

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
(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 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..... \$ 4,858,750.00.

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..... \$ 28,378,481.00.

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.. \$ 15,257,223.00
24 Travel and Subsistence..... 70,971.00
25 Contractual Services..... 14,227,024.00
26 Commodities..... 2,978,898.00
27 Capital Outlay:

28	Other Than Equipment.....	98,115.00
29	Equipment.....	344,000.00
30	Vehicles.....	210,000.00
31	Wireless Communication Devices.....	1,000.00
32	Subsidies, Loans and Grants.....	<u>50,000.00</u>
33	Total.....	\$ 33,237,231.00

34 FUNDING:

35	General Funds.....	\$ 4,858,750.00
36	Special Funds.....	<u>28,378,481.00</u>
37	Total.....	\$ 33,237,231.00

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 Five Hundred Dollars (\$1,500.00), whichever
47 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 2008 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 appropriations for "Personal

61 Services" when annualized, with the exception of escalated funds
62 and educational benchmarks. If, at the time the agency takes any
63 action to change "Personal Services," the State Personnel Board
64 determines that the agency has taken an action which would cause
65 the agency to exceed this projected annual cost or the Fiscal Year
66 2008 "Personal Services" appropriated level, when annualized, then
67 only those actions which reduce the projected annual cost and/or
68 the appropriation requirement will be processed by the State
69 Personnel Board until such time as the requirements of this
70 provision are met. On January 1, 2008, the State Personnel Board
71 will make adjustments to the structure side of the compliance
72 report based on data provided by the Legislative Budget Office in
73 order for agencies to award educational benchmarks.

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

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

87 **SECTION 4.** Of the funds appropriated under the provisions of
88 Sections 1 and 2, funds in the amount of Two Hundred Fifty
89 Thousand Dollars (\$250,000.00) are provided to defray the cost of
90 providing care to indigent/low-income Mississippi veterans and the
91 non-veteran surviving spouses of Mississippi veterans if the
92 surviving spouse was a resident of a state veterans home at the
93 time of the veteran's death and who, subsequent to the veteran's

94 death, meets the indigent/low-income criteria established by the
95 State Veterans Affairs Board, in the state veterans homes. It is
96 the intention of the Legislature that the provision pertaining to
97 use of indigent/low-income surviving spouses be retroactive for
98 any such period, prior to the effective date of this act, that a
99 current surviving spouse may have met the criteria. This section
100 and its provisions shall be known and cited as the "Hilton R.
101 'Jack' Vance Act of 1997."

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

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

117 **SECTION 7.** It is the intention of the Legislature that the
118 Veterans Affairs Board shall maintain complete accounting and
119 personnel records related to the expenditure of all funds
120 appropriated under the provisions of this act and that such
121 records shall be in the same format and level of details as
122 maintained for Fiscal Year 2007. It is further the intention of
123 the Legislature that the budget request for Fiscal Year 2009 shall
124 be submitted to the Joint Legislative Budget Committee in a format
125 and level of detail comparable to the format and level of detail
126 provided during the Fiscal Year 2008 budget request process.

127 **SECTION 8.** It is the intention of the Legislature that
128 whenever two (2) or more bids are received by this agency for the
129 purchase of commodities or equipment, and whenever all things
130 stated in such received bids are equal with respect to price,
131 quality and service, the Mississippi Industries for the Blind
132 shall be given preference. A similar preference shall be given to
133 the Mississippi Industries for the Blind whenever purchases are
134 made without competitive bids.

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

139 Therefore, state agencies as standard procedure, will observe
140 the following criteria:

141 (a) Develop goals and desired result for a campaign.

142 (b) Evaluate effectiveness through respected
143 advertising standards, including market reach and cost
144 effectiveness.

145 (c) Seek public service announcements, which would be
146 aired by media without cost.

147 (d) Itemize and justify professional assistance and
148 related expenses for creative and production costs outside of the
149 actual media expenditures.

150 (e) Utilize Mississippi-owned media companies when
151 feasible.

152 **SECTION 10.** Of the funds appropriated under the provisions
153 of Section 2, One Million Dollars (\$1,000,000.00) shall be derived
154 from the Budget Contingency Fund created in Section 27-103-301,
155 Mississippi Code of 1972.

156 **SECTION 11.** It is the intention of the Legislature that the
157 Veterans Affairs Board shall have the authority to escalate and
158 expend funds received as reimbursement of start-up costs related
159 to the planning and development of the Mississippi Veterans

160 Memorial Cemetery. These funds shall be utilized at each facility
161 as needed for resident security systems, repair and/or replacement
162 of air conditioning and heating equipment, kitchen equipment,
163 laundry equipment, dining equipment and furniture, medical
164 equipment, kitchen plumbing, other furniture, repair and
165 renovation of shower rooms, replacement of bathroom tile and doors
166 and door frame protection.

167 **SECTION 12.** It is the intention of the Legislature that of
168 the funds appropriated in Section 2, Seven Hundred Thousand
169 Dollars (\$700,000.00) shall be expended for costs related to the
170 planning and development of the Mississippi Veterans Memorial
171 Cemetery.

172 **SECTION 13.** It is the intention of the Legislature that the
173 Veterans Affairs Board may transfer an amount not to exceed One
174 Million Dollars (\$1,000,000.00) from Contractual Services to
175 Salaries.

176 **SECTION 14.** Of the funds appropriated herein, the State
177 Veterans Affairs Board is authorized to make payment for expenses
178 incurred in fiscal years 2004 and 2005 not to exceed Twenty-four
179 Thousand Sixty-eight Dollars and Fifteen Cents (\$24,068.15),
180 payable to the Department of Finance and Administration Office of
181 Insurance.

182 **SECTION 15.** The money herein appropriated shall be paid by
183 the State Treasurer out of any money in the State Treasury to the
184 credit of the proper fund or funds as set forth in this act, upon
185 warrants issued by the State Fiscal Officer; and the State Fiscal
186 Officer shall issue his warrants upon requisitions signed by the
187 proper person, officer or officers in the manner provided by law.

188 **SECTION 16.** This act shall take effect and be in force from
189 and after July 1, 2007.