

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

To: Appropriations

SENATE BILL NO. 3041
(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 2007.

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, 2006, and ending
9 June 30, 2007..... \$ 2,912,559.00.

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, 2006, and
16 ending June 30, 2007..... \$ 28,180,774.00.

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.. \$ 15,944,622.00
24 Travel and Subsistence..... 70,971.00
25 Contractual Services..... 12,625,827.00
26 Commodities..... 2,001,913.00

27 Capital Outlay:

28	Other Than Equipment.....	200,000.00
29	Equipment.....	200,000.00
30	Subsidies, Loans and Grants.....	<u>50,000.00</u>
31	Total.....	\$ 31,093,333.00

32 FUNDING:

33	General Funds.....	\$ 2,912,559.00
34	Special Funds.....	<u>28,180,774.00</u>
35	Total.....	\$ 31,093,333.00

36 AUTHORIZED POSITIONS:

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

41 Funds are provided herein to adjust the Variable Compensation
42 Plan to ensure that all full-time employees receive a pay increase
43 equal to the realignment component of the Variable Compensation
44 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
45 with not more than one-half (1/2) to be awarded on July 1, 2006,
46 with the remainder to be awarded on January 1, 2007.

47 With the funds herein appropriated, it is the intention of
48 the Legislature that it shall be the agency's responsibility to
49 make certain that funds required to be appropriated for "Personal
50 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
51 funds appropriated for that purpose, unless programs or positions
52 are added to the agency's Fiscal Year 2008 budget by the
53 Mississippi Legislature. Based on data provided by the
54 Legislative Budget Office, the State Personnel Board shall
55 determine and publish the projected annual cost to fully fund all
56 appropriated positions in compliance with the provisions of this
57 act. It shall be the responsibility of the agency head to insure
58 that no single personnel action increases this projected annual
59 cost and/or the Fiscal Year 2007 appropriation for "Personal
60 Services" when annualized, with the exception of escalated funds.

61 If, at the time the agency takes any action to change "Personal
62 Services," the State Personnel Board determines that the agency
63 has taken an action which would cause the agency to exceed this
64 projected annual cost or the Fiscal Year 2007 "Personal Services"
65 appropriated level, when annualized, then only those actions which
66 reduce the projected annual cost and/or the appropriation
67 requirement will be processed by the State Personnel Board until
68 such time as the requirements of this provision are met.

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

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

82 **SECTION 4.** Of the funds appropriated under the provisions of
83 Sections 1 and 2, funds in the amount of Two Hundred Fifty
84 Thousand Dollars (\$250,000.00) are provided to defray the cost of
85 providing care to indigent/low-income Mississippi veterans and the
86 non-veteran surviving spouses of Mississippi veterans if the
87 surviving spouse was a resident of a state veterans home at the
88 time of the veteran's death and who, subsequent to the veteran's
89 death, meets the indigent/low-income criteria established by the
90 State Veterans Affairs Board, in the state veterans homes. It is
91 the intention of the Legislature that the provision pertaining to
92 use of indigent/low-income surviving spouses be retroactive for
93 any such period, prior to the effective date of this act, that a

94 current surviving spouse may have met the criteria. This section
95 and its provisions shall be known and cited as the "Hilton R.
96 'Jack' Vance Act of 1997."

97 **SECTION 5.** Of the funds appropriated under the provisions of
98 Section 2, Four Hundred Eighty-seven Thousand Seven Hundred Fifty
99 Dollars (\$487,750.00) shall be derived from the Health Care
100 Expendable Fund created in Section 43-13-407, Mississippi Code of
101 1972, for the support and maintenance of the Veterans' Affairs
102 Board.

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

112 **SECTION 7.** It is the intention of the Legislature that the
113 Veterans Affairs Board shall maintain complete accounting and
114 personnel records related to the expenditure of all funds
115 appropriated under the provisions of this act and that such
116 records shall be in the same format and level of details as
117 maintained for Fiscal Year 2006. It is further the intention of
118 the Legislature that the budget request for Fiscal Year 2008 shall
119 be submitted to the Joint Legislative Budget Committee in a format
120 and level of detail comparable to the format and level of detail
121 provided during the Fiscal Year 2007 budget request process.

122 **SECTION 8.** It is the intention of the Legislature that
123 whenever two (2) or more bids are received by this agency for the
124 purchase of commodities or equipment, and whenever all things
125 stated in such received bids are equal with respect to price,
126 quality and service, the Mississippi Industries for the Blind

127 shall be given preference. A similar preference shall be given to
128 the Mississippi Industries for the Blind whenever purchases are
129 made without competitive bids.

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

134 Therefore, state agencies as standard procedure, will observe
135 the following criteria:

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

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

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

141 (4) Itemize and justify professional assistance and related
142 expenses for creative and production costs outside of the actual
143 media expenditures.

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

145 **SECTION 10.** With the funds appropriated herein, the State
146 Veterans Affairs Board is authorized to make payment for expenses
147 incurred for contractual nursing services during previous fiscal
148 years 2003 and 2004 not to exceed One Hundred Sixty-one Thousand
149 Five Hundred Thirty-seven Dollars (\$161,537.00).

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

156 **SECTION 12.** This act shall take effect and be in force from
157 and after July 1, 2006.