.00
102	Travel and Subsistence.....		31,000.00
103	Contractual Services.....		133,567.00
104	Commodities.....		30,000.00
105	Capital Outlay:		
106	Other Than Equipment.....		0.00
107	Equipment.....		9,350.00
108	Subsidies, Loans and Grants.....		<u>18,525,625.00</u>
109	Total.....	\$	19,255,576.00

110 FUNDING:

111	General Funds.....	\$	443,321.00
112	Special Funds.....		<u>18,812,255.00</u>
113	Total.....	\$	19,255,576.00

114 AUTHORIZED POSITIONS:

115	Permanent:	Full Time.....	7
116		Part Time.....	0
117	Time-Limited:	Full Time.....	6
118		Part Time.....	0

119 Of the funds appropriated herein, Seven Million Six Hundred  
120 Fifty Thousand Dollars (\$7,650,000.00) is provided for the Home  
121 Delivered Meals Program.

122 DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE

123 FOR NEEDY FAMILIES (TANF)

124 MAJOR OBJECTS OF EXPENDITURE:

125 Personal Services:



126	Salaries, Wages and Fringe Benefits..	\$	50,117,319.00
127	Travel and Subsistence.....		698,500.00
128	Contractual Services.....		28,846,669.00
129	Commodities.....		889,565.00
130	Capital Outlay:		
131	Other Than Equipment.....		0.00
132	Equipment.....		2,381,553.00
133	Subsidies, Loans and Grants.....		<u>69,330,893.00</u>
134	Total.....	\$	152,264,499.00

135 FUNDING:

136	General Funds.....	\$	38,177,873.00
137	Special Funds.....		<u>114,086,626.00</u>
138	Total.....	\$	152,264,499.00

139 AUTHORIZED POSITIONS:

140	Permanent:	Full Time.....	1,516
141		Part Time.....	0
142	Time-Limited:	Full Time.....	218
143		Part Time.....	3

144 DIVISION OF CHILD SUPPORT ENFORCEMENT

145 MAJOR OBJECTS OF EXPENDITURE:

146 Personal Services:

147	Salaries, Wages and Fringe Benefits..	\$	18,433,435.00
148	Travel and Subsistence.....		200,419.00
149	Contractual Services.....		7,101,288.00
150	Commodities.....		231,165.00
151	Capital Outlay:		
152	Other Than Equipment.....		0.00
153	Equipment.....		266,750.00
154	Subsidies, Loans and Grants.....		<u>8,405,855.00</u>
155	Total.....	\$	34,638,912.00

156 FUNDING:

157	General Funds.....	\$	4,285,255.00
158	Special Funds.....		<u>30,353,657.00</u>



159 Total..... \$ 34,638,912.00

160 AUTHORIZED POSITIONS:

161 Permanent: Full Time..... 326

162 Part Time..... 0

163 Time-Limited: Full Time..... 236

164 Part Time..... 0

165 DIVISION OF COMMUNITY SERVICES

166 MAJOR OBJECTS OF EXPENDITURE:

167 Personal Services:

168 Salaries, Wages and Fringe Benefits.. \$ 503,455.00

169 Travel and Subsistence..... 27,422.00

170 Contractual Services..... 315,461.00

171 Commodities..... 30,000.00

172 Capital Outlay:

173 Other Than Equipment..... 0.00

174 Equipment..... 7,000.00

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

176 Total..... \$ 17,241,121.00

177 FUNDING:

178 General Funds..... \$ 0.00

179 Special Funds..... 17,241,121.00

180 Total..... \$ 17,241,121.00

181 AUTHORIZED POSITIONS:

182 Permanent: Full Time..... 9

183 Part Time..... 0

184 Time-Limited: Full Time..... 3

185 Part Time..... 0

186 DIVISION OF SUPPORT SERVICES

187 MAJOR OBJECTS OF EXPENDITURE:

188 Personal Services:

189 Salaries, Wages and Fringe Benefits.. \$ 8,941,522.00

190 Travel and Subsistence..... 109,674.00

191 Contractual Services..... 2,315,231.00



192	Commodities.....	251,890.00
193	Capital Outlay:	
194	Other Than Equipment.....	0.00
195	Equipment.....	130,522.00
196	Subsidies, Loans and Grants.....	<u>55,763.00</u>
197	Total.....	\$ 11,804,602.00

198 FUNDING:

199	General Funds.....	\$ 3,323,655.00
200	Special Funds.....	<u>8,480,947.00</u>
201	Total.....	\$ 11,804,602.00

202 AUTHORIZED POSITIONS:

203	Permanent: Full Time.....	189
204	Part Time.....	0
205	Time-Limited: Full Time.....	26
206	Part Time.....	0

207 SOCIAL SERVICES BLOCK GRANT PROGRAM

208 MAJOR OBJECTS OF EXPENDITURE:

209	Personal Services:	
210	Salaries, Wages and Fringe Benefits..	\$ 140,333.00
211	Travel and Subsistence.....	5,000.00
212	Contractual Services.....	172,375.00
213	Commodities.....	4,700.00
214	Capital Outlay:	
215	Other Than Equipment.....	0.00
216	Equipment.....	5,000.00
217	Subsidies, Loans and Grants.....	<u>25,483,891.00</u>
218	Total.....	\$ 25,811,299.00

