

By: Senator(s) Gordon, Little, Frazier, Davis, Flowers, Jackson (32nd), Turner, Carmichael To: Appropriations

SENATE BILL NO. 2048

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2006.

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, 2005, and ending
9 June 30, 2006..... \$ 2,937,376.00.

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, 2005, and
16 ending June 30, 2006..... \$ 26,232,421.00.

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

21 MAJOR OBJECTS OF EXPENDITURE:

22 Personal Services:

23 Salaries, Wages and Fringe Benefits.. \$ 15,482,244.00
24 Travel and Subsistence..... 70,971.00
25 Contractual Services..... 11,605,914.00
26 Commodities..... 1,864,168.00

27 Capital Outlay:

28	Other Than Equipment.....	0.00
29	Equipment.....	96,500.00
30	Subsidies, Loans and Grants.....	<u>50,000.00</u>
31	Total.....	\$ 29,169,797.00

32 FUNDING:

33	General Funds.....	\$ 2,937,376.00
34	Special Funds.....	<u>26,232,421.00</u>
35	Total.....	\$ 29,169,797.00

36 AUTHORIZED POSITIONS:

37	Permanent: Full Time.....	75
38	Part Time.....	0
39	Time-Limited: Full Time.....	567
40	Part Time.....	96

41 With the funds herein appropriated, it is the intention of
42 the Legislature that it shall be the agency's responsibility to
43 make certain that funds required to be appropriated for "Personal
44 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
45 funds appropriated for that purpose, unless programs or positions
46 are added to the agency's Fiscal Year 2007 budget by the
47 Mississippi Legislature. Based on data provided by the
48 Legislative Budget Office, the State Personnel Board shall
49 determine and publish the projected annual cost to fully fund all
50 appropriated positions in compliance with the provisions of this
51 act. It shall be the responsibility of the agency head to insure
52 that no single personnel action increases this projected annual
53 cost and/or the Fiscal Year 2006 appropriation for "Personal
54 Services" when annualized, with the exception of escalated funds.
55 If, at the time the agency takes any action to change "Personal
56 Services," the State Personnel Board determines that the agency
57 has taken an action which would cause the agency to exceed this
58 projected annual cost or the Fiscal Year 2006 "Personal Services"
59 appropriated level, when annualized, then only those actions which
60 reduce the projected annual cost and/or the appropriation

61 requirement will be processed by the State Personnel Board until
62 such time as the requirements of this provision are met.

63 Any transfers or escalations shall be made in accordance with
64 the terms, conditions and procedures established by law or
65 allowable under the terms set forth within this act. The State
66 Personnel Board shall not escalate positions without written
67 approval from the Department of Finance and Administration. The
68 Department of Finance and Administration shall not provide written
69 approval to escalate any funds for salaries and/or positions
70 without proof of availability of new or additional funds above the
71 appropriated level.

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

76 The agency shall not take any action to promote or otherwise
77 award salary increases through reallocation, reclassification,
78 realignment, education benchmark, career ladder, or any other
79 means to increase salaries of employees or positions unless
80 specifically exempted by the following conditions: the award of
81 teacher pay increases, the advancement of a trainee/cadet to the
82 next level of a bona fide career ladder, the award of an
83 educational benchmark for the attainment of Certified Public
84 Accountant License or higher level professional certification as
85 determined by the State Personnel Board, the immediate replacement
86 of a departing employee with an individual from within state
87 service or a new hire at a salary level equivalent to that of the
88 departing employee, and the emergency appointment of nurses,
89 pharmacists or other health care professionals at a salary to be
90 determined by the State Personnel Board, unless otherwise
91 authorized in this act.

92 **SECTION 4.** Of the funds appropriated under the provisions of
93 Sections 1 and 2, funds in the amount of Two Hundred Fifty

94 Thousand Dollars (\$250,000.00) are provided to defray the cost of
95 providing care to indigent/low-income Mississippi veterans and the
96 non-veteran surviving spouses of Mississippi veterans if the
97 surviving spouse was a resident of a state veterans home at the
98 time of the veteran's death and who, subsequent to the veteran's
99 death, meets the indigent/low-income criteria established by the
100 State Veterans Affairs Board, in the state veterans homes. It is
101 the intention of the Legislature that the provision pertaining to
102 use of indigent/low-income surviving spouses be retroactive for
103 any such period, prior to the effective date of this act, that a
104 current surviving spouse may have met the criteria. This section
105 and its provisions shall be known and cited as the "Hilton R.
106 'Jack' Vance Act of 1997."

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

113 **SECTION 6.** It is the intention of the Legislature that the
114 Executive Director of the Veterans' Affairs Board may authorize
115 increases in any major objects of expenditures in total amounts
116 not to exceed twenty-five percent (25%) of the appropriated amount
117 of each major object of expenditure, provided that other major
118 objects of expenditure are decreased by a corresponding dollar
119 amount. However, no transfers shall be authorized which increase
120 the major object of expenditure "Salaries, Wages and Fringe
121 Benefits."

122 **SECTION 7.** It is the intention of the Legislature that the
123 Veterans Affairs Board shall maintain complete accounting and
124 personnel records related to the expenditure of all funds
125 appropriated under the provisions of this act and that such
126 records shall be in the same format and level of details as

127 maintained for Fiscal Year 2005. It is further the intention of
128 the Legislature that the budget request for Fiscal Year 2007 shall
129 be submitted to the Joint Legislative Budget Committee in a format
130 and level of detail comparable to the format and level of detail
131 provided during the Fiscal Year 2006 budget request process.

132 **SECTION 8.** The money herein appropriated shall be paid by
133 the State Treasurer out of any money in the State Treasury to the
134 credit of the proper fund or funds as set forth in this act, upon
135 warrants issued by the State Fiscal Officer; and the State Fiscal
136 Officer shall issue his warrants upon requisitions signed by the
137 proper person, officer or officers in the manner provided by law.

138 **SECTION 9.** This act shall take effect and be in force from
139 and after July 1, 2005.