

By: Warren, Eaton

To: Military Affairs

HOUSE BILL NO. 904

1 AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL BE SOLELY
3 RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE STATE
4 VETERANS HOME LOCATED IN COLLINS, MISSISSIPPI, AND SHALL NOT
5 CONTRACT WITH ANY NONGOVERNMENTAL ENTITY OR THE UNITED STATES
6 DEPARTMENT OF VETERANS AFFAIRS TO OPERATE THE HOME; AND FOR
7 RELATED PURPOSES.

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

9 SECTION 1. Section 35-1-21, Mississippi Code of 1972, is
10 amended as follows:[JMR1]

11 35-1-21. (1) Upon the establishment of the Mississippi
12 State Veterans Home, and any additional homes as may be
13 established, the Mississippi State Veterans Affairs Board is
14 hereby designated as the governing authority of any such
15 facilities. The operation and maintenance of all veterans homes
16 shall meet the standards of the United States Department of
17 Veterans Affairs with regard to the operation of state veterans
18 homes.

19 (2) The State Veterans Affairs Board may contract with
20 nongovernmental entities or the United States Department of
21 Veterans Affairs to operate state veterans homes. The board may
22 contract with the vendor whose proposal is most advantageous to
23 the state and veterans, taking into consideration cost factors,
24 program suitability factors, management plan, delivery of care and
25 service to residents, excellence of program design, key personnel,
26 corporate or company resources, financial condition of the vendor,
27 corporate experience and past performance, and any other
28 requirements deemed necessary by the board and expressed in its

29 solicitation for proposals. Contract(s) awarded under this
30 section may be for periods exceeding one (1) year. The board is
31 not required to select the vendor offering the lowest cost
32 proposal but shall select the vendor who, in the board's
33 discretion, offers the proposal most advantageous to the State of
34 Mississippi and veterans. When any contract is awarded, the
35 reason(s) for the awarding of the contract shall be entered on the
36 minutes of the board. The provisions of this paragraph shall
37 supersede any rule or regulation of the State Personnel Board to
38 the contrary.

39 (3) The State Veterans Affairs Board may, as permitted by
40 federal laws or regulations, purchase from the United States
41 Department of Veterans Affairs, from contracts established by the
42 United States Department of Veterans Affairs, or through other
43 sharing agreements between the board and the United States
44 Department of Veterans Affairs, services, commodities, supplies
45 and equipment for use in operation of, and provision of care to
46 residents of, the state veterans homes when such purchases or
47 agreements are advantageous to the veterans and the state.

48 (4) Beginning July, 1, 2000, the State Veterans Affairs
49 Board shall be solely responsible for the operation and
50 maintenance of the state veterans home located in Collins,
51 Mississippi, and shall not contract with any nongovernmental
52 entity or the United States Department of Veterans Affairs to
53 operate the home. The State Veterans Affairs Board shall hire the
54 executive director and all other personnel for the veterans home.
55 The mission of the State Veterans Affairs Board in managing the
56 Collins, Mississippi, facility shall be to provide domiciliary
57 care and other related services for eligible veterans in the most
58 cost efficient manner. On or before January 1, 2002, the State
59 Veterans Affairs Board shall file a report with the Chairman of
60 the Senate Veterans and Military Affairs Committee and the
61 Chairman of the House Military Affairs Committee specifying its
62 recommendations on whether to continue to manage the Collins,
63 Mississippi, home or to contract with a nongovernmental entity to
64 operate the home. This subsection shall stand repealed from and
65 after July 1, 2002.

66 SECTION 2. This act shall take effect and be in force from
67 and after July 1, 2000.