

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.

