

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

To: Appropriations

HOUSE BILL NO. 1690

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
2 REHABILITATION SERVICES FOR FISCAL YEAR 2008.

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, 2007, and ending June 30, 2008..... \$ 12,835,586.00.

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, 2007, and ending June 30, 2008.....
17 \$ 140,888,089.00.

18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 2, Three Million Six Hundred Eighty-one Thousand Eight
20 Hundred Two Dollars (\$3,681,802.00) shall be derived from the
21 Health Care Expendable Fund created in Section 43-13-407,
22 Mississippi Code of 1972. The above funds shall be allocated as
23 follows:

- 24 Fully match all available federal
- 25 funds.....\$2,782,590.00
- 26 Independent Living Program which
- 27 includes the State Attendant

28 Care Program.....\$ 854,903.00

29 Deaf and hard of hearing.....\$ 44,309.00

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

34 **OFFICE OF VOCATIONAL REHABILITATION**

35 MAJOR OBJECTS OF EXPENDITURE:

36 Personal Services:

37 Salaries, Wages and Fringe Benefits.. \$ 21,914,805.00

38 Travel and Subsistence..... 634,000.00

39 Contractual Services..... 3,576,591.00

40 Commodities..... 276,592.00

41 Capital Outlay:

42 Other Than Equipment..... 0.00

43 Equipment..... 352,426.00

44 Vehicles..... 0.00

45 Wireless Communication Devices..... 0.00

46 Subsidies, Loans and Grants..... 23,456,666.00

47 Total..... \$ 50,211,080.00

48 FUNDING:

49 General Funds..... \$ 7,284,823.00

50 Special Funds..... 42,926,257.00

51 Total..... \$ 50,211,080.00

52 AUTHORIZED POSITIONS:

53 Permanent: Full Time..... 425

54 Part Time..... 6

55 Time-Limited: Full Time..... 85

56 Part Time..... 1

57 **OFFICE OF DISABILITY DETERMINATION SERVICES**

58 MAJOR OBJECTS OF EXPENDITURE:

59 Personal Services:

60 Salaries, Wages and Fringe Benefits.. \$ 13,070,779.00

61	Travel and Subsistence.....		173,314.00
62	Contractual Services.....		6,714,137.00
63	Commodities.....		378,128.00
64	Capital Outlay:		
65	Other Than Equipment.....		0.00
66	Equipment.....		500,000.00
67	Vehicles.....		0.00
68	Wireless Communication Devices.....		0.00
69	Subsidies, Loans and Grants.....		<u>10,788,445.00</u>
70	Total.....	\$	31,624,803.00
71	FUNDING:		
72	General Funds.....	\$	0.00
73	Special Funds.....		<u>31,624,803.00</u>
74	Total.....	\$	31,624,803.00
75	AUTHORIZED POSITIONS:		
76	Permanent: Full Time.....	216	
77	Part Time.....	20	
78	Time-Limited: Full Time.....	58	
79	Part Time.....	0	
80	OFFICE OF VOCATIONAL REHABILITATION FOR THE BLIND		
81	MAJOR OBJECTS OF EXPENDITURE:		
82	Personal Services:		
83	Salaries, Wages and Fringe Benefits..	\$	3,688,188.00
84	Travel and Subsistence.....		131,514.00
85	Contractual Services.....		803,130.00
86	Commodities.....		71,449.00
87	Capital Outlay:		
88	Other Than Equipment.....		12,000.00
89	Equipment.....		153,827.00
90	Vehicles.....		0.00
91	Wireless Communication Devices.....		0.00
92	Subsidies, Loans and Grants.....		<u>7,240,411.00</u>
93	Total.....	\$	12,100,519.00

94	FUNDING:	
95	General Funds.....	\$ 1,310,329.00
96	Special Funds.....	<u>10,790,190.00</u>
97	Total.....	\$ 12,100,519.00

98	AUTHORIZED POSITIONS:	
99	Permanent: Full Time.....	75
100	Part Time.....	0
101	Time-Limited: Full Time.....	4
102	Part Time.....	1

103 The Office of Vocational Rehabilitation for the Blind shall
104 remain accredited by using not more than Five Hundred Dollars
105 (\$500.00) of the funds appropriated along with matching funds for
106 payment of fees to an accreditation agency recommended by the
107 Rehabilitation Services Administration.

