

By: Senator(s) Gordon, Little, Frazier, Davis, Flowers, Jackson (32nd), Turner, Burton, Butler, Carmichael, Chaney, Dearing, Doxey, Fillingane, Harden, Horhn, Hyde-Smith, Jackson (15th), Jackson (11th), King, Lee (35th), Mettetal, Michel, Posey, Thomas, Walls

To: Appropriations

SENATE BILL NO. 3149

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE VETERANS AFFAIRS BOARD 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, for the purpose of
7 defraying the expenses and paying salaries of the Veterans Affairs
8 Board for the fiscal year beginning July 1, 2007, and ending
9 June 30, 2008..... \$ 4,852,375.00.

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, 2007, and
16 ending June 30, 2008..... \$ 27,287,358.00.

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.. \$ 15,052,840.00
24 Travel and Subsistence..... 70,971.00
25 Contractual Services..... 13,527,024.00
26 Commodities..... 2,978,898.00

27 Capital Outlay:

28	Other Than Equipment.....	200,000.00
29	Equipment.....	150,000.00
30	Vehicles.....	110,000.00
31	Wireless Communication Devices.....	0.00
32	Subsidies, Loans and Grants.....	<u>50,000.00</u>
33	Total.....	\$ 32,139,733.00

34 FUNDING:

35	General Funds.....	\$ 4,852,375.00
36	Special Funds.....	<u>27,287,358.00</u>
37	Total.....	\$ 32,139,733.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	75
40	Part Time.....	0
41	Time-Limited: Full Time.....	567
42	Part Time.....	96

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

48 With the funds herein appropriated, it is the intention of
49 the Legislature that it shall be the agency's responsibility to
50 make certain that funds required to be appropriated for "Personal
51 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
52 funds appropriated for that purpose, unless programs or positions
53 are added to the agency's Fiscal Year 2009 budget by the
54 Mississippi Legislature. Based on data provided by the
55 Legislative Budget Office, the State Personnel Board shall
56 determine and publish the projected annual cost to fully fund all
57 appropriated positions in compliance with the provisions of this
58 act. It shall be the responsibility of the agency head to insure
59 that no single personnel action increases this projected annual
60 cost and/or the Fiscal Year 2008 appropriation for "Personal

61 Services" when annualized, with the exception of escalated funds.
62 If, at the time the agency takes any action to change "Personal
63 Services," the State Personnel Board determines that the agency
64 has taken an action which would cause the agency to exceed this
65 projected annual cost or the Fiscal Year 2008 "Personal Services"
66 appropriated level, when annualized, then only those actions which
67 reduce the projected annual cost and/or the appropriation
68 requirement will be processed by the State Personnel Board until
69 such time as the requirements of this provision are met.

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

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

83 The agency shall not take any action to promote or otherwise
84 award salary increases through reallocation, reclassification,
85 realignment, education benchmark, career ladder, or any other
86 means to increase salaries of employees or positions unless
87 specifically exempted by the following conditions: the award of
88 teacher pay increases, the advancement of a trainee/cadet to the
89 next level of a bona fide career ladder, the award of an
90 educational benchmark for the attainment of Certified Public
91 Accountant License or higher level professional certification as
92 determined by the State Personnel Board, the immediate replacement
93 of a departing employee with an individual from within state

94 service or a new hire at a salary level equivalent to that of the
95 departing employee, and the emergency appointment of nurses,
96 pharmacists or other health care professionals at a salary to be
97 determined by the State Personnel Board, unless otherwise
98 authorized in this act.

99 **SECTION 4.** Of the funds appropriated under the provisions of
100 Sections 1 and 2, funds in the amount of Two Hundred Fifty
101 Thousand Dollars (\$250,000.00) are provided to defray the cost of
102 providing care to indigent/low-income Mississippi veterans and the
103 non-veteran surviving spouses of Mississippi veterans if the
104 surviving spouse was a resident of a state veterans home at the
105 time of the veteran's death and who, subsequent to the veteran's
106 death, meets the indigent/low-income criteria established by the
107 State Veterans Affairs Board, in the state veterans homes. It is
108 the intention of the Legislature that the provision pertaining to
109 use of indigent/low-income surviving spouses be retroactive for
110 any such period, prior to the effective date of this act, that a
111 current surviving spouse may have met the criteria. This section
112 and its provisions shall be known and cited as the "Hilton R.
113 'Jack' Vance Act of 1997."

114 **SECTION 5.** Of the funds appropriated under the provisions of
115 Section 2, Three Hundred Fifty-four Thousand One Hundred Twenty-
116 three Dollars (\$354,123.00) shall be derived from the Health Care
117 Expendable Fund created in Section 43-13-407, Mississippi Code of
118 1972, for the support and maintenance of the Veterans' Affairs
119 Board.

120 **SECTION 6.** It is the intention of the Legislature that the
121 Executive Director of the Veterans' Affairs Board may authorize
122 increases in any major objects of expenditures in total amounts
123 not to exceed twenty-five percent (25%) of the appropriated amount
124 of each major object of expenditure, provided that other major
125 objects of expenditure are decreased by a corresponding dollar
126 amount. However, no transfers shall be authorized which increase

127 the major object of expenditure "Salaries, Wages and Fringe
128 Benefits."

129 **SECTION 7.** It is the intention of the Legislature that the
130 Veterans Affairs Board shall maintain complete accounting and
131 personnel records related to the expenditure of all funds
132 appropriated under the provisions of this act and that such
133 records shall be in the same format and level of details as
134 maintained for Fiscal Year 2007. It is further the intention of
135 the Legislature that the budget request for Fiscal Year 2009 shall
136 be submitted to the Joint Legislative Budget Committee in a format
137 and level of detail comparable to the format and level of detail
138 provided during the Fiscal Year 2008 budget request process.

139 **SECTION 8.** It is the intention of the Legislature that
140 whenever two (2) or more bids are received by this agency for the
141 purchase of commodities or equipment, and whenever all things
142 stated in such received bids are equal with respect to price,
143 quality and service, the Mississippi Industries for the Blind
144 shall be given preference. A similar preference shall be given to
145 the Mississippi Industries for the Blind whenever purchases are
146 made without competitive bids.

147 **SECTION 9.** It is legislative intent to ensure beneficial
148 information reaches as many Mississippians as possible. Further,
149 it is legislative intent that the expenditure of public funds for
150 this purpose be accomplished in an efficient and effective manner:

151 Therefore, state agencies as standard procedure, will observe
152 the following criteria:

153 (1) Develop goals and desired result for a campaign.

154 (2) Evaluate effectiveness through respected advertising
155 standards, including market reach and cost effectiveness.

156 (3) Seek public service announcements, which would be aired
157 by media without cost.

158 (4) Itemize and justify professional assistance and related
159 expenses for creative and production costs outside of the actual
160 media expenditures.

161 (5) Utilize Mississippi owned media companies when feasible.

162 **SECTION 10.** Of the funds appropriated herein, the State
163 Veterans Affairs Board is authorized to make payment for expenses
164 incurred in fiscal years 2004 and 2005 not to exceed Twenty-four
165 Thousand Sixty-eight Dollars and Fifteen Cents (\$24,068.15),
166 payable to the Department of Finance and Administration Office of
167 Insurance.

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

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