

House Amendments to Senate Bill No. 2969

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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.....\$ 5,990,267.00.

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, not more than the following amount shall be expended for
19 Salaries, Wages and Fringe Benefits.....\$ 22,737,027.00.

20 The following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	73
	Part Time.....	0
Time-Limited:	Full Time.....	480
	Part Time.....	71

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2019 do not exceed Fiscal Year 2018 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2018 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2018 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2018 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation

requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

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

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

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

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

94 **SECTION 7.** It is the intention of the Legislature that
95 whenever two (2) or more bids are received by this agency for the
96 purchase of commodities or equipment, and whenever all things
97 stated in such received bids are equal with respect to price,

quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

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

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2017, and shall stand repealed June 30, 2017.

HR13\SB2969A.J

Andrew Ketchings
Clerk of the House of Representatives