

Senate Amendments to House Bill No. 1689

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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, 2007, and
8 ending June 30, 2008..... \$ 94,570,249.00.

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, 2007, and ending June 30, 2008.....
17 \$ 664,620,479.00.

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.** Of the funds appropriated under the provisions of
25 Sections 1 and 2, not more than the amounts set forth below shall
26 be expended for the respective major objects or purposes of
27 expenditure:

DIVISION OF YOUTH SERVICES

MAJOR OBJECTS OF EXPENDITURE:

30	Personal Services:		
31	Salaries, Wages and Fringe Benefits..	\$	21,549,665.00
32	Travel and Subsistence.....		187,048.00
33	Contractual Services.....		3,110,700.00
34	Commodities.....		1,917,140.00
35	Capital Outlay:		
36	Other Than Equipment.....		0.00
37	Equipment.....		142,000.00
38	Vehicles.....		0.00
39	Wireless Communication Devices.....		0.00
40	Subsidies, Loans and Grants.....		<u>5,714,794.00</u>
41	Total.....	\$	32,621,347.00
42	FUNDING:		
43	General Funds.....	\$	19,702,716.00
44	Special Funds.....		<u>12,918,631.00</u>
45	Total.....	\$	32,621,347.00

46 AUTHORIZED POSITIONS:

47	Permanent:	Full Time.....	429
48		Part Time.....	4
49	Time-Limited:	Full Time.....	81
50		Part Time.....	0

51 Any person within the Office of Youth Services classified as
52 Youth Services Counselor Aide I, Youth Services Counselor Aide II,
53 Youth Services Counselor Aide III, Security Officer I, Security
54 Officer II, Security Officer III, Recreation Supervisor, General
55 Services Employee I, General Services Employee II, Youth Services
56 Counselor I, Youth Services Counselor II, and Youth Services
57 Counselor III, who must work on a statutory holiday or any holiday
58 proclaimed by the Governor, may at the discretion of the
59 superintendents of the institutions and the Executive Director of
60 the Office of Youth Services and within available personnel funds,
61 be paid "call back pay" in lieu of "compensatory time credit."

62 It is the intention of the Legislature that the Office of
63 Youth Services shall have the authority to accept from any source
64 including, but not limited to, proceeds from sale of vehicles,

65 equipment or any other property which becomes obsolete or is no
 66 longer needed. It is the intent that such funds will be approved
 67 for allocation and expenditure in a manner consistent with the
 68 rules and regulations of the Department of Finance and
 69 Administration.

70 **DIVISION OF FAMILY AND CHILDREN'S SERVICES**

71 MAJOR OBJECTS OF EXPENDITURE:

72 Personal Services:

73	Salaries, Wages and Fringe Benefits.. \$	28,857,297.00
74	Travel and Subsistence.....	2,485,245.00
75	Contractual Services.....	11,961,707.00
76	Commodities.....	654,062.00
77	Capital Outlay:	
78	Other Than Equipment.....	0.00
79	Equipment.....	102,170.00
80	Vehicles.....	0.00
81	Wireless Communication Devices.....	0.00
82	Subsidies, Loans and Grants.....	<u>27,432,375.00</u>
83	Total..... \$	71,492,856.00

84 FUNDING:

85	General Funds..... \$	18,483,077.00
86	Special Funds.....	<u>53,009,779.00</u>
87	Total..... \$	71,492,856.00

88 AUTHORIZED POSITIONS:

89	Permanent: Full Time.....	532
90	Part Time.....	0
91	Time-Limited: Full Time.....	190
92	Part Time.....	0

93 **DIVISION OF AGING AND ADULT SERVICES**

94 MAJOR OBJECTS OF EXPENDITURE:

95 Personal Services:

96	Salaries, Wages and Fringe Benefits.. \$	1,289,174.00
97	Travel and Subsistence.....	45,611.00
98	Contractual Services.....	250,896.00
99	Commodities.....	38,200.00

