

By: Senator(s) Kirby, Seymour

To: Public Property

SENATE BILL NO. 2203

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, EMPLOYEE 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, to (a) the state agencies and  
43 institutions currently situated and operating programs on said  
44 property; (b) the Mississippi Veterans Affairs Board for the  
45 establishment of a Veterans Nursing Home in Rankin County; and (c)  
46 the Mississippi State Department of Health for the establishment  
47 of a Counter-Measure Warehouse in Rankin County, as specifically  
48 provided in this section.

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

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

57           (a) The Mississippi Department of Mental Health (State  
58 Hospital and Hudspeth facility);



59                   (b) The State Fire Academy;

60                   (c) The Mississippi Department of Environmental

61 Quality;

62                   (d) The Mississippi Department of Transportation;

63                   (e) The Mississippi Forestry Commission;

64                   (f) The Mississippi Department of Public Safety,

65 including the Mississippi Law Enforcement Officers' Training

66 Academy (MLEOTA), Highway Patrol Substation, Department

67 Headquarters, and the Mississippi Crime Lab;

68                   (g) The Mississippi Department of Education;

69                   (h) The Mississippi Emergency Management Agency;

70                   (i) The Department of Finance and Administration Office

71 of Surplus Property;

72                   (j) The Mississippi Department of Corrections

73 correctional facility;

74                   (k) The Mississippi State University Veterinary

75 Laboratory; and

76                   (l) The Poultry Research and Diagnostic Laboratory in

77 the Mississippi State University College of Veterinary Medicine.

78                   (3) Upon completing a field survey, the Department of

79 Finance and Administration is authorized to define and assign the

80 proposed site on said property for the new Veterans Nursing Home

81 located in Rankin County to the northwest of Mississippi State

82 Hospital east of State Highway 475 and west of the lake, to the

83 Mississippi Veterans Affairs Board for the establishment,



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

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

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

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



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

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

113 35-1-19. There is hereby authorized to be established by the  
114 State Veterans Affairs Board, the Mississippi State Veterans Home  
115 on a site to be determined by the State Veterans Affairs Board,  
116 with the approval of the Bureau of Building, Grounds and Real  
117 Property Management of the Governor's Office of General Services,  
118 when funds are made available for such purpose by any agency of  
119 the federal government or other sources. The object and purpose  
120 of the establishment of the Mississippi State Veterans Home shall  
121 be to provide domiciliary care and other related services for  
122 eligible veterans of the State of Mississippi.

123 One or more additional veterans homes or domiciliaries are  
124 hereby authorized to be established by the State Veterans Affairs  
125 Board on sites in northern, central or southern Mississippi, to be  
126 determined by the State Veterans Affairs Board, with the approval  
127 of the Department of Finance and Administration, when funds are  
128 made available for such purpose by any agency of the federal  
129 government or other sources. The Veterans Affairs Board shall  
130 give the three (3) regions, northern, southern and central  
131 priority as to where the veterans home shall be located, with the  
132 northern region having first priority, the southern region having



133 the next level priority and the central region being third in  
134 order of priority. The Veterans Affairs Board shall establish and  
135 operate the veterans home in Rankin County under the provisions of  
136 this act. The object and purpose of the establishment of such  
137 additional homes or domiciliaries shall be to provide domiciliary  
138 care and other related services for eligible veterans of the State  
139 of Mississippi. The State Veterans Affairs Board shall not be  
140 required to obtain certificates of need to carry out the intent  
141 and purpose of this section.

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

144 35-1-21. (1) Upon the establishment of the Mississippi  
145 State Veterans Home, and any additional homes as may be  
146 established, including the State Veterans Home in Rankin County  
147 under the provisions of this act, the Mississippi State Veterans  
148 Affairs Board is hereby designated as the governing authority of  
149 any such facilities. The operation and maintenance of all  
150 veterans homes shall meet the standards of the United States  
151 Department of Veterans Affairs with regard to the operation of  
152 state veterans homes.

153 (2) The State Veterans Affairs Board may contract with  
154 nongovernmental entities or the United States Department of  
155 Veterans Affairs to operate and provide services to state veterans  
156 homes. The board may contract with the vendor whose proposal is  
157 most advantageous to the state and veterans, taking into



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

173 (3) The State Veterans Affairs Board may, as permitted by  
174 federal laws or regulations, purchase from the United States  
175 Department of Veterans Affairs, from contracts established by the  
176 United States Department of Veterans Affairs, or through other  
177 sharing agreements between the board and the United States  
178 Department of Veterans Affairs, services, commodities, supplies  
179 and equipment for use in operation of, and provision of care to  
180 residents of, the state veterans homes when such purchases or  
181 agreements are advantageous to the veterans and the state.



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

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

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

205 35-1-23. The Mississippi State Veterans Home and additional  
206 homes authorized by Section 35-1-7 and Sections 35-1-19 to





207 35-1-29, including the State Veterans Home in Rankin County under  
208 the provisions of this act, are authorized to accept funds from  
209 any source whatever, including the federal government or any  
210 department or agency thereof. All such funds received by the  
211 veterans home including funds from the United States or any  
212 federal agency or program for the support of persons housed or  
213 buried on the grounds of the Mississippi State Veterans Home and  
214 additional homes shall be used by the State Veterans Affairs Board  
215 to pay maintenance, operational and administrative expenses and to  
216 further the object and purpose of the Mississippi State Veterans  
217 Home and additional homes.

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

220 35-1-25. It shall be the duty of the Mississippi State  
221 Veterans Affairs Board to determine the need and, within available  
222 funds for such purpose, to provide adequate staffing to operate  
223 the Mississippi State Veterans Home and such additional homes as  
224 may be constructed, including the State Veterans Home in Rankin  
225 County under the provisions of this act. The board is authorized,  
226 within available funds for such purpose, to purchase such  
227 equipment as necessary to facilitate the establishment and  
228 operation of the veterans homes.

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



231           35-1-27. The Mississippi Veterans Affairs Board shall  
232 determine and set conditions and standards for admission and  
233 dismissal of all persons to and from the Mississippi State  
234 Veterans Home and such additional homes as may be constructed,  
235 including the State Veterans Home in Rankin County under the  
236 provisions of this act. In addition, the board shall promulgate  
237 such rules and regulations as it deems necessary for the  
238 government of the Mississippi State Veterans Home and such  
239 additional homes as may be constructed. Such rules and regulations  
240 shall include the establishment of rates for patient care within  
241 the patient's ability to pay. All funds paid to the board by the  
242 veteran residents of state veterans homes to fund their monthly  
243 expenses at the state veterans homes shall be considered to be  
244 special funds held in a fiduciary capacity for the benefit of the  
245 residents of the state veterans homes.

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