108 **OFFICE OF SUPPORT SERVICES**

109	MAJOR OBJECTS OF EXPENDITURE:	
110	Personal Services:	
111	Salaries, Wages and Fringe Benefits..	\$ 1,357,263.00
112	Travel and Subsistence.....	69,727.00
113	Contractual Services.....	313,699.00
114	Commodities.....	43,760.00
115	Capital Outlay:	
116	Other Than Equipment.....	0.00
117	Equipment.....	15,157.00
118	Vehicles.....	0.00
119	Wireless Communication Devices.....	0.00
120	Subsidies, Loans and Grants.....	<u>73,000.00</u>
121	Total.....	\$ 1,872,606.00

122	FUNDING:	
123	General Funds.....	\$ 0.00
124	Special Funds.....	<u>1,872,606.00</u>
125	Total.....	\$ 1,872,606.00

126 AUTHORIZED POSITIONS:

127	Permanent:	Full Time.....	20
128		Part Time.....	0
129	Time-Limited:	Full Time.....	0
130		Part Time.....	0

SPINAL CORD AND HEAD INJURY PROGRAM

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

134	Salaries, Wages and Fringe Benefits..	\$	813,502.00
135	Travel and Subsistence.....		29,021.00
136	Contractual Services.....		71,828.00
137	Commodities.....		10,840.00

Capital Outlay:

139	Other Than Equipment.....		0.00
140	Equipment.....		5,800.00
141	Vehicles.....		0.00
142	Wireless Communication Devices.....		0.00
143	Subsidies, Loans and Grants.....		<u>18,495,082.00</u>

144	Total.....	\$	19,426,073.00
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FUNDING:

146	General Funds.....	\$	0.00
147	Special Funds.....		<u>19,426,073.00</u>
148	Total.....	\$	19,426,073.00

AUTHORIZED POSITIONS:

150	Permanent:	Full Time.....	23
151		Part Time.....	0
152	Time-Limited:	Full Time.....	0
153		Part Time.....	0

SPECIAL DISABILITY PROGRAM

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

157	Salaries, Wages and Fringe Benefits..	\$	2,047,884.00
158	Travel and Subsistence.....		92,000.00
159	Contractual Services.....		239,308.00

160	Commodities.....		23,000.00
161	Capital Outlay:		
162	Other Than Equipment.....		0.00
163	Equipment.....		20,000.00
164	Vehicles.....		0.00
165	Wireless Communication Devices.....		0.00
166	Subsidies, Loans and Grants.....		<u>36,066,402.00</u>
167	Total.....	\$	38,488,594.00
168	FUNDING:		
169	General Funds.....	\$	4,240,434.00
170	Special Funds.....		<u>34,248,160.00</u>
171	Total.....	\$	38,488,594.00

172 AUTHORIZED POSITIONS:

173	Permanent:	Full Time.....	55
174		Part Time.....	0
175	Time-Limited:	Full Time.....	9
176		Part Time.....	0

177 Funds are provided herein to adjust the Variable Compensation
178 Plan to ensure that all full-time employees receive a pay increase
179 equal to the realignment component of the Variable Compensation
180 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever
181 is greater.

182 With the funds herein appropriated, it is the intention of
183 the Legislature that it shall be the agency's responsibility to
184 make certain that funds required to be appropriated for "Personal
185 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
186 funds appropriated for that purpose, unless programs or positions
187 are added to the agency's Fiscal Year 2009 budget by the
188 Mississippi Legislature. Based on data provided by the
189 Legislative Budget Office, the State Personnel Board shall
190 determine and publish the projected annual cost to fully fund all
191 appropriated positions in compliance with the provisions of this
192 act. It shall be the responsibility of the agency head to insure

193 that no single personnel action increases this projected annual
194 cost and/or the Fiscal Year 2008 appropriation for "Personal
195 Services" when annualized, with the exception of escalated funds.
196 If, at the time the agency takes any action to change "Personal
197 Services," the State Personnel Board determines that the agency
198 has taken an action which would cause the agency to exceed this
199 projected annual cost or the Fiscal Year 2008 "Personal Services"
200 appropriated level, when annualized, then only those actions which
201 reduce the projected annual cost and/or the appropriation
202 requirement will be processed by the State Personnel Board until
203 such time as the requirements of this provision are met.