100	Capital Outlay:		
101	Other Than Equipment.....		0.00
102	Equipment.....		4,340.00
103	Vehicles.....		0.00
104	Wireless Communication Devices.....		0.00
105	Subsidies, Loans and Grants.....		<u>18,501,870.00</u>
106	Total.....	\$	20,130,091.00

107	FUNDING:		
108	General Funds.....	\$	1,304,316.00
109	Special Funds.....		<u>18,825,775.00</u>
110	Total.....	\$	20,130,091.00

111	AUTHORIZED POSITIONS:		
112	Permanent: Full Time.....	28	
113	Part Time.....	0	
114	Time-Limited: Full Time.....	8	
115	Part Time.....	0	

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

118	MAJOR OBJECTS OF EXPENDITURE:		
119	Personal Services:		
120	Salaries, Wages and Fringe Benefits..	\$	43,240,990.00
121	Travel and Subsistence.....		447,711.00
122	Contractual Services.....		20,008,243.00
123	Commodities.....		659,374.00
124	Capital Outlay:		
125	Other Than Equipment.....		0.00
126	Equipment.....		386,516.00
127	Vehicles.....		0.00
128	Wireless Communication Devices.....		0.00
129	Subsidies, Loans and Grants.....		<u>409,097,994.00</u>
130	Total.....	\$	473,840,828.00

131	FUNDING:		
132	General Funds.....	\$	39,842,141.00
133	Special Funds.....		<u>433,998,687.00</u>
134	Total.....	\$	473,840,828.00

135 AUTHORIZED POSITIONS:

136	Permanent:	Full Time.....	998
137		Part Time.....	0
138	Time-Limited:	Full Time.....	149
139		Part Time.....	0

140 **DIVISION OF CHILD SUPPORT ENFORCEMENT**

141 MAJOR OBJECTS OF EXPENDITURE:

142 Personal Services:

143	Salaries, Wages and Fringe Benefits..	\$	19,672,688.00
144	Travel and Subsistence.....		375,000.00
145	Contractual Services.....		6,598,707.00
146	Commodities.....		269,450.00
147	Capital Outlay:		
148	Other Than Equipment.....		0.00
149	Equipment.....		88,700.00
150	Vehicles.....		0.00
151	Wireless Communication Devices.....		0.00
152	Subsidies, Loans and Grants.....		<u>9,481,199.00</u>
153	Total.....	\$	36,485,744.00

154 FUNDING:

155	General Funds.....	\$	5,692,180.00
156	Special Funds.....		<u>30,793,564.00</u>
157	Total.....	\$	36,485,744.00

158 AUTHORIZED POSITIONS:

159	Permanent:	Full Time.....	277
160		Part Time.....	0
161	Time-Limited:	Full Time.....	213
162		Part Time.....	0

163 **DIVISION OF COMMUNITY SERVICES**

164 MAJOR OBJECTS OF EXPENDITURE:

165 Personal Services:

166	Salaries, Wages and Fringe Benefits..	\$	607,800.00
167	Travel and Subsistence.....		29,303.00
168	Contractual Services.....		294,123.00
169	Commodities.....		77,425.00

170	Capital Outlay:		
171	Other Than Equipment.....		0.00
172	Equipment.....		8,000.00
173	Vehicles.....		0.00
174	Wireless Communication Devices.....		0.00
175	Subsidies, Loans and Grants.....		<u>27,195,000.00</u>
176	Total.....	\$	28,211,651.00

177	FUNDING:		
178	General Funds.....	\$	0.00
179	Special Funds.....		<u>28,211,651.00</u>
180	Total.....	\$	28,211,651.00

181	AUTHORIZED POSITIONS:		
182	Permanent: Full Time.....	8	
183	Part Time.....	0	
184	Time-Limited: Full Time.....	4	
185	Part Time.....	0	

