

By: Senator(s) Clarke, Hopson, Tindell,
Jackson (32nd), McDaniel, Simmons (13th)

To: Appropriations

SENATE BILL NO. 2969

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2018.

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, 2017, and ending
9 June 30, 2018.....\$ 4,490,267.00.

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, 2017, and
16 ending June 30, 2018.....\$ 35,932,840.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 this act, the following positions are authorized:



19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time.....	73
21		Part Time.....	0
22	Time-Limited:	Full Time.....	480
23		Part Time.....	71

24 With the funds herein appropriated, it shall be the agency's
25 responsibility to make certain that funds required to be
26 appropriated for "Personal Services" for Fiscal Year 2019 do not
27 exceed Fiscal Year 2018 funds appropriated for that purpose,
28 unless programs or positions are added to the agency's Fiscal Year
29 2018 budget by the Mississippi Legislature. Based on data
30 provided by the Legislative Budget Office, the State Personnel
31 Board shall determine and publish the projected annual cost to
32 fully fund all appropriated positions in compliance with the
33 provisions of this act. It shall be the responsibility of the
34 agency head to ensure that no single personnel action increases
35 this projected annual cost and/or the Fiscal Year 2018
36 appropriations for "Personal Services" when annualized, with the
37 exception of escalated funds and the award of benchmarks. If, at
38 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 2018 "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 None of the funds herein appropriated shall be used in
60 violation of Internal Revenue Service's Publication 15-A relating
61 to the reporting of income paid to contract employees, as
62 interpreted by the Office of the State Auditor.

63 **SECTION 4.** Of the funds appropriated under the provisions of
64 Sections 1 and 2, funds in the amount of Two Hundred Fifty
65 Thousand Dollars (\$250,000.00) are provided to defray the cost of
66 providing care to indigent/low-income Mississippi veterans and the
67 nonveteran surviving spouses of Mississippi veterans if the
68 surviving spouse was a resident of a state veterans home at the



69 time of the veteran's death and who, subsequent to the veteran's
70 death, meets the indigent/low-income criteria established by the
71 State Veterans Affairs Board, in the state veterans homes. It is
72 the intention of the Legislature that the provision pertaining to
73 use of indigent/low-income surviving spouses be retroactive for
74 any such period, prior to the effective date of this act, that a
75 current surviving spouse may have met the criteria. This section
76 and its provisions shall be known and cited as the "Hilton R.
77 'Jack' Vance Act of 1997."

78 **SECTION 5.** The Veterans Affairs Board shall have continued
79 authority for all action related to planning, development,
80 construction, and outfitting of the North Mississippi Veterans'
81 Memorial Cemetery.

82 **SECTION 6.** It is the intention of the Legislature that the
83 Veterans Affairs Board shall maintain complete accounting and
84 personnel records related to the expenditure of all funds
85 appropriated under the provisions of this act and that such
86 records shall be in the same format and level of details as
87 maintained for Fiscal Year 2017. It is further the intention of
88 the Legislature that the budget request for Fiscal Year 2019 shall
89 be submitted to the Joint Legislative Budget Committee in a format
90 and level of detail comparable to the format and level of detail
91 provided during the Fiscal Year 2018 budget request process.

92 **SECTION 7.** It is the intention of the Legislature that
93 whenever two (2) or more bids are received by this agency for the



94 purchase of commodities or equipment, and whenever all things
95 stated in such received bids are equal with respect to price,
96 quality and service, the Mississippi Industries for the Blind
97 shall be given preference. A similar preference shall be given to
98 the Mississippi Industries for the Blind whenever purchases are
99 made without competitive bids.

100 **SECTION 8.** It is the intention of the Legislature that the
101 Veterans Affairs Board shall have the authority to retroactively
102 reimburse State Veterans Home daily care charges paid by those
103 service-connected veterans specified in Public Law 109-461 (38 CFR
104 Part 51) on and after March 21, 2007, in Fiscal Year 2007, Fiscal
105 Year 2008 and Fiscal Year 2009 to comply with federal requirements
106 to obtain increased VA per diem for those Veterans Home residents.
107 The Veterans Affairs Board shall have the authority to escalate
108 and expend increased federal funds obtained by virtue of Public
109 Law 109-461 (38 CFR Part 51).

110 **SECTION 9.** The money herein appropriated shall be paid by
111 the State Treasurer out of any money in the State Treasury to the
112 credit of the proper fund or funds as set forth in this act, upon
113 warrants issued by the State Fiscal Officer; and the State Fiscal
114 Officer shall issue his warrants upon requisitions signed by the
115 proper person, officer or officers in the manner provided by law.

116 **SECTION 10.** This act shall take effect and be in force from
117 and after July 1, 2017.