219 FUNDING:

220	General Funds.....	\$ 0.00
221	Special Funds.....	<u>25,811,299.00</u>
222	Total.....	\$ 25,811,299.00

223 AUTHORIZED POSITIONS:

224	Permanent: Full Time.....	1
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225 Part Time..... 0  
 226 Time-Limited: Full Time..... 2  
 227 Part Time..... 0

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

233 OFFICE FOR CHILDREN AND YOUTH

234 MAJOR OBJECTS OF EXPENDITURE:

235 Personal Services:

236	Salaries, Wages and Fringe Benefits.. \$	746,685.00
237	Travel and Subsistence.....	25,000.00
238	Contractual Services.....	800,000.00
239	Commodities.....	125,000.00
240	Capital Outlay:	
241	Other Than Equipment.....	0.00
242	Equipment.....	500,000.00
243	Subsidies, Loans and Grants.....	<u>47,775,489.00</u>
244	Total..... \$	49,972,174.00

245 FUNDING:

246	General Funds..... \$	2,908,655.00
247	Special Funds.....	<u>47,063,519.00</u>
248	Total..... \$	49,972,174.00

249 AUTHORIZED POSITIONS:

250 Permanent: Full Time..... 10  
 251 Part Time..... 0  
 252 Time-Limited: Full Time..... 7  
 253 Part Time..... 0

254 Funds are provided herein to adjust the Variable Compensation  
 255 Plan to ensure that all full-time employees receive a pay increase  
 256 equal to fifty percent (50%) of the realignment component of the





257 Variable Compensation Plan or Six Hundred Dollars (\$600.00),  
258 whichever is greater, beginning on January 1, 2003.

259 With the funds herein appropriated, it is the intention of  
260 the Legislature that it shall be the agency's responsibility to  
261 make certain that funds required to be appropriated for "Personal  
262 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003  
263 funds appropriated for that purpose, unless programs, positions or  
264 pay increases are added to the agency's budget by the Mississippi  
265 Legislature. Based on data provided by the Legislative Budget  
266 Office, the State Personnel Board shall, on July 1, 2002, publish  
267 separate annual projection reports, based on July 1, 2002, data,  
268 for the period of July 1, 2002, through December 31, 2002, and  
269 January 1, 2003, through June 30, 2003, that project the annual  
270 cost to fully fund all appropriated positions in compliance with  
271 the provisions of this act. It shall be the responsibility of the  
272 agency head to ensure that no single personnel action increases  
273 this projected cost and/or the Fiscal Year 2003 appropriation for  
274 "Personal Services," as annualized on a semiannual basis in  
275 accordance with the provisions of this act. If, at the end of any  
276 calendar month, the State Personnel Board determines that the  
277 agency has taken action(s) which would cause the agency to exceed  
278 this projected annual cost or the Fiscal Year 2003 "Personal  
279 Services" appropriated level, when annualized in compliance with  
280 the provisions of this act, then only those actions which reduce  
281 the projected annual cost and/or the appropriation requirement  
282 will be processed by the State Personnel Board until such time as  
283 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 ten percent (10%) 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 6.** 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 State Board of Community and Junior Colleges Industrial Training  
325 Program for the training of TANF clients.

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

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 7.** 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, 2002, 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 8.** Of the funds appropriated under the provisions of  
354 Sections 1 and 2, and authorized for expenditure in Section 5, the  
355 amount of One Hundred Fifty Thousand Dollars (\$150,000.00) is



356 provided for the support of the Jackson State University -  
357 Continuing Education Learning Center.

358         **SECTION 9.** None of the funds appropriated under the  
359 provisions of Sections 1 and 2 shall be used to pay any contractor  
360 that is not a successful bidder for genetic paternity testing  
361 services bid by the Department of Human Services.

362         **SECTION 10.** Of the funds appropriated in Section 2, One  
363 Million Dollars (\$1,000,000.00) shall be transferred to the  
364 Department of Health, Child Care Licensure Program from the Child  
365 Care Development Fund or other appropriate special fund. These  
366 funds are to be transferred to the Board of Health no later than  
367 July 31, 2002. The Department of Health shall make a complete  
368 accounting to the Department of Human Services detailing the uses  
369 of these funds in accordance with federal and state regulations.

370         **SECTION 11.** It is the intention of the Legislature that the  
371 Department of Human Services contract with the Department of  
372 Health to operate the School Nurse Teen Pregnancy Prevention Pilot  
373 Program as described in House Bill No. 766 of the 1997 Legislative  
374 Session, in compliance with all applicable TANF federal and state  
375 regulations.

