

House Amendments to Senate Bill No. 2919

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, 2021, and ending
9 June 30, 2022.....\$ 5,324,778.00.

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.....\$ 44,112,274.00.

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..... 72

21	Part Time.....	0
22	Time-Limited: Full Time.....	409
23	Part Time.....	51

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 2023 do not
27 exceed Fiscal Year 2022 funds appropriated for that purpose unless
28 programs or positions are added to the agency's Fiscal Year 2022
29 budget by the Mississippi Legislature. Based on data provided by
30 the Legislative Budget Office, the State Personnel Board shall
31 determine and publish the projected annual cost to fully fund all
32 appropriated positions in compliance with the provisions of this
33 act. Absent a special situation or circumstance approved by the
34 State Personnel Board, or unless otherwise authorized by this act,
35 no state agency shall take any action to promote or otherwise
36 award salary increases through reallocation or realignment. If
37 the State Personnel Board determines a special situation or
38 circumstance exists and approves an action, then the agency and
39 the State Personnel Board shall provide a monthly report of each
40 action approved by the State Personnel Board to the chairmen of
41 the Accountability, Efficiency and Transparency Committees of the
42 Senate and House of Representatives and the chairmen of the
43 Appropriations Committees of the Senate and House of
44 Representatives. It shall be the responsibility of the agency
45 head to ensure that no single personnel action increases this
46 projected annual cost and/or the Fiscal Year 2022 appropriations

47 for "Personal Services" when annualized, with the exception of
48 escalated funds and the award of benchmarks. If, at the time the
49 agency takes any action to change "Personal Services," the State
50 Personnel Board determines that the agency has taken an action
51 which would cause the agency to exceed this projected annual cost
52 or the Fiscal Year 2022 "Personal Services" appropriated level,
53 when annualized, then only those actions which reduce the
54 projected annual cost and/or the appropriation requirement will be
55 processed by the State Personnel Board until such time as the
56 requirements of this provision are met.

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

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

70 None of the funds herein appropriated shall be used in
71 violation of Internal Revenue Service's Publication 15-A relating

72 to the reporting of income paid to contract employees, as
73 interpreted by the Office of the State Auditor.

74 **SECTION 4.** Of the funds appropriated under the provisions of
75 Sections 1 and 2, funds in the amount of Two Hundred Fifty
76 Thousand Dollars (\$250,000.00) are provided to defray the cost of
77 providing care to indigent/low-income Mississippi veterans and the
78 nonveteran surviving spouses of Mississippi veterans if the
79 surviving spouse was a resident of a state veterans home at the
80 time of the veteran's death and who, subsequent to the veteran's
81 death, meets the indigent/low-income criteria established by the
82 State Veterans Affairs Board, in the state veterans homes. It is
83 the intention of the Legislature that the provision pertaining to
84 use of indigent/low-income surviving spouses be retroactive for
85 any such period, prior to the effective date of this act, that a
86 current surviving spouse may have met the criteria. This section
87 and its provisions shall be known and cited as the "Hilton R.
88 'Jack' Vance Act of 1997."

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

93 **SECTION 6.** It is the intention of the Legislature that the
94 Veterans Affairs Board shall maintain complete accounting and
95 personnel records related to the expenditure of all funds
96 appropriated under the provisions of this act and that such
97 records shall be in the same format and level of details as

98 maintained for Fiscal Year 2021. It is further the intention of
99 the Legislature that the budget request for Fiscal Year 2023 shall
100 be submitted to the Joint Legislative Budget Committee in a format
101 and level of detail comparable to the format and level of detail
102 provided during the Fiscal Year 2022 budget request process.

103 **SECTION 7.** It is the intention of the Legislature that
104 whenever two (2) or more bids are received by this agency for the
105 purchase of commodities or equipment, and whenever all things
106 stated in such received bids are equal with respect to price,
107 quality and service, the Mississippi Industries for the Blind
108 shall be given preference. A similar preference shall be given to
109 the Mississippi Industries for the Blind whenever purchases are
110 made without competitive bids.

111 **SECTION 8.** The Veterans Affairs Board shall have the
112 authority to escalate and expend increased federal funds obtained
113 by virtue of Public Law 109-461 (38 CFR Part 51).

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

120 **SECTION 10.** This act shall take effect and be in force from
121 and after July 1, 2021, and shall stand repealed from and after
122 June 29, 2021.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2022.

HR13\SB2919A.J

Andrew Ketchings
Clerk of the House of Representatives