

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

To: Appropriations

SENATE BILL NO. 2959  
(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 2019.

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, 2018, and ending  
9 June 30, 2019.....\$ 5,751,340.00.

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, 2018, and  
16 ending June 30, 2019.....\$ 40,069,957.00.

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.....	78
21		Part Time.....	0
22	Time-Limited:	Full Time.....	543
23		Part Time.....	76

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 2020 do not  
27 exceed Fiscal Year 2019 funds appropriated for that purpose,  
28 unless programs or positions are added to the agency's Fiscal Year  
29 2019 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 2019  
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 2019 "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 be assessed for rent and utility cost  
84 associated with the use of the building owned by the Veterans Home  
85 Purchase Board. This amount shall be set by the Veterans Home  
86 Purchase Board and executed through a memorandum of understanding.

87       **SECTION 7.** It is the intention of the Legislature that the  
88 Veterans Affairs Board shall maintain complete accounting and  
89 personnel records related to the expenditure of all funds  
90 appropriated under the provisions of this act and that such  
91 records shall be in the same format and level of details as  
92 maintained for Fiscal Year 2018. It is further the intention of  
93 the Legislature that the budget request for Fiscal Year 2020 shall



94 be submitted to the Joint Legislative Budget Committee in a format  
95 and level of detail comparable to the format and level of detail  
96 provided during the Fiscal Year 2019 budget request process.

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

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

115       **SECTION 10.** The money herein appropriated shall be paid by  
116 the State Treasurer out of any money in the State Treasury to the  
117 credit of the proper fund or funds as set forth in this act, upon  
118 warrants issued by the State Fiscal Officer; and the State Fiscal



119 Officer shall issue his warrants upon requisitions signed by the  
120 proper person, officer or officers in the manner provided by law.

121         **SECTION 11.** This act shall take effect and be in force from  
122 and after July 1, 2018.

