

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

To: Appropriations

SENATE BILL NO. 3020
(As Sent to Governor)

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.....\$ 5,740,920.00.

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.....\$ 22,894,199.00.



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 AUTHORIZED HEADCOUNT:

23 Permanent: 45

24 Time-Limited: 29

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

41 Any transfers or escalations shall be made in accordance with
42 the terms, conditions and procedures established by law or



43 allowable under the terms set forth within this act. The State
44 Personnel Board shall not escalate positions without written
45 approval from the Department of Finance and Administration. The
46 Department of Finance and Administration shall not provide written
47 approval to escalate any funds for salaries and/or positions
48 without proof of availability of new or additional funds above the
49 appropriated level.

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53 act and which are withdrawn and no longer available.

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

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

64 **SECTION 4.** In addition to all other sums herein
65 appropriated, the following sum, or so much thereof as may be
66 necessary, is hereby appropriated out of any money in the special
67 fund in the State Treasury to the credit of the State Veterans



68 Affairs Board, which is comprised of special source funds
69 collected by or otherwise available to the board, for the purpose
70 of defraying the expenses and paying salaries of the Mississippi
71 State Veterans Homes as established in Section 35-1-19 for the
72 fiscal year beginning July 1, 2022, and ending June 30, 2023.....
73 \$ 55,312,875.00.

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

77 AUTHORIZED HEADCOUNT:

78 Permanent: 206
79 Time Limited: 549

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

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

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

90 **SECTION 6.** It is the intention of the Legislature that the
91 Executive Director of the State Veteran Affairs Board has the
92 authority to transfer spending authority between and within



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

101 **SECTION 7.** Of the funds appropriated under the provisions of
102 Sections 1 and 2 of this act, funds in the amount of Two Hundred
103 Fifty Thousand Dollars (\$250,000.00) are provided to defray the
104 cost of providing care to indigent/low-income Mississippi veterans
105 and the nonveteran surviving spouses of Mississippi veterans if
106 the surviving spouse was a resident of a state veterans home at
107 the time of the veteran's death and who, subsequent to the
108 veteran's death, meets the indigent/low-income criteria
109 established by the State Veterans Affairs Board in the state
110 veterans homes. It is the intention of the Legislature that the
111 provision pertaining to use of indigent/low-income surviving
112 spouses be retroactive for any such period, prior to the effective
113 date of this act, that a current surviving spouse may have met the
114 criteria. This section and its provisions shall be known and
115 cited as the "Hilton R. 'Jack' Vance Act of 1997."

116 **SECTION 8.** The State Veterans Affairs Board shall have
117 continued authority for all actions related to the planning,



118 development, construction, and outfitting of the Mississippi
119 Veterans Memorial Cemeteries, pursuant to Section 35-1-41.

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

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

138 **SECTION 11.** It is the intention of the Legislature that
139 whenever two (2) or more bids are received by this agency for the
140 purchase of commodities or equipment, and whenever all things
141 stated in such received bids are equal with respect to price,
142 quality and service, the Mississippi Industries for the Blind



143 shall be given preference. A similar preference shall be given to
144 the Mississippi Industries for the Blind whenever purchases are
145 made without competitive bids.

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

149 **SECTION 13.** Of the funds appropriated in Section 2 of this
150 act, Nineteen Million Six Hundred Eighty Thousand Eight Hundred
151 Eighty-three Dollars (\$19,680,883.00), or so much thereof, shall
152 be derived out of any money in the State Treasury to the credit of
153 the Capital Expense Fund, as created in Section 27-103-303,
154 Mississippi Code of 1972, and allocated in a manner as determined
155 by the Treasurer's Office. These funds are provided to the
156 Mississippi State Veterans Affairs Board as a state match to
157 relocate the Veterans Home in Jackson to state-owned property.

158 **SECTION 14.** The money herein appropriated shall be paid by
159 the State Treasurer out of any money in the State Treasury to the
160 credit of the proper fund or funds as set forth in this act, upon
161 warrants issued by the State Fiscal Officer; and the State Fiscal
162 Officer shall issue his warrants upon requisitions signed by the
163 proper person, officer or officers in the manner provided by law.

164 **SECTION 15.** This act shall take effect and be in force from
165 and after July 1, 2022.

