

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2969

BY: Committee

**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:

21 AUTHORIZED POSITIONS:

22	Permanent:	Full Time.....	73
23		Part Time.....	0
24	Time-Limited:	Full Time.....	480
25		Part Time.....	71

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required to be
28 appropriated for "Personal Services" for Fiscal Year 2019 do not
29 exceed Fiscal Year 2018 funds appropriated for that purpose,
30 unless programs or positions are added to the agency's Fiscal Year
31 2018 budget by the Mississippi Legislature. Based on data
32 provided by the Legislative Budget Office, the State Personnel
33 Board shall determine and publish the projected annual cost to
34 fully fund all appropriated positions in compliance with the
35 provisions of this act. It shall be the responsibility of the
36 agency head to ensure that no single personnel action increases
37 this projected annual cost and/or the Fiscal Year 2018
38 appropriations for "Personal Services" when annualized, with the



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

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

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60 act and which are withdrawn and no longer available.

61 None of the funds herein appropriated shall be used in
62 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 death, meets the indigent/low-income criteria established by the State Veterans Affairs Board, in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

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

SECTION 6. It is the intention of the Legislature that the Veterans Affairs Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such



records shall be in the same format and level of details as maintained for Fiscal Year 2017. It is further the intention of the Legislature that the budget request for Fiscal Year 2019 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2018 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things 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).



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

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