DIVISION OF SUPPORT SERVICES

187	MAJOR OBJECTS OF EXPENDITURE:		
188	Personal Services:		
189	Salaries, Wages and Fringe Benefits..	\$	9,733,551.00
190	Travel and Subsistence.....		93,050.00
191	Contractual Services.....		2,196,068.00
192	Commodities.....		97,307.00
193	Capital Outlay:		
194	Other Than Equipment.....		0.00
195	Equipment.....		91,136.00
196	Vehicles.....		0.00
197	Wireless Communication Devices.....		0.00
198	Subsidies, Loans and Grants.....		<u>64,400.00</u>
199	Total.....	\$	12,275,512.00

200	FUNDING:		
201	General Funds.....	\$	3,705,321.00
202	Special Funds.....		<u>8,570,191.00</u>
203	Total.....	\$	12,275,512.00

204 AUTHORIZED POSITIONS:

205	Permanent:	Full Time.....	174
206		Part Time.....	0
207	Time-Limited:	Full Time.....	19
208		Part Time.....	0

SOCIAL SERVICES BLOCK GRANT PROGRAM

MAJOR OBJECTS OF EXPENDITURE:

211	Personal Services:		
212	Salaries, Wages and Fringe Benefits..	\$	171,575.00
213	Travel and Subsistence.....		4,000.00
214	Contractual Services.....		79,793.00
215	Commodities.....		2,800.00
216	Capital Outlay:		
217	Other Than Equipment.....		0.00
218	Equipment.....		3,690.00
219	Vehicles.....		0.00
220	Wireless Communication Devices.....		0.00
221	Subsidies, Loans and Grants.....		<u>5,500,000.00</u>
222	Total.....	\$	5,761,858.00

FUNDING:

224	General Funds.....	\$	0.00
225	Special Funds.....		<u>5,761,858.00</u>
226	Total.....	\$	5,761,858.00

AUTHORIZED POSITIONS:

228	Permanent:	Full Time.....	1
229		Part Time.....	0
230	Time-Limited:	Full Time.....	2
231		Part Time.....	0

OFFICE FOR CHILDREN AND YOUTH

MAJOR OBJECTS OF EXPENDITURE:

234	Personal Services:		
235	Salaries, Wages and Fringe Benefits..	\$	792,438.00
236	Travel and Subsistence.....		12,421.00
237	Contractual Services.....		350,171.00
238	Commodities.....		33,500.00
239	Capital Outlay:		

240	Other Than Equipment.....	0.00
241	Equipment.....	29,450.00
242	Vehicles.....	0.00
243	Wireless Communication Devices.....	0.00
244	Subsidies, Loans and Grants.....	<u>77,152,861.00</u>
245	Total.....	\$ 78,370,841.00

246 FUNDING:

247	General Funds.....	\$ 5,840,498.00
248	Special Funds.....	<u>72,530,343.00</u>
249	Total.....	\$ 78,370,841.00

250 AUTHORIZED POSITIONS:

251	Permanent: Full Time.....	9
252	Part Time.....	0
253	Time-Limited: Full Time.....	6
254	Part Time.....	0

255 Funds are provided herein to adjust the Variable Compensation
256 Plan to ensure that all full-time employees receive a pay increase
257 equal to the realignment component of the Variable Compensation
258 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)
259 whichever is greater, to be awarded on July 1, 2007.

260 With the funds herein appropriated, it is the intention of
261 the Legislature that it shall be the agency's responsibility to
262 make certain that funds required to be appropriated for "Personal
263 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
264 funds appropriated for that purpose, unless programs or positions
265 are added to the agency's Fiscal Year 2009 budget by the
266 Mississippi Legislature. Based on data provided by the
267 Legislative Budget Office, the State Personnel Board shall
268 determine and publish the projected annual cost to fully fund all
269 appropriated positions in compliance with the provisions of this
270 act. It shall be the responsibility of the agency head to insure
271 that no single personnel action increases this projected annual
272 cost and/or the Fiscal Year 2008 appropriation for "Personal
273 Services" when annualized, with the exception of escalated funds.
274 If, at the time the agency takes any action to change "Personal

275 Services," the State Personnel Board determines that the agency
276 has taken an action which would cause the agency to exceed this
277 projected annual cost or the Fiscal Year 2008 "Personal Services"
278 appropriated level, when annualized, then only those actions which
279 reduce the projected annual cost and/or the appropriation
280 requirement will be processed by the State Personnel Board until
281 such time as the requirements of this provision are met.

