

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

HOUSE BILL NO. 1551 (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 2004.

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, 2003, and
8 ending June 30, 2004..... \$ 76,096,200.00.

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, 2003, and ending June 30, 2004.....
17 \$ 375,349,150.00.

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. With the funds appropriated under the provisions
25 of Sections 1 and 2, the following positions are authorized:

26 AUTHORIZED POSITIONS:

27 Permanent: Full Time..... 3,367



28	Part Time.....	8
29	Time-Limited: Full Time.....	702
30	Part Time.....	3

31 Any person within the Office of Youth Services classified as
32 Youth Services Counselor Aide I, Youth Services Counselor Aide II,
33 Youth Services Counselor Aide III, Security Officer I, Security
34 Officer II, Security Officer III, Recreation Supervisor, General
35 Services Employee I, General Services Employee II, Youth Services
36 Counselor I, Youth Services Counselor II, and Youth Services
37 Counselor III, who must work on a statutory holiday or any holiday
38 proclaimed by the Governor, may at the discretion of the
39 superintendents of the institutions and the Executive Director of
40 the Office of Youth Services and within available personnel funds,
41 be paid "call back pay" in lieu of "compensatory time credit."

42 It is the intent of the Legislature that the Office of Youth
43 Services shall have the authority to accept from any source
44 including, but not limited to, proceeds from sale of vehicles,
45 equipment or any other property which becomes obsolete or is no
46 longer needed. It is the intent that such funds will be approved
47 for allocation and expenditure in a manner consistent with the
48 rules and regulations of the Department of Finance and
49 Administration.

50 With the funds herein appropriated, it is the intention of
51 the Legislature that it shall be the agency's responsibility to
52 make certain that funds required to be appropriated for "Personal
53 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
54 funds appropriated for that purpose, unless programs or positions
55 are added to the agency's Fiscal Year 2005 budget by the
56 Mississippi Legislature. Based on data provided by the
57 Legislative Budget Office, the State Personnel Board shall
58 determine and publish the projected annual cost to fully fund all
59 appropriated positions in compliance with the provisions of this
60 act. It shall be the responsibility of the agency head to insure



61 that no single personnel action increases this projected annual
62 cost and/or the Fiscal Year 2004 appropriation for "Personal
63 Services" when annualized. If, at the end of any calendar month,
64 the State Personnel Board determines that the agency has taken
65 action(s) which would cause the agency to exceed this projected
66 annual cost or the Fiscal Year 2004 "Personal Services"
67 appropriated level, when annualized, then only those actions which
68 reduce the projected annual cost and/or the appropriation
69 requirement will be processed by the State Personnel Board until
70 such time as the requirements of this provision are met.

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

75 **SECTION 5.** It is the intention of the Legislature that the
76 Department of Human Services shall maintain complete accounting
77 and personnel records related to the expenditure of all funds
78 appropriated under this act and that such records shall be in the
79 same format and level of detail as maintained for Fiscal Year
80 2003. It is further the intention of the Legislature that the
81 agency's budget request for Fiscal Year 2005 shall be submitted to
82 the Joint Legislative Budget Committee in a format and level of
83 detail comparable to the format and level of detail provided
84 during the Fiscal Year 2004 budget request process.

85 **SECTION 6.** Of the funds appropriated in Section 2, Two
86 Million Eighty-six Thousand Six Hundred Eighty-three Dollars
87 (\$2,086,683.00) is provided for the support of a contract with the
88 State Board of Community and Junior Colleges Industrial Training
89 Program for the training of TANF clients.

90 These funds shall be transferred to the State Board of
91 Community and Junior Colleges Industrial Training budget and shall
92 be expended in accordance with Sections 37-31-103 through
93 37-31-111, Mississippi Code of 1972. Training will be conducted



94 in the areas outlined in Section 37-31-103(2) for TANF recipients.
95 The terms and provisions for program operation will be established
96 through a nonfinancial agreement between the State Board of
97 Community and Junior Colleges and the Mississippi Department of
98 Human Services. This nonfinancial agreement will be initiated by
99 the State Board of Community and Junior Colleges in accordance
100 with current laws, rules and regulations as approved by the State
101 Board of Community and Junior Colleges.

