

By: Senator(s) Hopson, Polk, DeLano, Moran,
Seymour, Witherspoon

To: Appropriations

SENATE BILL NO. 2919
(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 2022.

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, 2021, and ending
9 June 30, 2022 \$ 5,507,083.00.

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, 2021, and
16 ending June 30, 2022 \$ 53,145,609.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 Section 1 of this act and authorized for expenditure under the



19 provisions of Section 2 of this act, not more than the amounts set
20 forth below shall be expended; however, notwithstanding any other
21 provision in this act, the Executive Director of the Veteran
22 Affairs Board is hereby authorized to transfer spending authority
23 between and within budgets, in an amount not to exceed twenty-five
24 percent (25%) of the authorized budgets in the aggregate.

25 **MISSISSIPPI VETERANS AFFAIRS**

26 FUNDING:

27	General Funds	\$	5,507,083.00
28	Special Funds	\$	7,133,120.00
29	Total	\$	12,640,203.00

30 With the funds appropriated for this budget, the following
31 positions are authorized:

32	Permanent:	Full Time	34
33		Part Time	0
34	Time-Limited:	Full Time	29
35		Part Time	0

36 **MISSISSIPPI STATE VETERANS HOMES SYSTEM**

37 FUNDING:

38	General Funds	\$	0.00
39	Special Funds	\$	46,012,489.00
40	Total	\$	46,012,489.00

41 With the funds appropriated for this budget, the following
42 positions are authorized:

43	Permanent:	Full Time	53
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44	Part Time	0
45	Time Limited: Full Time	511
46	Part Time	76

47 With the funds herein appropriated, it shall be the agency's
48 responsibility to make certain that funds required to be
49 appropriated for "Personal Services" for Fiscal Year 2023 do not
50 exceed Fiscal Year 2022 funds appropriated for that purpose unless
51 programs or positions are added to the agency's Fiscal Year 2022
52 budget by the Mississippi Legislature. Based on data provided by
53 the Legislative Budget Office, the State Personnel Board shall
54 determine and publish the projected annual cost to fully fund all
55 appropriated positions in compliance with the provisions of this
56 act. Absent a special situation or circumstance approved by the
57 State Personnel Board, or unless otherwise authorized by this act,
58 no state agency shall take any action to promote or otherwise
59 award salary increases through reallocation or realignment. If
60 the State Personnel Board determines a special situation or
61 circumstance exists and approves an action, then the agency and
62 the State Personnel Board shall provide a monthly report of each
63 action approved by the State Personnel Board to the Chairmen of
64 the Accountability, Efficiency and Transparency Committees of the
65 Senate and House of Representatives and the Chairmen of the
66 Appropriations Committees of the Senate and House of
67 Representatives. It shall be the responsibility of the agency
68 head to ensure that no single personnel action increases this



69 projected annual cost and/or the Fiscal Year 2022 appropriations
70 for "Personal Services" when annualized, with the exception of
71 escalated funds and the award of benchmarks. If, at the time the
72 agency takes any action to change "Personal Services," the State
73 Personnel Board determines that the agency has taken an action
74 which would cause the agency to exceed this projected annual cost
75 or the Fiscal Year 2022 "Personal Services" appropriated level,
76 when annualized, then only those actions which reduce the
77 projected annual cost and/or the appropriation requirement will be
78 processed by the State Personnel Board until such time as the
79 requirements of this provision are met.

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

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



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

97 Funds have been appropriated herein for the purpose of
98 implementation and funding Project SEC2 of the Colonel Guy Groff
99 State Variable Compensation Plan beginning January 1, 2022, and
100 ending June 30, 2022. It shall be the agency's responsibility to
101 make certain that each person, excluding executive directors,
102 agency heads, and elected judges, shall receive no more than a
103 three percent (3%) annual increase in salary which shall not
104 exceed the market rate established by the State Personnel Board
105 pursuant to the Colonel Guy Groff State Variable Compensation Plan
106 for each classification.

107 **SECTION 4.** Of the funds appropriated under the provisions of
108 Sections 1 and 2, funds in the amount of Two Hundred Fifty
109 Thousand Dollars (\$250,000.00) are provided to defray the cost of
110 providing care to indigent/low-income Mississippi veterans and the
111 nonveteran surviving spouses of Mississippi veterans if the
112 surviving spouse was a resident of a state veterans home at the
113 time of the veteran's death and who, subsequent to the veteran's
114 death, meets the indigent/low-income criteria established by the
115 State Veterans Affairs Board in the state veterans homes. It is
116 the intention of the Legislature that the provision pertaining to
117 use of indigent/low-income surviving spouses be retroactive for



118 any such period, prior to the effective date of this act, that a
119 current surviving spouse may have met the criteria. This section
120 and its provisions shall be known and cited as the "Hilton R.
121 'Jack' Vance Act of 1997."

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

126 **SECTION 6.** It is the intention of the Legislature that the
127 Veterans Affairs Board shall maintain complete accounting and
128 personnel records related to the expenditure of all funds
129 appropriated under the provisions of this act and that such
130 records shall be in the same format and level of details as
131 maintained for Fiscal Year 2021. It is further the intention of
132 the Legislature that the budget request for Fiscal Year 2023 shall
133 be submitted to the Joint Legislative Budget Committee in a format
134 and level of detail comparable to the format and level of detail
135 provided during the Fiscal Year 2022 budget request process.

136 **SECTION 7.** It is the intention of the Legislature that the
137 Veterans Affairs Board is hereby authorized to escalate, budget
138 and expend funds from fund number 3373200000, in an amount not to
139 exceed Five Million Dollars (\$5,000,000.00), for the purpose of
140 operating the state veterans homes as authorized by law, in
141 accordance with rules and regulations of the Department of Finance



142 and Administration in a manner consistent with the escalation of
143 federal funds.

144 **SECTION 8.** It is the intention of the Legislature for the
145 Veterans Affairs Board to set the compensation of two (2) Nursing
146 Services Director PINs and two (2) Nurse Administrator PINs based
147 on the education and experience of the incumbent not to exceed the
148 end salary as established by the State Personnel Board.

149 **SECTION 9.** It is the intention of the Legislature that
150 whenever two (2) or more bids are received by this agency for the
151 purchase of commodities or equipment, and whenever all things
152 stated in such received bids are equal with respect to price,
153 quality and service, the Mississippi Industries for the Blind
154 shall be given preference. A similar preference shall be given to
155 the Mississippi Industries for the Blind whenever purchases are
156 made without competitive bids.

157 **SECTION 10.** The Veterans Affairs Board shall have the
158 authority to escalate and expend increased federal funds obtained
159 by virtue of Public Law 109-461 (38 CFR Part 51).

160 **SECTION 11.** The money herein appropriated shall be paid by
161 the State Treasurer out of any money in the State Treasury to the
162 credit of the proper fund or funds as set forth in this act, upon
163 warrants issued by the State Fiscal Officer; and the State Fiscal
164 Officer shall issue his warrants upon requisitions signed by the
165 proper person, officer or officers in the manner provided by law.



166 **SECTION 12.** This act shall take effect and be in force from
167 and after July 1, 2021.

