

By: Representative Carpenter

To: Military Affairs

HOUSE BILL NO. 978

1 AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO
 2 PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL HAVE THIRTY
 3 DAYS AFTER RECEIVING WRITTEN NOTICE OF A CLAIM THROUGH POWER OF
 4 ATTORNEY ON BEHALF OF A VETERAN IN ORDER TO PROCESS THE CLAIM; TO
 5 PROVIDE THAT IF THE APPEAL TIME IS LESS THAN THIRTY DAYS THE STATE
 6 VETERANS AFFAIRS BOARD MAY ONLY ADVISE THE VETERAN WITH THE CLAIM;
 7 AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 35-1-7, Mississippi Code of 1972, is
 10 amended as follows:

11 35-1-7. (1) The duties of the State Veterans Affairs Board
 12 shall be to assist former and present members of the Armed Forces
 13 of the United States, and their dependents, in securing any
 14 benefits or privileges under any federal or state law or
 15 regulation to which they are entitled and to advise the Governor
 16 and Legislature on veterans affairs. Moreover, veterans or their
 17 dependents shall be given their choice of organizations to
 18 represent them in instances where a case is appealed, and the
 19 board shall lend its full cooperation in connection therewith.



20 (2) The board and its employees shall cooperate fully with
21 all congressionally chartered veterans organizations within the
22 state, including servicing the power of attorney of the
23 congressionally chartered veterans organizations upon the request
24 of the organizations to the State Veterans Affairs Board in the
25 prosecution of all claims on behalf of veterans. However, all
26 powers of attorney to the State Veterans Affairs Board shall be
27 processed first, and thereafter, powers of attorney shall be
28 processed for veterans organizations in the ratio that the
29 membership of the organization bears to the total number of
30 veterans residing in Mississippi. The State Veterans Affairs
31 Board shall have thirty (30) days after receiving written notice
32 of a claim through power of attorney in order to process the
33 claim. If the appeal time is less than thirty (30) days the State
34 Veterans Affairs Board may only advise the veteran with the claim.

35 (3) The State Veterans Affairs Board is designated as the
36 "state approving agency" for the State of Mississippi. It shall
37 be the duty of the State Veterans Affairs Board to inspect,
38 approve and supervise schools, institutions and establishments for
39 war orphan and veteran training as provided in Section 1771,
40 Chapter 35, Title 38, United States Code, and in any subsequent
41 acts passed by the Congress of the United States for the purpose
42 of education and training of war orphans or former and present
43 members of the Armed Forces of the United States. The State
44 Veterans Affairs Board is authorized to employ the needed



45 personnel to perform the duties as outlined in Section 1771,
46 Chapter 35, Title 38, United States Code, and in any subsequent
47 acts as enacted by the Congress of the United States, and to enter
48 into contract with the Department of Veterans Affairs for salary
49 and travel reimbursement for personnel employed for this purpose.

50 (4) The State Veterans Affairs Board shall operate all
51 Mississippi state veterans homes when established as authorized by
52 Sections 35-1-19 through 35-1-29.

53 (5) The powers of the State Veterans Affairs Board in
54 relation to operating the State Veterans Homes shall specifically
55 include, but not be limited to, the following authority:

56 (a) To expend, upon appropriation by the Legislature,
57 any revenue generated by the State Veterans Homes in support of
58 the State Veterans Homes;

59 (b) To enter into loan or scholarship agreements with
60 employees or students to provide educational assistance where such
61 student or employee agrees to work for a stipulated period of time
62 for the board. Under this agreement the employee will agree to
63 commit to up to three (3) years but no less than one (1) year, to
64 be determined by the employment position and the amount of student
65 debt; provided, however, no State General Fund monies shall be
66 used for such purposes and the majority of funds for such purposes
67 shall be provided through programs established by the Mississippi
68 Department of Health, the United States Department of Health and



69 Human Services, and the United States Department of Veterans
70 Affairs; and

71 (c) To sell or otherwise dispose of any chattel
72 property of the State Veterans Affairs Board used in operation of
73 the State Veterans Homes where such disposition is consistent with
74 the homes' purposes or where such property is deemed by the board
75 or its designee to be surplus or otherwise unneeded. The State
76 Veterans Affairs Board shall develop and submit an annual report
77 to the Legislature on any such sale or disposition and shall
78 ensure that the proceeds shall be used to defray the operation of
79 the State Veterans Homes.

80 (6) The State Veterans Affairs Board is authorized to adopt
81 such policies and to prescribe such rules and regulations as it
82 may deem necessary for the proper administration of this chapter.
83 However, such policies and regulations shall not be in conflict
84 with any of the provisions of this chapter.

85 **SECTION 2.** This act shall take effect and be in force from
86 and after July 1, 2024.

