

By: Senator(s) Kirby, Seymour

To: Public Property

SENATE BILL NO. 2203
(As Sent to Governor)

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 and facilitate the installation of flow meters into the
95 sewer lines to be assigned to the Mississippi Department of Mental
96 Health and the said Department of Mental Health is authorized to
97 assess each agency or institution an amount proportionate to its
98 use of sewer costs that the department pays to the West Rankin
99 Utility District, on a continuing basis as determined by the flow
100 meters installed within each agency's assigned sewer line.

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



109 solely for timber planting and harvesting purposes, and for which
110 the department shall receive the proceeds from the sell of any
111 timber harvested from the unassigned property, the funds from
112 which shall be deposited to the State Treasury specifically for
113 the department.

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

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

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

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



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

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

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



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

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



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

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

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



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

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

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

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



233 equipment as necessary to facilitate the establishment and
234 operation of the veterans homes.

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

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

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