282 Any transfers or escalations shall be made in accordance with
283 the terms, conditions and procedures established by law or
284 allowable under the terms set forth within this act. The State
285 Personnel Board shall not escalate positions without written
286 approval from the Department of Finance and Administration. The
287 Department of Finance and Administration shall not provide written
288 approval to escalate any funds for salaries and/or positions
289 without proof of availability of new or additional funds above the
290 appropriated level.

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

295 The agency shall not take any action to promote or otherwise
296 award salary increases through reallocation, reclassification,
297 realignment, education benchmark, career ladder, or any other
298 means to increase salaries of employees or positions unless
299 specifically exempted by the following conditions: the award of
300 teacher pay increases, the advancement of a trainee/cadet to the
301 next level of a bona fide career ladder, the award of an
302 educational benchmark for the attainment of Certified Public
303 Accountant License or higher level professional certification as
304 determined by the State Personnel Board, the immediate replacement
305 of a departing employee with an individual from within state
306 service or a new hire at a salary level equivalent to that of the
307 departing employee, and the emergency appointment of nurses,
308 pharmacists or other health care professionals at a salary to be

309 determined by the State Personnel Board, unless otherwise
310 authorized in this act.

311 **SECTION 5.** It is the intention of the Legislature that the
312 Department of Human Services shall maintain complete accounting
313 and personnel records related to the expenditure of all funds
314 appropriated under this act and that such records shall be in the
315 same format and level of detail as maintained for Fiscal Year
316 2007. It is further the intention of the Legislature that the
317 agency's budget request for Fiscal Year 2009 shall be submitted to
318 the Joint Legislative Budget Committee in a format and level of
319 detail comparable to the format and level of detail provided
320 during the Fiscal Year 2008 budget request process.

321 **SECTION 6.** None of the funds appropriated under the
322 provisions of Sections 1 and 2 shall be used to pay any contractor
323 that is not a successful bidder for genetic paternity testing
324 services bid by the Department of Human Services.

325 **SECTION 7.** Of the funds appropriated in Section 2, One
326 Million Dollars (\$1,000,000.00) shall be transferred to the
327 Department of Health, Child Care Licensure Program from the Child
328 Care Development Fund or other appropriate special fund. These
329 funds are to be transferred to the Board of Health no later than
330 July 31, 2007. The Department of Health shall make a complete
331 accounting to the Department of Human Services detailing the uses
332 of these funds in accordance with federal and state regulations.

333 **SECTION 8.** It is the intention of the Legislature that the
334 Department of Human Services contract with the Department of
335 Health to operate the School Nurse Teen Pregnancy Prevention Pilot
336 Program as described in House Bill No. 766 of the 1997 Legislative
337 Session, in compliance with all applicable TANF federal and state
338 regulations.

339 **SECTION 9.** Of the funds appropriated in Section 2, Four
340 Million Five Hundred Thousand Dollars (\$4,500,000.00) of TANF
341 (Temporary Assistance for Needy Families) federal funds shall be
342 transferred to the Office of the Attorney General for the purpose
343 of subgranting with entities which will develop and implement

344 programs that serve unmet needs of "at risk" youth in the state,
345 including, but not being limited to, Boys and Girls Clubs, Big
346 Brothers Big Sisters of America, Communities in Schools, and the
347 State Coalition of Young Men's Christian Association (YMCA). Of
348 the funds authorized in this section, not more than Two Million
349 Five Hundred Thousand Dollars (\$2,500,000.00) shall be allocated
350 among Boys and Girls Clubs, Big Brothers Big Sisters of America,
351 and Communities in Schools, and not more than Two Million Dollars
352 (\$2,000,000.00) shall be allocated to the State Coalition of Young
353 Men's Christian Association (YMCA). The Attorney General shall
354 administer the transferred TANF funds.