376         **SECTION 12.** It is the intent of the Legislature that the  
377 Department of Human Services have authority to escalate the  
378 various budgets only in the major objects of Contractual Services  
379 and Subsidies and only with the approval of the State Fiscal  
380 Officer, from special funds collected or available from the TANF  
381 (Temporary Assistance for Needy Families) Grant, in the current or  
382 any prior fiscal year, not to exceed Seventy-one Million Dollars  
383 (\$71,000,000.00). Upon such approval, the Department of Human  
384 Services may expend such funds in the manner authorized by law.

385         The Executive Director of the Department of Human Services  
386 shall submit to the Department of Finance and Administration a  
387 certified statement providing a detailed explanation for any  
388 escalation and an assessment of the impact on the agency's General



389 Fund budget for the three (3) fiscal years following the fiscal  
390 year in which the escalation is requested. A copy of this  
391 submission shall be sent to the Legislative Budget Office.

392 **SECTION 13.** Of the funds appropriated in Section 2, Two  
393 Million Five Hundred Thousand Dollars (\$2,500,000.00) of TANF  
394 (Temporary Assistance for Needy Families) federal funds shall be  
395 transferred to the Office of the Attorney General for the purpose  
396 of subgranting with entities which will develop and implement  
397 programs that serve unmet needs of "at risk" youth in the state.  
398 The Attorney General shall administer the transferred TANF funds.

399 **SECTION 14.** Of the funds appropriated in Section 2, an  
400 amount not to exceed One Million Six Hundred Thousand Dollars  
401 (\$1,600,000.00) of TANF (Temporary Assistance for Needy Families)  
402 federal funds shall be made available through a grant(s) or  
403 contract(s) to the State Coalition of the YMCA (Young Men's  
404 Christian Association) for the purpose of developing and  
405 implementing statewide programs that serve the unmet needs of  
406 youth by way of Adolescent Offenders programs and Teen Leadership  
407 Programs for the state to be administered by the Statewide  
408 Coalition of the YMCA. These funds shall be administered in  
409 compliance with all applicable state and federal regulations.

410 **SECTION 15.** Of the funds appropriated in Section 2 and  
411 allocated in Section 5, Three Hundred Thousand Dollars  
412 (\$300,000.00) shall be used to defray the cost of the Amer-I-Can  
413 Program as established in House Bill No. 1109, 2001 Regular  
414 Session.

415 **SECTION 16.** Of the funds appropriated under the provisions  
416 of Section 2, Two Hundred Nineteen Thousand One Hundred  
417 Seventy-two Dollars (\$219,172.00) shall be derived from the Budget  
418 Contingency Fund created in Section 27-103-301, Mississippi Code  
419 of 1972.

420 **SECTION 17.** None of the above funds shall be used to hire  
421 employees under Personal Service Contracts except for Personal



422 Service Contracts for the Office for Children and Youth - Child  
423 Care and Office for Children and Youth - Child Care Managers.

424       **SECTION 18.** In addition to all other sums heretofore  
425 appropriated, the following sum, or so much thereof as may be  
426 necessary, is hereby appropriated out of any money in the State  
427 Treasury to the credit of the Department of Human Services,  
428 Division of Family and Childrens Services, an amount not to exceed  
429 Twenty-six Million Dollars (\$26,000,000.00) of TANF (Temporary  
430 Assistance for Needy Families) and Twelve Million Dollars  
431 (\$12,000,000.00) of SSBG (Social Services Block Grant) funds is  
432 appropriated in the following amounts for the following purposes:

433       Family Preservation Services (TANF Funds)....\$ 5,000,000.00  
434 to fund existing positions as established in House Bill No. 1625  
435 of the 2001 Regular Session.

436       Families First Resource Centers, continued  
437           funding (TANF Funds).....\$ 8,000,000.00

438       Homemakers and Family Preservation  
439           Specialists positions, continued funding  
440           (TANF Funds).....\$ 5,000,000.00

441       Care of foster children temporarily placed in the custody of  
442       MDHS:

443           Emergency shelters (TANF Funds).....\$ 2,000,000.00

444           Residential care (TANF Funds).....\$ 6,000,000.00

445       Social Services Block Grant  
446           Continued funding of on-going programs  
447           (SSBG Funds).....\$12,000,000.00

448       **SECTION 19.** The money herein appropriated shall be paid by  
449 the State Treasurer out of any money in the State Treasury to the  
450 credit of the proper fund or funds as set forth in this act, upon  
451 warrants issued by the State Fiscal Officer; and the State Fiscal  
452 Officer shall issue his warrants upon requisitions signed by the  
453 proper person, officer or officers, in the manner provided by law.



454           **SECTION 20.** This act shall take effect and be in force from  
455 and after July 1, 2002.

