

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

To: Appropriations

HOUSE BILL NO. 1748

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
2 REHABILITATION SERVICES FOR FISCAL YEAR 2005.

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, 2004, and ending June 30, 2005..... \$ 6,791,723.00.

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, 2004, and ending June 30, 2005.....
17 \$ 104,658,726.00.

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
22 Rehabilitation Services for the fiscal year beginning
23 July 1, 2004, and ending June 30, 2005..... \$ 6,937,790.00.

24 The above funds shall be allocated as follows:

25 Fully match all available federal
26 funds.....\$5,243,362.00

27 Independent Living Program which

28 includes the State Attendant
 29 Care Program.....\$1,610,934.00
 30 Deaf and hard of hearing.....\$ 83,494.00

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

35 **OFFICE OF VOCATIONAL REHABILITATION**

36 MAJOR OBJECTS OF EXPENDITURE:

37 Personal Services:

38	Salaries, Wages and Fringe Benefits.. \$	18,503,722.00
39	Travel and Subsistence.....	674,533.00
40	Contractual Services.....	3,701,145.00
41	Commodities.....	328,832.00
42	Capital Outlay:	
43	Other Than Equipment.....	0.00
44	Equipment.....	315,408.00
45	Subsidies, Loans and Grants.....	<u>20,143,451.00</u>
46	Total..... \$	43,667,091.00

47 FUNDING:

48	General Funds..... \$	4,734,082.00
49	Special Funds.....	<u>38,933,009.00</u>
50	Total..... \$	43,667,091.00

51 AUTHORIZED POSITIONS:

52	Permanent: Full Time.....	391
53	Part Time.....	8
54	Time-Limited: Full Time.....	93
55	Part Time.....	2

56 **OFFICE OF DISABILITY DETERMINATION SERVICES**

57 MAJOR OBJECTS OF EXPENDITURE:

58 Personal Services:

59	Salaries, Wages and Fringe Benefits.. \$	10,573,887.00
60	Travel and Subsistence.....	225,000.00

61	Contractual Services.....	9,051,964.00
62	Commodities.....	523,390.00
63	Capital Outlay:	
64	Other Than Equipment.....	0.00
65	Equipment.....	1,000,000.00
66	Subsidies, Loans and Grants.....	<u>10,788,445.00</u>
67	Total.....	\$ 32,162,686.00

68 FUNDING:

69	General Funds.....	\$ 0.00
70	Special Funds.....	<u>32,162,686.00</u>
71	Total.....	\$ 32,162,686.00

72 AUTHORIZED POSITIONS:

73	Permanent: Full Time.....	232
74	Part Time.....	6
75	Time-Limited: Full Time.....	38
76	Part Time.....	0

77 **OFFICE OF VOCATIONAL REHABILITATION FOR THE BLIND**

78 MAJOR OBJECTS OF EXPENDITURE:

79 Personal Services:

80	Salaries, Wages and Fringe Benefits..	\$ 3,445,230.00
81	Travel and Subsistence.....	131,935.00
82	Contractual Services.....	872,472.00
83	Commodities.....	84,992.00
84	Capital Outlay:	
85	Other Than Equipment.....	13,000.00
86	Equipment.....	232,875.00
87	Subsidies, Loans and Grants.....	<u>6,251,460.00</u>
88	Total.....	\$ 11,031,964.00

89 FUNDING:

90	General Funds.....	\$ 1,053,999.00
91	Special Funds.....	<u>9,977,965.00</u>
92	Total.....	\$ 11,031,964.00

93 AUTHORIZED POSITIONS:

94	Permanent:	Full Time.....	78
95		Part Time.....	0
96	Time-Limited:	Full Time.....	4
97		Part Time.....	1

98 The Office of Vocational Rehabilitation for the Blind shall
99 remain accredited by using not more than Five Hundred Dollars
100 (\$500.00) of the funds appropriated along with matching funds for
101 payment of fees to an accreditation agency recommended by the
102 Rehabilitation Services Administration.