355 **SECTION 10.** None of the above funds shall be used to hire
356 employees under Personal Service Contracts except for Personal
357 Service Contracts for the Office for Children and Youth - Child
358 Care and Office for Children and Youth - Child Care Managers.

359 **SECTION 11.** The Department shall shift expenditures from the
360 Temporary Assistance for Needy Families (TANF) portion of the
361 Child Care Development Block Grant Funds (CCDF) to the CCDF
362 matching grant portion for the continued funding of the Families
363 First Resource Centers through the current federal fiscal year
364 (September 30, 2007).

365 The department shall utilize TANF funds from the federal
366 Fiscal Year 2008 allotment for the continued funding of the
367 Families First Resource Centers through June 30, 2008.

368 **SECTION 12.** The department is authorized to escalate, budget
369 and expend special and/or federal funds received from any source
370 to carry out the duties of the department in an amount not to
371 exceed Twenty Million Dollars (\$20,000,000.00). Such funds are to
372 be escalated in accordance with procedures for federal fund
373 escalations as established in Section 27-104-21, Mississippi Code
374 of 1972, and expended for the purposes of performing such duties
375 as set forth by law in accordance with applicable rules and
376 regulations of the State Fiscal Officer.

377 **SECTION 13.** It is the intention of the Legislature that the
378 Executive Director of the Department of Human Services may

379 authorize increases in major objects of expenditure in total
380 amounts not to exceed twenty-five percent (25%) of the
381 appropriated amount of each major object of expenditure, provided
382 that other major objects of expenditure are decreased by a
383 corresponding dollar amount. However, no transfers shall be
384 authorized which increase the major object of expenditure
385 "Salaries, Wages and Fringe Benefits."

386 **SECTION 14.** It is the intention of the Legislature that the
387 Executive Director of the Department of Human Services may
388 transfer between the various offices authorized herein General
389 Funds, Special Funds and spending authority not to exceed
390 twenty-five percent (25%) of the receiving office in addition to
391 any other transfers or escalations made in accordance with Section
392 27-104-17(3), Mississippi Code of 1972. However, the budget
393 category of "Salaries, Wages and Fringe Benefits" shall not be
394 changed.

395 The Executive Director of the Department of Human Services
396 shall submit written justification for the transfer to the
397 Legislative Budget Office and the Department of Finance and
398 Administration on or before the fifteenth of the month prior to
399 the effective date of the transfer. It is further the intention
400 of the Legislature that any transfers made under the provisions of
401 this paragraph shall be of an emergency nature and that in no case
402 shall the transfers be made which substantially alter the
403 legislative intent for the various offices as set forth in the
404 original appropriations made under this act.

405 **SECTION 15.** It is the intention of the Legislature that
406 whenever two (2) or more bids are received by this agency for the
407 purchase of commodities or equipment, and whenever all things
408 stated in such received bids are equal with respect to price,
409 quality and service, the Mississippi Industries for the Blind
410 shall be given preference. A similar preference shall be given to
411 the Mississippi Industries for the Blind whenever purchases are
412 made without competitive bids.

413 **SECTION 16.** The Department of Human Services is hereby
414 authorized to expend available funds on technology or equipment
415 upgrades or replacements when it will generate savings through
416 efficiency or when the savings generated from such upgrades or
417 replacements exceed expenditures thereof.

418 **SECTION 17.** The money herein appropriated shall be paid by
419 the State Treasurer out of any money in the State Treasury to the
420 credit of the proper fund or funds as set forth in this act, upon
421 warrants issued by the State Fiscal Officer; and the State Fiscal
422 Officer shall issue his warrants upon requisitions signed by the
423 proper person, officer or officers, in the manner provided by law.

424 **SECTION 18.** This act shall take effect and be in force from
425 and after July 1, 2007.

SS05\HB1689A.J

John O. Gilbert
Secretary of the Senate