

By: Senator(s) Gordon, Little, Frazier,
Flowers, Jackson (32nd), Mettetal, Turner

To: Appropriations

SENATE BILL NO. 3143
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE VETERANS AFFAIRS BOARD 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, for the purpose of
7 defraying the expenses and paying salaries of the Veterans Affairs
8 Board for the fiscal year beginning July 1, 2004, and ending
9 June 30, 2005..... \$ 1,355,025.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the special
12 fund in the State Treasury to the credit of the Veterans Affairs
13 Board which is comprised of special source funds collected by or
14 otherwise available to the board, for the support and maintenance
15 of said board for the fiscal year beginning July 1, 2004, and
16 ending June 30, 2005..... \$ 26,822,997.00.

17 **SECTION 3.** With the funds appropriated under the provisions
18 of Sections 1 and 2, the following positions are authorized:

19 AUTHORIZED POSITIONS:

| | | | |
|----|---------------|----------------|-----|
| 20 | Permanent: | Full Time..... | 80 |
| 21 | | Part Time..... | 0 |
| 22 | Time-Limited: | Full Time..... | 620 |
| 23 | | Part Time..... | 100 |

24 With the funds herein appropriated, it is the intention of
25 the Legislature that it shall be the agency's responsibility to
26 make certain that funds required to be appropriated for "Personal
27 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005

28 funds appropriated for that purpose, unless programs or positions
29 are added to the agency's Fiscal Year 2006 budget by the
30 Mississippi Legislature. Based on data provided by the
31 Legislative Budget Office, the State Personnel Board shall
32 determine and publish the projected annual cost to fully fund all
33 appropriated positions in compliance with the provisions of this
34 act. It shall be the responsibility of the agency head to insure
35 that no single personnel action increases this projected annual
36 cost and/or the Fiscal Year 2005 appropriation for "Personal
37 Services" when annualized, with the exception of escalated funds.
38 If, at the time the agency takes any action to change "Personal
39 Services," the State Personnel Board determines that the agency
40 has taken an action which would cause the agency to exceed this
41 projected annual cost or the Fiscal Year 2005 "Personal Services"
42 appropriated level, when annualized, then only those actions which
43 reduce the projected annual cost and/or the appropriation
44 requirement will be processed by the State Personnel Board until
45 such time as the requirements of this provision are met.

46 Any transfers or escalations shall be made in accordance with
47 the terms, conditions and procedures established by law or
48 allowable under the terms set forth within this act. The State
49 Personnel Board shall not escalate positions without written
50 approval from the Department of Finance and Administration. The
51 Department of Finance and Administration shall not provide written
52 approval to escalate any funds for salaries and/or positions
53 without proof of availability of new or additional funds above the
54 appropriated level.

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

59 The agency shall not award salary increases through
60 reallocation, reclassification, realignment, education benchmark,
61 or career ladder.

62 **SECTION 4.** Of the funds appropriated under the provisions of
63 Sections 1 and 2, funds in the amount of Two Hundred Fifty
64 Thousand Dollars (\$250,000.00) are provided to defray the cost of
65 providing care to indigent/low-income Mississippi veterans and the
66 non-veteran surviving spouses of Mississippi veterans if the
67 surviving spouse was a resident of a state veterans home at the
68 time of the veteran's death and who, subsequent to the veteran's
69 death, meets the indigent/low-income criteria established by the
70 State Veterans Affairs Board, in the state veterans homes. It is
71 the intention of the Legislature that the provision pertaining to
72 use of indigent/low-income surviving spouses be retroactive for
73 any such period, prior to the effective date of this act, that a
74 current surviving spouse may have met the criteria. This section
75 and its provisions shall be known and cited as the "Hilton R.
76 'Jack' Vance Act of 1997."

77 **SECTION 5.** Of the funds appropriated under the provisions of
78 Section 2, Six Hundred Twenty-one Thousand Four Hundred
79 Seventy-two Dollars (\$621,472.00) shall be derived from the Health
80 Care Expendable Fund created in Section 43-13-407, Mississippi
81 Code of 1972, for the support and maintenance of the Veterans'
82 Affairs Board.

83 **SECTION 6.** It is the intention of the Legislature that the
84 Veterans Affairs Board shall maintain complete accounting and
85 personnel records related to the expenditure of all funds
86 appropriated under the provisions of this act and that such
87 records shall be in the same format and level of details as
88 maintained for Fiscal Year 2004. It is further the intention of
89 the Legislature that the budget request for Fiscal Year 2006 shall
90 be submitted to the Joint Legislative Budget Committee in a format

91 and level of detail comparable to the format and level of detail
92 provided during the Fiscal Year 2005 budget request process.

93 **SECTION 7.** The money herein appropriated shall be paid by
94 the State Treasurer out of any money in the State Treasury to the
95 credit of the proper fund or funds as set forth in this act, upon
96 warrants issued by the State Fiscal Officer; and the State Fiscal
97 Officer shall issue his warrants upon requisitions signed by the
98 proper person, officer or officers in the manner provided by law.

99 **SECTION 8.** This act shall take effect and be in force from
100 and after July 1, 2004.