103 **OFFICE OF SUPPORT SERVICES**

104 MAJOR OBJECTS OF EXPENDITURE:

105 Personal Services:

106	Salaries, Wages and Fringe Benefits..	\$	1,263,960.00
107	Travel and Subsistence.....		32,000.00
108	Contractual Services.....		490,000.00
109	Commodities.....		43,000.00
110	Capital Outlay:		
111	Other Than Equipment.....		0.00
112	Equipment.....		18,618.00
113	Subsidies, Loans and Grants.....		0.00
114	Total.....	\$	1,847,578.00

115 FUNDING:

116	General Funds.....	\$	0.00
117	Special Funds.....		1,847,578.00
118	Total.....	\$	1,847,578.00

119 AUTHORIZED POSITIONS:

120	Permanent:	Full Time.....	22
121		Part Time.....	0
122	Time-Limited:	Full Time.....	0
123		Part Time.....	0

124 **SPINAL CORD AND HEAD INJURY PROGRAM**

125 MAJOR OBJECTS OF EXPENDITURE:

126 Personal Services:

127	Salaries, Wages and Fringe Benefits..	\$	40,177.00
128	Travel and Subsistence.....		20,000.00
129	Contractual Services.....		100,000.00
130	Commodities.....		13,000.00
131	Capital Outlay:		
132	Other Than Equipment.....		0.00
133	Equipment.....		10,000.00
134	Subsidies, Loans and Grants.....		<u>10,220,902.00</u>
135	Total.....	\$	10,404,079.00
136	FUNDING:		
137	General Funds.....	\$	0.00
138	Special Funds.....		<u>10,404,079.00</u>
139	Total.....	\$	10,404,079.00
140	AUTHORIZED POSITIONS:		
141	Permanent: Full Time.....	2	
142	Part Time.....	0	
143	Time-Limited: Full Time.....	0	
144	Part Time.....	0	
145	SPECIAL DISABILITY PROGRAM		
146	MAJOR OBJECTS OF EXPENDITURE:		
147	Personal Services:		
148	Salaries, Wages and Fringe Benefits..	\$	1,030,151.00
149	Travel and Subsistence.....		52,000.00
150	Contractual Services.....		120,000.00
151	Commodities.....		25,000.00
152	Capital Outlay:		
153	Other Than Equipment.....		0.00
154	Equipment.....		30,000.00
155	Subsidies, Loans and Grants.....		<u>18,017,690.00</u>
156	Total.....	\$	19,274,841.00
157	FUNDING:		
158	General Funds.....	\$	1,003,642.00
159	Special Funds.....		<u>18,271,199.00</u>

160 Total..... \$ 19,274,841.00

161 AUTHORIZED POSITIONS:

162	Permanent:	Full Time.....	22
163		Part Time.....	0
164	Time-Limited:	Full Time.....	9
165		Part Time.....	0

166 With the funds herein appropriated, it is the intention of
167 the Legislature that it shall be the agency's responsibility to
168 make certain that funds required to be appropriated for "Personal
169 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
170 funds appropriated for that purpose, unless programs or positions
171 are added to the agency's Fiscal Year 2006 budget by the
172 Mississippi Legislature. Based on data provided by the
173 Legislative Budget Office, the State Personnel Board shall
174 determine and publish the projected annual cost to fully fund all
175 appropriated positions in compliance with the provisions of this
176 act. It shall be the responsibility of the agency head to insure
177 that no single personnel action increases this projected annual
178 cost and/or the Fiscal Year 2005 appropriation for "Personal
179 Services" when annualized, with the exception of escalated funds.
180 If, at the time the agency takes any action to change "Personal
181 Services," the State Personnel Board determines that the agency
182 has taken an action which would cause the agency to exceed this
183 projected annual cost or the Fiscal Year 2005 "Personal Services"
184 appropriated level, when annualized, then only those actions which
185 reduce the projected annual cost and/or the appropriation
186 requirement will be processed by the State Personnel Board until
187 such time as the requirements of this provision are met.

188 Any transfers or escalations shall be made in accordance with
189 the terms, conditions and procedures established by law or
190 allowable under the terms set forth within this act. The State
191 Personnel Board shall not escalate positions without written
192 approval from the Department of Finance and Administration. The

193 Department of Finance and Administration shall not provide written
194 approval to escalate any funds for salaries and/or positions
195 without proof of availability of new or additional funds above the
196 appropriated level.

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

201 It is the intention of the Legislature that the Executive
202 Director of the Department of Rehabilitation Services may transfer
203 between the various offices authorized herein both funds and
204 positions not to exceed twenty-five percent (25%) of the receiving
205 office in addition to any other transfers or escalations made in
206 accordance with Section 27-104-17 (3), Mississippi Code of 1972,
207 Annotated. The Executive Director of the Department of
208 Rehabilitation Services shall submit written justification for the
209 transfer to the Legislative Budget Office and the Department of
210 Finance and Administration on or before the fifteenth of the month
211 prior to the effective date of the transfer. It is further the
212 intention of the Legislature that any transfers made under the
213 provisions of this paragraph shall be of an emergency nature and
214 that in no case shall the transfers be made which substantially
215 alter the legislative intent for the various offices as set forth
216 in the original appropriations made under this act.

