

By: Smith

To: Veterans and Military  
AffairsCOMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2377

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 FOR MANAGEMENT PURPOSES WITH ANY NONGOVERNMENTAL ENTITY  
6 OR THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS TO OPERATE THE  
7 HOME; AND FOR 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 for management purposes with  
52 any nongovernmental entity or the United States Department of  
53 Veterans Affairs to operate the home. The State Veterans Affairs  
54 Board shall hire the administrator and all other personnel for the  
55 veterans home. The mission of the State Veterans Affairs Board in  
56 managing the Collins, Mississippi, facility shall be to provide  
57 domiciliary care and other related services for eligible veterans  
58 in the most cost efficient manner. On or before January 1, 2002,  
59 The State Veterans Affairs Board shall file a report with the  
60 Chairman of the Senate Veterans and Military Affairs Committee and  
61 the Chairman of the House Military Affairs Committee specifying  
62 its 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.