

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

To: Appropriations

SENATE BILL NO. 2969
(As Passed the Senate)

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.** In addition to all other amounts appropriated in
11 this act, the following sum is appropriated out of any money in
12 the State General Fund not otherwise appropriated, for the purpose
13 of funding the Veterans Affairs Board for the fiscal year
14 beginning July 1, 2017, and ending June 30, 2018....\$1,500,000.00.

15 In accordance with the requirements of Joint Rule 20A, the
16 amount of State General Funds that are appropriated for the
17 purpose of funding the Mississippi Educational Television Program
18 shall be reduced by.....\$1,500,000.00.



19 **SECTION 3.** The following sum, or so much thereof as may be
20 necessary, is hereby appropriated out of any money in the special
21 fund in the State Treasury to the credit of the Veterans Affairs
22 Board which is comprised of special source funds collected by or
23 otherwise available to the board, for the support and maintenance
24 of said board for the fiscal year beginning July 1, 2017, and
25 ending June 30, 2018.....\$ 35,932,840.00.

26 **SECTION 4.** Of the funds appropriated under the provisions of
27 this act, the following positions are authorized:

28 AUTHORIZED POSITIONS:

29	Permanent:	Full Time.....	73
30		Part Time.....	0
31	Time-Limited:	Full Time.....	480
32		Part Time.....	71

33 With the funds herein appropriated, it shall be the agency's
34 responsibility to make certain that funds required to be
35 appropriated for "Personal Services" for Fiscal Year 2019 do not
36 exceed Fiscal Year 2018 funds appropriated for that purpose,
37 unless programs or positions are added to the agency's Fiscal Year
38 2018 budget by the Mississippi Legislature. Based on data
39 provided by the Legislative Budget Office, the State Personnel
40 Board shall determine and publish the projected annual cost to
41 fully fund all appropriated positions in compliance with the
42 provisions of this act. It shall be the responsibility of the
43 agency head to ensure that no single personnel action increases



44 this projected annual cost and/or the Fiscal Year 2018
45 appropriations for "Personal Services" when annualized, with the
46 exception of escalated funds and the award of benchmarks. If, at
47 the time the agency takes any action to change "Personal
48 Services," the State Personnel Board determines that the agency
49 has taken an action which would cause the agency to exceed this
50 projected annual cost or the Fiscal Year 2018 "Personal Services"
51 appropriated level, when annualized, then only those actions which
52 reduce the projected annual cost and/or the appropriation
53 requirement will be processed by the State Personnel Board until
54 such time as the requirements of this provision are met.

55 Any transfers or escalations shall be made in accordance with
56 the terms, conditions and procedures established by law or
57 allowable under the terms set forth within this act. The State
58 Personnel Board shall not escalate positions without written
59 approval from the Department of Finance and Administration. The
60 Department of Finance and Administration shall not provide written
61 approval to escalate any funds for salaries and/or positions
62 without proof of availability of new or additional funds above the
63 appropriated level.

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



68 None of the funds herein appropriated shall be used in
69 violation of Internal Revenue Service's Publication 15-A relating
70 to the reporting of income paid to contract employees, as
71 interpreted by the Office of the State Auditor.

72 **SECTION 5.** Of the funds appropriated under the provisions of
73 Sections 1 and 2, funds in the amount of Two Hundred Fifty
74 Thousand Dollars (\$250,000.00) are provided to defray the cost of
75 providing care to indigent/low-income Mississippi veterans and the
76 nonveteran surviving spouses of Mississippi veterans if the
77 surviving spouse was a resident of a state veterans home at the
78 time of the veteran's death and who, subsequent to the veteran's
79 death, meets the indigent/low-income criteria established by the
80 State Veterans Affairs Board, in the state veterans homes. It is
81 the intention of the Legislature that the provision pertaining to
82 use of indigent/low-income surviving spouses be retroactive for
83 any such period, prior to the effective date of this act, that a
84 current surviving spouse may have met the criteria. This section
85 and its provisions shall be known and cited as the "Hilton R.
86 'Jack' Vance Act of 1997."

87 **SECTION 6.** The Veterans Affairs Board shall have continued
88 authority for all action related to planning, development,
89 construction, and outfitting of the North Mississippi Veterans'
90 Memorial Cemetery.

91 **SECTION 7.** It is the intention of the Legislature that the
92 Veterans Affairs Board shall maintain complete accounting and



93 personnel records related to the expenditure of all funds
94 appropriated under the provisions of this act and that such
95 records shall be in the same format and level of details as
96 maintained for Fiscal Year 2017. It is further the intention of
97 the Legislature that the budget request for Fiscal Year 2019 shall
98 be submitted to the Joint Legislative Budget Committee in a format
99 and level of detail comparable to the format and level of detail
100 provided during the Fiscal Year 2018 budget request process.

101 **SECTION 8.** It is the intention of the Legislature that
102 whenever two (2) or more bids are received by this agency for the
103 purchase of commodities or equipment, and whenever all things
104 stated in such received bids are equal with respect to price,
105 quality and service, the Mississippi Industries for the Blind
106 shall be given preference. A similar preference shall be given to
107 the Mississippi Industries for the Blind whenever purchases are
108 made without competitive bids.

109 **SECTION 9.** It is the intention of the Legislature that the
110 Veterans Affairs Board shall have the authority to retroactively
111 reimburse State Veterans Home daily care charges paid by those
112 service-connected veterans specified in Public Law 109-461 (38 CFR
113 Part 51) on and after March 21, 2007, in Fiscal Year 2007, Fiscal
114 Year 2008 and Fiscal Year 2009 to comply with federal requirements
115 to obtain increased VA per diem for those Veterans Home residents.
116 The Veterans Affairs Board shall have the authority to escalate



117 and expend increased federal funds obtained by virtue of Public
118 Law 109-461 (38 CFR Part 51).

119 **SECTION 10**. The money herein appropriated shall be paid by
120 the State Treasurer out of any money in the State Treasury to the
121 credit of the proper fund or funds as set forth in this act, upon
122 warrants issued by the State Fiscal Officer; and the State Fiscal
123 Officer shall issue his warrants upon requisitions signed by the
124 proper person, officer or officers in the manner provided by law.

125 **SECTION 11**. This act shall take effect and be in force from
126 and after July 1, 2017.

