

By: Representatives Weathersby, Newman,  
Mickens

To: Public Property

HOUSE BILL NO. 422

1 AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND  
2 ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF  
3 MENTAL HEALTH TO SURVEY, PARTITION, TRANSFER AND CONVEY ALL OF THE  
4 RIGHTS, TITLE AND INTEREST IN THE 3,207 ACRES OF CERTAIN REAL  
5 PROPERTY LOCATED IN RANKIN COUNTY, MISSISSIPPI, ACQUIRED BY THE  
6 STATE OF MISSISSIPPI IN 1894 TO THE STATE AGENCIES CURRENTLY  
7 SITUATED AND OPERATING ON SAID PROPERTY; TO IDENTIFY THE EXISTING  
8 STATE AGENCIES AND INSTITUTIONS TO BE ASSIGNED PARCELS OF THE SAID  
9 PROPERTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND  
10 ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO  
11 THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD FOR THE ESTABLISHMENT  
12 AND OPERATION OF A NEW VETERANS NURSING HOME IN RANKIN COUNTY; TO  
13 AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE  
14 AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE  
15 DEPARTMENT OF HEALTH FOR THE ESTABLISHMENT AND OPERATION OF A NEW  
16 COUNTER-MEASURE WAREHOUSE IN RANKIN COUNTY; TO AUTHORIZE THE  
17 DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE SEWER EASEMENTS  
18 ON SAID PROPERTY TO BE ASSIGNED TO THE MISSISSIPPI DEPARTMENT OF  
19 MENTAL HEALTH FOR CONTINUED OPERATION; TO PROVIDE THAT THE BALANCE  
20 OF ANY UNASSIGNED PROPERTY SHALL BE UNDER THE MANAGEMENT AND  
21 CONTROL OF THE MISSISSIPPI DEPARTMENT OF FINANCE AND  
22 ADMINISTRATION UNTIL SUCH TIME AS SAID PROPERTY IS REQUIRED FOR  
23 FUTURE BUILDINGS OR FACILITIES OF THE STATE OF MISSISSIPPI; TO  
24 AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO ASSESS  
25 EACH STATE AGENCY UTILIZING SAID PROPERTY AN AMOUNT PROPORTIONATE  
26 TO THE USE OF WATER/SEWER COSTS PAID TO THE WEST RANKIN COUNTY  
27 UTILITY DISTRICT; TO AMEND SECTIONS 35-1-19, 35-1-21, 35-1-23,  
28 35-1-25 AND 35-1-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE  
29 MISSISSIPPI VETERANS AFFAIRS BOARD TO ESTABLISH, OPERATE,  
30 MAINTAIN, RECEIVE FUNDS FOR, EMPLOY PERSONNEL AND SET ADMISSION  
31 STANDARDS FOR THE NEW VETERANS NURSING HOME IN RANKIN COUNTY; AND  
32 FOR RELATED PURPOSES.

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



34           SECTION 1.   (1)   The Mississippi Department of Finance and  
35 Administration, acting on behalf of the Mississippi Department of  
36 Mental Health, is hereby authorized to survey, partition, transfer  
37 and convey all of the rights, title and interest in the three  
38 thousand two hundred seven (3,207) acres of certain real property  
39 located in Rankin County, Mississippi, acquired by the State of  
40 Mississippi in 1894 and more particularly described in the land  
41 records of the Office of Rankin County Chancery Clerk in Book 46  
42 Page 38 and Book 46 Page 39, as specifically provided in this  
43 section to:

44                   (a)   The state agencies and institutions currently  
45 situated and operating programs on said property;

46                   (b)   The Mississippi Veterans Affairs Board for the  
47 establishment of a Veterans Nursing Home in Rankin County; and

48                   (c)   The Mississippi State Department of Health for  
49 the establishment of a Counter-Measure Warehouse in Rankin County.

50           (2)   In order to implement said transfers, upon completing a  
51 field survey, the Department of Finance and Administration is  
52 authorized to define and assign individual parcels of property for  
53 stage agencies/ institutions who currently have and operate  
54 programs at buildings on this property with deeds to be titled  
55 "State of Mississippi for the Benefit and Use of \_\_\_\_\_."

56           The existing state agencies/institutions to be assigned  
57 parcels of property include the following:



- 58                   (a) The Mississippi Department of Mental Health (State  
59 Hospital and Hudspeth facility);
- 60                   (b) The State Fire Academy;
- 61                   (c) The Mississippi Department of Environmental  
62 Quality;
- 63                   (d) The Mississippi Department of Transportation;
- 64                   (e) The Mississippi Forestry Commission;
- 65                   (f) The Mississippi Department of Public Safety,  
66 including the Mississippi Law Enforcement Officers' Training  
67 Academy (MLEOTA), Highway Patrol Substation, Department  
68 Headquarters, and the Mississippi Crime Lab;
- 69                   (g) The Mississippi Department of Education;
- 70                   (h) The Mississippi Emergency Management Agency;
- 71                   (i) The Department of Finance and Administration Office  
72 of Surplus Property;
- 73                   (j) The Mississippi Department of Corrections  
74 correctional facility; and
- 75                   (k) The Mississippi State University Veterinary  
76 Laboratory.

