

By: Representatives Dedeaux, Bailey, Clarke, Hudson, Moss, Robinson (63rd), Rogers (61st) To: Military Affairs

## HOUSE BILL NO. 1053

1 AN ACT TO AMEND SECTION 35-1-1, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THREE ADDITIONAL MEMBERS SHALL BE ADDED TO THE STATE  
3 VETERANS AFFAIRS BOARD; TO PROVIDE FOR THE QUALIFICATIONS AND  
4 TERMS OF THE ADDITIONAL MEMBERS; TO AMEND SECTION 43-11-17,  
5 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL LICENSED SKILLED  
6 NURSING FACILITIES SHALL BE INSPECTED BY THE STATE BOARD OF HEALTH  
7 AT LEAST ONE TIME EACH CALENDAR YEAR; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 35-1-1, Mississippi Code of 1972, is  
10 amended as follows:

11 35-1-1. (1) (a) There is hereby created a State Veterans  
12 Affairs Board, to consist of seven (7) members, to be appointed by  
13 the Governor, one (1) from each congressional district as they  
14 existed on January 1, 1952, of the State of Mississippi. One (1)  
15 shall be appointed for one (1) year, another for two (2) years,  
16 another for three (3) years, another for four (4) years, another  
17 for five (5) years, another for six (6) years, and another for  
18 seven (7) years, thus staggered. At the end of such term for each  
19 of said seven (7) members, a successor shall be appointed for a  
20 term of seven (7) years, thus providing for seven (7) members, one  
21 (1) of whom shall be appointed each year. In the event of death,  
22 resignation or removal of a member of the board, such person  
23 appointed to fill the vacancy shall be a legal resident of the  
24 congressional district in which the vacancy shall occur, and shall  
25 serve for the remainder of the term to which such member was  
26 appointed. Members of the board shall be veterans of any war or  
27 police action in which the Armed Forces of the United States have  
28 been, are, or shall be committed for action, who have been  
29 honorably discharged or honorably released.

30 (b) From and after May 14, 1992, terms of all members  
31 then serving on the State Veterans Affairs Board shall terminate,  
32 and the board shall be reconstituted as follows: The board shall  
33 consist of seven (7) members. All members shall be appointed by  
34 the Governor, with the advice and consent of the Senate. One (1)  
35 member shall be appointed from each congressional district as such  
36 districts existed on March 1, 1992, and two (2) members shall be  
37 appointed from the state at large. Of the initial congressional  
38 district appointees to the board, one (1) shall serve for a term  
39 of one (1) year, one (1) for a term of two (2) years, one (1) for  
40 a term of three (3) years, one (1) for a term of four (4) years  
41 and one (1) for a term of five (5) years. Of the initial at-large  
42 appointees, one (1) (who shall be that person appointed in January  
43 1992 from the First Congressional District under the provisions of  
44 paragraph (a) of this subsection) shall serve for a term of three  
45 (3) years and one (1) (who shall be that person appointed in  
46 January 1992 from the Seventh Congressional District under the  
47 provisions of paragraph (a) of this subsection) shall serve for a  
48 term of five (5) years. All appointees after the initial  
49 appointees shall serve for terms of five (5) years each. In the  
50 event of death, resignation or removal of a member of the board,  
51 the vacancy shall be filled by appointment of the Governor, with  
52 the advice and consent of the Senate, from the congressional  
53 district in which the vacancy occurs, for the length of the  
54 unexpired term only. Members of the board shall be honorably  
55 discharged or released veterans of any war or police action in  
56 which the Armed Forces of the United States have been, are, or  
57 shall be committed for action. No state/department commander of  
58 any federally recognized veterans organization, no national  
59 officer of any federally recognized veterans organization and no  
60 member of the Mississippi Council of Veterans Organizations shall  
61 be eligible for appointment to the board until the expiration of a

62 period of three (3) years after the termination of their service  
63 in such disqualifying positions.

64 (c) (i) From and after July 1, 2005, in addition to  
65 the members provided for in subsection (1)(b) of this section,  
66 there shall be three (3) additional members of the board. Each  
67 member provided for in this paragraph (c) shall have the following  
68 qualifications and terms of office:

69 1. One (1) member, appointed by the Governor  
70 from the state at large with the advice and consent of the Senate,  
71 shall be a financial manager with a license or certification as a  
72 certified public accountant, a certified managerial accountant or  
73 a certified financial analyst with five (5) years of experience  
74 directly related to finance or management, or both. The initial  
75 term of office for the financial manager shall be for three (3)  
76 years and, thereafter, the term of office for the financial  
77 manager shall be for five (5) years;

78 2. One (1) member, appointed by the Governor  
79 from the state at large with the advice and consent of the Senate,  
80 shall be a licensed nursing home administrator with seven (7)  
81 years of experience in the management of nursing homes. The  
82 initial term of office for the licensed nursing home administrator  
83 shall be for two (2) years and, thereafter, the term of office for  
84 the licensed nursing home administrator shall be for five (5)  
85 years; and

86 3. One (1) member, appointed by the Governor  
87 from the state at large with the advice and consent of the Senate,  
88 shall be a registered nurse with ten (10) years of experience in  
89 nursing. The initial term of office for the registered nurse  
90 shall be for one (1) year and, thereafter, the term of office for  
91 the registered nurse shall be for five (5) years.

92 (ii) All members provided for in this paragraph  
93 (c) may hold over until their successors are duly qualified. No  
94 members provided for in this paragraph (c) shall be required to be

95 a veteran of any war or police action but shall have their  
96 qualifications certified by the State Personnel Board before  
97 confirmation by the Senate. No state/department commander of any  
98 federally recognized veterans' organization, no national officer  
99 or any federally recognized veterans' organization and no member  
100 of the Mississippi Council of Veterans Organizations shall be  
101 eligible for appointment to the board positions established by  
102 this paragraph (c) until the expiration of a period of three (3)  
103 years after the termination of their service in such disqualifying  
104 positions.

105 (2) Members of the board shall annually elect as chairman  
106 one of their number and another member as vice chairman. Members  
107 of the board shall hold regular monthly meetings and such other  
108 meetings as may be called by the chairman or the vice chairman in  
109 his absence.

110 **SECTION 2.** Section 43-11-17, Mississippi Code of 1972, is  
111 amended as follows:

112 43-11-17. The licensing agency shall make or cause to be  
113 made such inspections and investigations as it deems necessary.  
114 However, all licensed skilled nursing facilities shall be  
115 inspected at least one time each calendar year.

116 **SECTION 3.** This act shall take effect and be in force from  
117 and after July 1, 2005.