102 Identification, eligibility, certification, enrollment,
103 follow-up, performance standards and sanction liabilities of the
104 TANF clients will be the sole responsibility of the Department of
105 Human Services.

106 **SECTION 7.** None of the funds appropriated under the
107 provisions of Sections 1 and 2 shall be used to pay any contractor
108 that is not a successful bidder for genetic paternity testing
109 services bid by the Department of Human Services.

110 **SECTION 8.** Of the funds appropriated in Section 2, One
111 Million Dollars (\$1,000,000.00) shall be transferred to the
112 Department of Health, Child Care Licensure Program from the Child
113 Care Development Fund or other appropriate special fund. These
114 funds are to be transferred to the Board of Health no later than
115 July 31, 2003. The Department of Health shall make a complete
116 accounting to the Department of Human Services detailing the uses
117 of these funds in accordance with federal and state regulations.

118 **SECTION 9.** It is the intention of the Legislature that the
119 Department of Human Services contract with the Department of
120 Health to operate the School Nurse Teen Pregnancy Prevention Pilot
121 Program as described in House Bill No. 766 of the 1997 Legislative
122 Session, in compliance with all applicable TANF federal and state
123 regulations.

124 **SECTION 10.** Of the funds appropriated in Section 2, Four
125 Million Five Hundred Thousand Dollars (\$4,500,000.00) of TANF
126 (Temporary Assistance for Needy Families) federal funds shall be



127 transferred to the Office of the Attorney General for the purpose
128 of subgranting with entities which will develop and implement
129 programs that serve unmet needs of "at risk" youth in the state,
130 including, but not being limited to, Boys and Girls Clubs, Big
131 Brothers Big Sisters of America, Communities in Schools, and the
132 State Coalition of Young Men's Christian Association (YMCA). Of
133 the funds authorized in this Section, not more than Two Million
134 Five Hundred Thousand Dollars (\$2,500,000.00) shall be allocated
135 among Boys and Girls Clubs, Big Brothers Big Sisters of America,
136 and Communities in Schools, and not more than Two Million Dollars
137 (\$2,000,000.00) shall be allocated to the State Coalition of Young
138 Men's Christian Association (YMCA). The Attorney General shall
139 administer the transferred TANF funds.

140 **SECTION 11.** Of the funds appropriated in Section 2 and
141 allocated in Section 4, Three Hundred Thousand Dollars
142 (\$300,000.00) shall be used to defray the cost of the Amer-I-Can
143 Program as established in House Bill No. 1109, 2001 Regular
144 Session.

145 **SECTION 12.** None of the above funds shall be used to hire
146 employees under Personal Service Contracts except for Personal
147 Service Contracts for the Office for Children and Youth - Child
148 Care and Office for Children and Youth - Child Care Managers.

149 **SECTION 13.** The following sum, or so much thereof as may be
150 necessary, is hereby reappropriated out of any money in the State
151 Treasury to the credit of the Department of Human Services for
152 expenditures pursuant to Senate Bill No. 2327, 2003 Regular
153 Session, for the fiscal year beginning July 1, 2003, and ending
154 June 30, 2004..... \$ 900,000.00.

155 Notwithstanding the amount reappropriated under the
156 provisions of this section, in no event shall the amount expended
157 exceed the balance as of June 30, 2003, or change the purpose for
158 which the funds were originally authorized.



159 The department is authorized to escalate, budget and expend
160 special funds received from any source to carry out the provisions
161 of this section and is authorized to establish full-time permanent
162 Department of Human Services protective service social worker
163 positions as necessary.

164 **SECTION 14.** The money herein appropriated shall be paid by
165 the State Treasurer out of any money in the State Treasury to the
166 credit of the proper fund or funds as set forth in this act, upon
167 warrants issued by the State Fiscal Officer; and the State Fiscal
168 Officer shall issue his warrants upon requisitions signed by the
169 proper person, officer or officers, in the manner provided by law.

170 **SECTION 15.** This act shall take effect and be in force from
171 and after July 1, 2003.

