

By: Senator(s) Hopson, Polk, DeLano, Butler
(38th), Moran, Seymour

To: Appropriations

SENATE BILL NO. 3020

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE
3 MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2023.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses and paying salaries of the State Veterans
9 Affairs Board for the fiscal year beginning July 1, 2022, and
10 ending June 30, 2023.....\$ 5,253,409.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the State Veterans
14 Affairs Board which is comprised of special source funds collected
15 by or otherwise available to the board, for the support and
16 maintenance of said board for the fiscal year beginning
17 July 1, 2022, and ending June 30, 2023.....\$ 2,172,448.00.



18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 1 of this act and authorized for expenditure under the
20 provisions of Section 2 of this act, the following positions are
21 authorized:

22	Permanent:	Full Time.....	32
23		Part Time.....	0
24	Time-Limited:	Full Time.....	29
25		Part Time.....	0

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required for "Personal
28 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
29 funds appropriated for that purpose unless programs or positions
30 are added to the agency's Fiscal Year 2023 budget by the
31 Mississippi Legislature. The Legislature shall determine the
32 agency's personal services appropriation, which shall be published
33 by the State Personnel Board. Additionally, the State Personnel
34 Board shall determine and publish the projected annualized payroll
35 costs based on current employees. It shall be the responsibility
36 of the agency head to ensure that actual personnel expenditures
37 for Fiscal Year 2023 do not exceed the data provided by the
38 Legislative Budget Office. If the agency's Fiscal Year 2023
39 projected cost exceeds the annualized costs, no salary actions
40 shall be processed by the State Personnel Board with the exception
41 of new hires that are determined to be essential for the agency.



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

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

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

59 Funds have been appropriated herein for the purpose of
60 funding Project SEC2 minimum salaries for all employees covered
61 under the Colonel Guy Groff/Neville Kenning Variable Compensation
62 Plan. It shall be the agency's responsibility to ensure that the
63 funds are used to increase all employees' salaries up to the
64 minimum level as determined by the State Personnel Board.

65 **SECTION 4.** In addition to all other sums herein
66 appropriated, the following sum, or so much thereof as may be



67 necessary, is hereby appropriated out of any money in the special
68 fund in the State Treasury to the credit of the State Veterans
69 Affairs Board, which is comprised of special source funds
70 collected by or otherwise available to the board, for the purpose
71 of defraying the expenses and paying salaries of the Mississippi
72 State Veterans Homes as established in Section 35-1-19 for the
73 fiscal year beginning July 1, 2022, and ending June 30, 2023.....
74 \$ 46,243,661.00.

75 **SECTION 5.** Of the funds authorized for expenditure under the
76 provision of Section 4 of this act, the following positions are
77 authorized:

78	Permanent:	Full Time.....	53
79		Part Time.....	0
80	Time Limited:	Full Time.....	511
81		Part Time.....	76

82 Any transfers or escalations shall be made in accordance with
83 the terms, conditions, and procedures established by law.

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

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



92 **SECTION 6.** It is the intention of the Legislature that the
93 Executive Director of the State Veteran Affairs Board has the
94 authority to transfer spending authority between and within
95 budgets, in an amount not to exceed twenty-five percent (25%) of
96 the authorized budgets in the aggregate. The purpose of this
97 authority is to use available cash reserves more efficiently. It
98 is further the intention of the Legislature that the State Veteran
99 Affairs Board shall submit written justification for the transfer
100 to the Legislative Budget Office and the Department of Finance and
101 Administration on or before the fifteenth of the month prior to
102 the effective date of the transfer.

103 **SECTION 7.** Of the funds appropriated under the provisions of
104 Sections 1 and 2, funds in the amount of Two Hundred Fifty
105 Thousand Dollars (\$250,000.00) are provided to defray the cost of
106 providing care to indigent/low-income Mississippi veterans and the
107 nonveteran surviving spouses of Mississippi veterans if the
108 surviving spouse was a resident of a state veterans home at the
109 time of the veteran's death and who, subsequent to the veteran's
110 death, meets the indigent/low-income criteria established by the
111 State Veterans Affairs Board in the state veterans homes. It is
112 the intention of the Legislature that the provision pertaining to
113 use of indigent/low-income surviving spouses be retroactive for
114 any such period, prior to the effective date of this act, that a
115 current surviving spouse may have met the criteria. This section



116 and its provisions shall be known and cited as the "Hilton R.
117 'Jack' Vance Act of 1997."

118 **SECTION 8.** The State Veterans Affairs Board shall have
119 continued authority for all actions related to the planning,
120 development, construction, and outfitting of the Mississippi
121 Veterans Memorial Cemeteries, pursuant to Section 35-1-41.

122 **SECTION 9.** It is the intention of the Legislature that the
123 State Veterans Affairs Board shall maintain complete accounting
124 and personnel records related to the expenditure of all funds
125 appropriated under the provisions of this act and that such
126 records shall be in the same format and level of details as
127 maintained for Fiscal Year 2022. It is further the intention of
128 the Legislature that the budget request for Fiscal Year 2024 shall
129 be submitted to the Joint Legislative Budget Committee in a format
130 and level of detail comparable to the format and level of detail
131 provided during the Fiscal Year 2023 budget request process.

132 **SECTION 10.** It is the intention of the Legislature that the
133 State Veterans Affairs Board is hereby authorized to escalate,
134 budget and expend funds from fund number 3373200000, in an amount
135 not to exceed Five Million Dollars (\$5,000,000.00), for the
136 purpose of operating the state veterans homes as authorized by
137 law, in accordance with rules and regulations of the Department of
138 Finance and Administration in a manner consistent with the
139 escalation of federal funds.



140 **SECTION 11.** It is the intention of the Legislature that
141 whenever two (2) or more bids are received by this agency for the
142 purchase of commodities or equipment, and whenever all things
143 stated in such received bids are equal with respect to price,
144 quality and service, the Mississippi Industries for the Blind
145 shall be given preference. A similar preference shall be given to
146 the Mississippi Industries for the Blind whenever purchases are
147 made without competitive bids.

148 **SECTION 12.** The State Veterans Affairs Board shall have the
149 authority to escalate and expend increased federal funds obtained
150 by virtue of Public Law 109-461 (38 CFR Part 51).

151 **SECTION 13.** The money herein appropriated shall be paid by
152 the State Treasurer out of any money in the State Treasury to the
153 credit of the proper fund or funds as set forth in this act, upon
154 warrants issued by the State Fiscal Officer; and the State Fiscal
155 Officer shall issue his warrants upon requisitions signed by the
156 proper person, officer or officers in the manner provided by law.

157 **SECTION 14.** This act shall take effect and be in force from
158 and after July 1, 2022, and shall stand repealed from and after
159 June 30, 2022.

