SENATE BILL NO. 3166
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
General Fund not otherwise appropriated, for the purpose of
defraying the expenses and paying salaries of the Veterans Affairs
Board for the fiscal year beginning July 1, 2002, and ending
June 30, 2003................................. $ 2,429,586.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the special
fund in the State Treasury to the credit of the Veterans Affairs
Board which is comprised of special source funds collected by or
otherwise available to the board, for the support and maintenance
of said board for the fiscal year beginning July 1, 2002, and
ending June 30, 2003......................... $ 22,332,671.00.

SECTION 3. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the Health
Care Expendable Fund not otherwise appropriated, for the purpose
of defraying the expenses of the Veterans' Affairs Board for the
fiscal year beginning July 1, 2002, and ending June 30,
2003............................................ $ 700,000.00.

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

MAJOR OBJECTS OF EXPENDITURE:
<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services:</td>
<td></td>
</tr>
<tr>
<td>Salaries, Wages and Fringe Benefits</td>
<td>$18,543,582.00</td>
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<tr>
<td>Travel and Subsistence</td>
<td>$70,000.00</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>$4,465,456.00</td>
</tr>
<tr>
<td>Commodities</td>
<td>$1,946,735.00</td>
</tr>
<tr>
<td>Total</td>
<td>$25,462,257.00</td>
</tr>
<tr>
<td>Capital Outlay:</td>
<td></td>
</tr>
<tr>
<td>Other Than Equipment</td>
<td>$200,000.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>$235,910.00</td>
</tr>
<tr>
<td>Subsidies, Loans and Grants</td>
<td>$574.00</td>
</tr>
<tr>
<td>Total</td>
<td>$25,462,257.00</td>
</tr>
<tr>
<td>FUNDING:</td>
<td></td>
</tr>
<tr>
<td>General Funds</td>
<td>$2,429,586.00</td>
</tr>
<tr>
<td>Special Funds</td>
<td>$23,032,671.00</td>
</tr>
<tr>
<td>Total</td>
<td>$25,462,257.00</td>
</tr>
<tr>
<td>AUTHORIZED POSITIONS:</td>
<td></td>
</tr>
<tr>
<td>Permanent: Full Time</td>
<td>80</td>
</tr>
<tr>
<td>Part Time</td>
<td>0</td>
</tr>
<tr>
<td>Time-Limited: Full Time</td>
<td>620</td>
</tr>
<tr>
<td>Part Time</td>
<td>100</td>
</tr>
</tbody>
</table>

Funds are provided herein to adjust the Variable Compensation Plan to ensure that all full-time employees receive a pay increase equal to fifty percent (50%) of the realignment component of the Variable Compensation Plan or Six Hundred Dollars ($600.00), whichever is greater, beginning on January 1, 2003.

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003 funds appropriated for that purpose, unless programs, positions or pay increases are added to the agency's budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall, on July 1, 2002, publish separate annual projection reports, based on July 1, 2002 data.
for the period of July 1, 2002, through December 31, 2002, and
January 1, 2003, through June 30, 2003, that project the annual
cost to fully fund all appropriated positions in compliance with
the provisions of this act. It shall be the responsibility of the
agency head to ensure that no single personnel action increases
this projected cost and/or the Fiscal Year 2003 appropriation for
"Personal Services," as annualized on a semiannual basis in
accordance with the provisions of this act. If, at the end of any
calendar month, the State Personnel Board determines that the
agency has taken action(s) which would cause the agency to exceed
this projected annual cost or the Fiscal Year 2003 "Personal
Services" appropriated level, when annualized in compliance with
the provisions of this act, then only those actions which reduce
the projected annual cost and/or the appropriation requirement
will be processed by the State Personnel Board until such time as
the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with
the terms, conditions and procedures established by law.

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

SECTION 5. Of the funds appropriated under the provisions of
Section 1, and authorized for expenditure in Section 3, funds in
the amount of Two Hundred Fifty Thousand Dollars ($250,000.00) are
provided to defray the cost of providing care to
indigent/low-income Mississippi veterans and the non-veteran
surviving spouses of Mississippi veterans if the surviving spouse
was a resident of a state veterans home at the time of the
veteran’s death and who, subsequent to the veteran’s death, meets
the indigent/low-income criteria established by the State Veterans
Affairs Board, in the state veterans homes. It is the intention
of the Legislature that the provision pertaining to use of
indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 6. It is the intention of the Legislature that the Executive Director of the Veterans Affairs Board may authorize increases in major objects of expenditure in total amounts not to exceed ten percent (10%) of the appropriated amount of each major object of expenditure, provided that other major objects of expenditure are decreased by the corresponding dollar amount. However, no transfers shall be authorized which increase the major object of expenditure "Salaries, Wages and Fringe Benefits."

SECTION 7. Of the funds appropriated under the provisions of Section 2, One Hundred Twenty-one Thousand Two Hundred Eighty-nine Dollars ($121,289.00) shall be derived from the Budget Contingency Fund created in Section 27-103-301, Mississippi Code of 1972.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, to the Veterans Affairs Board for the purpose of reauthorizing the expenditure of State General Funds authorized in Senate Bill No. 3126, 2001 Regular Session, for the "Hilton R. 'Jack' Vance Act of 1997" to be used for the purpose of hiring nursing staff at the four state veterans' homes for the fiscal year beginning July 1, 2002, and ending June 30, 2003......................$ 120,000.00. Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2002.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal
Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

**SECTION 10.** This act shall take effect and be in force from and after July 1, 2002.