204 Any transfers or escalations shall be made in accordance with
205 the terms, conditions and procedures established by law or
206 allowable under the terms set forth within this act. The State
207 Personnel Board shall not escalate positions without written
208 approval from the Department of Finance and Administration. The
209 Department of Finance and Administration shall not provide written
210 approval to escalate any funds for salaries and/or positions
211 without proof of availability of new or additional funds above the
212 appropriated level.

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

217 It is the intention of the Legislature that the Executive
218 Director of the Department of Rehabilitation Services may transfer
219 between the various offices authorized herein both funds and
220 positions not to exceed twenty-five percent (25%) of the receiving
221 office in addition to any other transfers or escalations made in
222 accordance with Section 27-104-17(3), Mississippi Code of 1972,
223 Annotated. The Executive Director of the Department of
224 Rehabilitation Services shall submit written justification for the
225 transfer to the Legislative Budget Office and the Department of

226 Finance and Administration on or before the fifteenth of the month
227 prior to the effective date of the transfer. It is further the
228 intention of the Legislature that any transfers made under the
229 provisions of this paragraph shall be of an emergency nature and
230 that in no case shall the transfers be made which substantially
231 alter the legislative intent for the various offices as set forth
232 in the original appropriations made under this act.

233 **SECTION 5.** In addition to all other sums herein
234 appropriated, the following sum, or so much thereof as may be
235 necessary, is hereby appropriated out of any funds which are
236 received by or otherwise become available to the Mississippi
237 Department of Rehabilitation Services to provide funding for
238 construction grants and establishment grants for the fiscal year
239 beginning July 1, 2007, and ending June 30, 2008.....
240 \$ 4,000,000.00.

241 **SECTION 6.** It is the intention of the Legislature that the
242 Department of Rehabilitation Services shall maintain complete
243 accounting and personnel records related to the expenditure of all
244 funds appropriated under this act and that such records shall be
245 in the same format and level of detail as maintained for Fiscal
246 Year 2007. It is further the intention of the Legislature that
247 the agency's budget request for Fiscal Year 2009 shall be
248 submitted to the Joint Legislative Budget Committee in a format
249 and level of detail comparable to the format and level of detail
250 provided during the Fiscal Year 2008 budget request process.

251 **SECTION 7.** It shall be unlawful for any officer, employee or
252 other person whatsoever to use or permit or authorize the use of
253 any automobile or any other motor vehicle owned by the State of
254 Mississippi or any department, agency or institution thereof for
255 any purpose other than upon the official business of the State of
256 Mississippi or any agency, department or institution thereof.

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

260 **SECTION 8.** Of the funds in Sections 1, 2 and 3, the
261 Mississippi Department of Rehabilitation Services through the
262 Office of Vocational Rehabilitation for the Blind is authorized to
263 expend an amount not to exceed One Hundred Thousand Dollars
264 (\$100,000.00) for the National Federation for the Blind (NFB) News
265 line service to allow blind and visually impaired persons to
266 access newspapers through toll-free telephone calls.

267 **SECTION 9.** It is the intention of the Legislature that
268 whenever two (2) or more bids are received by this agency for the
269 purchase of commodities or equipment, and whenever all things
270 stated in such received bids are equal with respect to price,
271 quality and service, the Mississippi Industries for the Blind
272 shall be given preference. A similar preference shall be given to
273 the Mississippi Industries for the Blind whenever purchases are
274 made without competitive bids.

275 **SECTION 10.** Of the funds appropriated herein, the following
276 amount of Two Million Five Hundred Thousand Dollars
277 (\$2,500,000.00) shall be derived from Treasury Fund No. 3332 for
278 the purpose of matching all available federal funds. The
279 Executive Director shall have the authority to transfer funds
280 herein between the Office of Special Disability budget and the
281 Spinal Cord and Head Injury Trust Fund budget.

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

288 **SECTION 12.** This act shall take effect and be in force from
289 and after July 1, 2007