77           (3) Upon completing a field survey, the Department of  
78 Finance and Administration is authorized to define and assign the  
79 proposed site on said property for the new Veterans Nursing Home  
80 located in Rankin County to the northwest of Mississippi State  
81 Hospital east of State Highway 475 and west of the lake, to the  
82 Mississippi Veterans Affairs Board for the establishment,



83 operation, maintenance and control of the said Veterans Nursing  
84 Home.

85 (4) Upon completing a field survey, the Department of  
86 Finance and Administration is authorized to define and assign the  
87 proposed site on said property for a Counter-Measure Warehouse  
88 located southwest of the Office of Surplus Property, to the  
89 Mississippi State Department of Health, for the establishment,  
90 operation, maintenance and control of said warehouse.

91 (5) Upon completing the field survey, the Department of  
92 Finance and Administration is authorized to define the sewer  
93 easements to be assigned to the Mississippi Department of Mental  
94 Health and the said Department of Mental Health is authorized to  
95 assess each agency or institution an amount proportionate to its  
96 use of sewer costs that the department pays to the West Rankin  
97 Utility District, on a continuing basis.

98 (6) The balance of any unassigned property on said parcel  
99 shall be under the maintenance and control of the Mississippi  
100 Department of Finance and Administration until such time as it may  
101 be required for use to construct buildings or facilities as may be  
102 authorized by law, at which time the Department of Finance and  
103 Administration shall be authorized to define and assign parcels  
104 for such purpose. The Department of Mental Health shall have the  
105 right to execute leases on unassigned property solely for timber  
106 purposes.



107 (7) The State of Mississippi shall retain all mineral rights  
108 in the parcels of property assigned to state agencies and  
109 institutions under this section.

110 (8) The Department of Finance and Administration may correct  
111 any discrepancies in the legal description on the property  
112 recorded in land records of the Office of Rankin County Chancery  
113 Clerk in Book 46 Page 38 and Book 46 Page 39 as referenced in  
114 subsection (1) of this section.

115 **SECTION 2.** Section 35-1-19, Mississippi Code of 1972, is  
116 amended as follows:

117 35-1-19. There is hereby authorized to be established by the  
118 State Veterans Affairs Board, the Mississippi State Veterans Home  
119 on a site to be determined by the State Veterans Affairs Board,  
120 with the approval of the Bureau of Building, Grounds and Real  
121 Property Management of the Governor's Office of General Services,  
122 when funds are made available for such purpose by any agency of  
123 the federal government or other sources. The object and purpose  
124 of the establishment of the Mississippi State Veterans Home shall  
125 be to provide domiciliary care and other related services for  
126 eligible veterans of the State of Mississippi.

127 One or more additional veterans homes or domiciliaries are  
128 hereby authorized to be established by the State Veterans Affairs  
129 Board on sites in northern, central or southern Mississippi, to be  
130 determined by the State Veterans Affairs Board, with the approval  
131 of the Department of Finance and Administration, when funds are



132 made available for such purpose by any agency of the federal  
133 government or other sources. The Veterans Affairs Board shall  
134 give the three (3) regions, northern, southern and central  
135 priority as to where the veterans home shall be located, with the  
136 northern region having first priority, the southern region having  
137 the next level priority and the central region being third in  
138 order of priority. The Veterans Affairs Board shall establish and  
139 operate the veterans home in Rankin County under the provisions of  
140 this act. The object and purpose of the establishment of such  
141 additional homes or domiciliaries shall be to provide domiciliary  
142 care and other related services for eligible veterans of the State  
143 of Mississippi. The State Veterans Affairs Board shall not be  
144 required to obtain certificates of need to carry out the intent  
145 and purpose of this section.

146 **SECTION 3.** Section 35-1-21, Mississippi Code of 1972, is  
147 amended as follows:

148 35-1-21. (1) Upon the establishment of the Mississippi  
149 State Veterans Home, and any additional homes as may be  
150 established, including the State Veterans Home established in  
151 Rankin County under the provisions of Sections 1 and 2 of this  
152 act, the Mississippi State Veterans Affairs Board is hereby  
153 designated as the governing authority of any such facilities. The  
154 operation and maintenance of all veterans homes shall meet the  
155 standards of the United States Department of Veterans Affairs with  
156 regard to the operation of state veterans homes.