217 **SECTION 5.** In addition to all other sums herein
218 appropriated, the following sum, or so much thereof as may be
219 necessary, is hereby appropriated out of any funds which are
220 received by or otherwise become available to the Mississippi
221 Department of Rehabilitation Services to provide funding for
222 construction grants and establishment grants for the fiscal year
223 beginning July 1, 2004, and ending June 30, 2005.....
224 \$ 4,000,000.00.

225 **SECTION 6.** The funds authorized herein shall be used to fund
226 all operations of the agency with the following prohibitions:

227 (1) The agency shall not fill any current or future vacant
228 positions;

229 (2) The agency shall not take any action to promote or
230 otherwise award salary increases through reallocation,
231 reclassification, realignment, education benchmark, career ladder,
232 or any other means to increase salaries of employees or positions
233 except as allowed under the provisions set forth in House Bill No.
234 1279, 2004 Regular Legislative Session;

235 (3) The agency shall not expend funds for out-of-state
236 travel except as allowed under the provisions set forth in House
237 Bill No. 1279, 2004 Regular Legislative Session;

238 (4) The agency shall not expend funds for the purchase of or
239 contract for cellular phones, two-way radios or pagers, except for
240 support of employees in the Department of Public Safety and the
241 Bureau of Narcotics as recommended by Information Technology
242 Services or as allowed under the provisions set forth in House
243 Bill No. 1279, 2004 Regular Legislative Session;

244 (5) The agency shall not expend funds to publish or
245 distribute any annual reports or other publications;

246 (6) The agency shall not expend funds for public relation
247 activities regarding the functions, programs or services of the
248 agency except as allowed under the provisions set forth in House
249 Bill No. 1279, 2004 Regular Legislative Session;

250 (7) The agency shall not advertise the functions, programs
251 or services of the agency except that the Mississippi Development
252 Authority is authorized to expend funds for advertising to carry
253 out the purposes of key programs administered by the authority;

254 (8) The agency shall not expend funds for staff development
255 or training services;

256 (9) The agency shall not expend funds for the purchase of
257 new or replacement equipment or furniture, excluding lease

258 purchase payments on agreements in effect upon passage of this
259 appropriation bill, except as allowed under the provisions set
260 forth in House Bill No. 1279, 2004 Regular Legislative Session.

261 **SECTION 7.** It is the intention of the Legislature that none
262 of the funds appropriated above shall be expended unless members
263 of the Mississippi House of Representatives and Mississippi Senate
264 are notified at least five (5) days prior to a public ceremony
265 announcing the award of any grant in their district or any public
266 announcement or ceremony regarding the groundbreaking or opening
267 of a facility, roadway or bridge for which the Legislature has
268 made funds available. Any signage regarding any public event or
269 any new facility, roadway or bridge shall include the following
270 language: "Funds were made available for this project by the
271 Mississippi State Legislature."

272 **SECTION 8.** It is the intention of the Legislature that the
273 Department of Rehabilitation Services shall maintain complete
274 accounting and personnel records related to the expenditure of all
275 funds appropriated under this act and that such records shall be
276 in the same format and level of detail as maintained for Fiscal
277 Year 2004. It is further the intention of the Legislature that
278 the agency's budget request for Fiscal Year 2006 shall be
279 submitted to the Joint Legislative Budget Committee in a format
280 and level of detail comparable to the format and level of detail
281 provided during the Fiscal Year 2005 budget request process.

282 **SECTION 9.** It shall be unlawful for any officer, employee or
283 other person whatsoever to use or permit or authorize the use of
284 any automobile or any other motor vehicle owned by the State of
285 Mississippi or any department, agency or institution thereof for
286 any purpose other than upon the official business of the State of
287 Mississippi or any agency, department or institution thereof.

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

291 **SECTION 10.** Of the funds in Sections 1, 2 and 3, the
292 Mississippi Department of Rehabilitation Services through the
293 Office of Vocational Rehabilitation for the Blind is authorized to
294 expend an amount not to exceed One Hundred Thousand Dollars
295 (\$100,000.00) for the National Federation for the Blind (NFB)
296 Newslines service to allow blind and visually impaired persons to
297 access newspapers through toll-free telephone calls.

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

304 **SECTION 12.** This act shall take effect and be in force from
305 and after July 1, 2004.