157           (2) The State Veterans Affairs Board may contract with  
158 nongovernmental entities or the United States Department of  
159 Veterans Affairs to operate and provide services to state veterans  
160 homes. The board may contract with the vendor whose proposal is  
161 most advantageous to the state and veterans, taking into  
162 consideration cost factors, program suitability factors,  
163 management plan, delivery of care and service to residents,  
164 excellence of program design, key personnel, corporate or company  
165 resources, financial condition of the vendor, corporate experience  
166 and past performance, and any other requirements deemed necessary  
167 by the board and expressed in its solicitation for proposals.  
168 Contract(s) awarded under this section may be for periods  
169 exceeding one (1) year. The board is not required to select the  
170 vendor offering the lowest cost proposal, but shall select the  
171 vendor who, in the board's discretion, offers the proposal most  
172 advantageous to the State of Mississippi and veterans. When any  
173 contract is awarded, the reason(s) for the awarding of the  
174 contract shall be entered on the minutes of the board. The  
175 provisions of this paragraph shall supersede any rule or  
176 regulation of the Public Procurement Review Board to the contrary.

177           (3) The State Veterans Affairs Board may, as permitted by  
178 federal laws or regulations, purchase from the United States  
179 Department of Veterans Affairs, from contracts established by the  
180 United States Department of Veterans Affairs, or through other  
181 sharing agreements between the board and the United States



182 Department of Veterans Affairs, services, commodities, supplies  
183 and equipment for use in operation of, and provision of care to  
184 residents of, the state veterans homes when such purchases or  
185 agreements are advantageous to the veterans and the state.

186 (4) The State Veterans Affairs Board may operate and  
187 maintain the state veterans homes without entering into any  
188 contract for management purposes with any nongovernmental entity  
189 or the United States Department of Veterans Affairs to operate the  
190 homes. In such instances, the State Veterans Affairs Board shall  
191 be solely responsible for the operation and maintenance of the  
192 state veterans homes and shall hire the administrators and all  
193 other personnel for the veterans homes. The mission of the State  
194 Veterans Affairs Board in managing the state veterans homes shall  
195 be to provide domiciliary care and other related services for  
196 eligible veterans in the most cost efficient manner.

197 (5) The State Department of Health shall perform an initial  
198 certification survey of the State Veterans Home in Collins,  
199 Mississippi, on or about July 1, 2000. The purpose of this  
200 initial survey is to provide a baseline for measuring the quality  
201 of care during the period for which this section applies. In  
202 addition to the initial certification survey, the State Department  
203 of Health shall, as appropriate and in its discretion, conduct  
204 periodic follow-up certification surveys, during the period for  
205 which this section applies, of the State Veterans Home in Collins,  
206 Mississippi.





207           **SECTION 4.** Section 35-1-23, Mississippi Code of 1972, is  
208 amended as follows:

209           35-1-23. The Mississippi State Veterans Home and additional  
210 homes authorized by Section 35-1-7 and Sections 35-1-19 to  
211 35-1-29, including the State Veterans Home established in Rankin  
212 County under the provisions of Sections 1 and 2 of this act, are  
213 authorized to accept funds from any source whatever, including the  
214 federal government or any department or agency thereof. All such  
215 funds received by the veterans home including funds from the  
216 United States or any federal agency or program for the support of  
217 persons housed or buried on the grounds of the Mississippi State  
218 Veterans Home and additional homes shall be used by the State  
219 Veterans Affairs Board to pay maintenance, operational and  
220 administrative expenses and to further the object and purpose of  
221 the Mississippi State Veterans Home and additional homes.

222           **SECTION 5.** Section 35-1-25, Mississippi Code of 1972, is  
223 amended as follows:

224           35-1-25. It shall be the duty of the Mississippi State  
225 Veterans Affairs Board to determine the need and, within available  
226 funds for such purpose, to provide adequate staffing to operate  
227 the Mississippi State Veterans Home and such additional homes as  
228 may be constructed, including the State Veterans Home established  
229 in Rankin County under the provisions of Sections 1 and 2 of this  
230 act. The board is authorized, within available funds for such



231 purpose, to purchase such equipment as necessary to facilitate the  
232 establishment and operation of the veterans homes.

233 **SECTION 6.** Section 35-1-27, Mississippi Code of 1972, is  
234 amended as follows:

235 35-1-27. The Mississippi Veterans Affairs Board shall  
236 determine and set conditions and standards for admission and  
237 dismissal of all persons to and from the Mississippi State  
238 Veterans Home and such additional homes as may be constructed,  
239 including the State Veterans Home established in Rankin County  
240 under the provisions of Sections 1 and 2 of this act. In  
241 addition, the board shall promulgate such rules and regulations as  
242 it deems necessary for the government of the Mississippi State  
243 Veterans Home and such additional homes as may be constructed.  
244 Such rules and regulations shall include the establishment of  
245 rates for patient care within the patient's ability to pay. All  
246 funds paid to the board by the veteran residents of state veterans  
247 homes to fund their monthly expenses at the state veterans homes  
248 shall be considered to be special funds held in a fiduciary  
249 capacity for the benefit of the residents of the state veterans  
250 homes.

251 **SECTION 7.** This act shall take effect and be in force from  
252 and after July 1, 2023.

