

By: Ford

To: Military Affairs

HOUSE BILL NO. 335
(As Passed the House)

1 AN ACT TO REENACT SECTIONS 55-15-51 THROUGH 55-15-61,
2 MISSISSIPPI CODE OF 1972, WHICH CREATE THE MISSISSIPPI VETERANS
3 MONUMENT COMMISSION AND PRESCRIBE ITS POWERS AND DUTIES; TO AMEND
4 SECTION 55-15-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF
5 REPEAL ON THE MISSISSIPPI VETERANS MONUMENT COMMISSION; AND FOR
6 RELATED PURPOSES.

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

8 SECTION 1. Section 55-15-51, Mississippi Code of 1972, is
9 reenacted as follows:

10 55-15-51. It is hereby found and determined by the
11 Legislature that many thousands of Mississippians have served in
12 the Armed Forces of the United States; that the Mississippi
13 veterans have not received the recognition and honor they deserve
14 for service to their country; and that an appropriate monument
15 should be established and maintained as a symbol of the
16 recognition and appreciation of the State of Mississippi to
17 Mississippi veterans.

18 SECTION 2. Section 55-15-53, Mississippi Code of 1972, is
19 reenacted as follows:

20 55-15-53. (1) From and after the effective date of Laws,
21 1977, Chapter 466 [approved March 26, 1997] the present membership
22 of the Mississippi Veterans Monument Commission shall cease
23 serving on the commission. From and after the effective date of
24 Laws, 1997, Chapter 466 [approved March 26, 1997] the Mississippi
25 Veterans Monument Commission shall consist of the following seven
26 (7) members:

27 (a) The Chairman of the Mississippi War Veterans
28 Memorial Commission, who shall serve as Secretary of the

29 Mississippi Veterans Monument Commission;

30 (b) The Executive Secretary of the State Veterans
31 Affairs Board;

32 (c) The Director of the Division of General Services in
33 the Department of Finance and Administration;

34 (d) Three (3) members appointed by the Governor, one
35 (1) from each of the three (3) state Supreme Court districts as
36 follows:

37 (i) One (1) veteran of World War II;

38 (ii) One (1) veteran of the Korean Conflict; and

39 (iii) One (1) veteran of the Vietnam Conflict;

40 (e) One (1) veteran of the Persian Gulf Conflict,
41 appointed from the state at large by the Lieutenant Governor.

42 (2) The initial meeting of the commission shall be called
43 and chaired by the Chairman of the Mississippi War Veterans
44 Memorial Commission, until the monument commission shall choose a
45 chairman from among its members. Thereafter, the commission
46 shall elect a chairman each year, and the commission may meet at
47 the call of the chairman once each month. Minutes of the meetings
48 of the commission shall be kept in a well-bound book and, along
49 with all other records and papers, shall remain in the custody of
50 the secretary of the commission. A majority of the commission
51 shall constitute a quorum for the transaction of business. All
52 actions taken or rules and regulations adopted by the commission
53 shall be by resolution duly spread upon its minutes, showing yea
54 and nay votes of each member present. The signature of the
55 chairman and secretary, pursuant to a duly adopted resolution,
56 shall be binding upon the commission.

57 (3) The appointed members of the Mississippi Veterans
58 Monument Commission shall receive per diem compensation in the
59 amount authorized under Section 25-3-69 for each day or portion
60 thereof spent in the performance of the duties of the commission
61 and shall be entitled to reimbursement for travel expenses while

62 on commission business as authorized under Section 25-3-41. Other
63 members of the commission shall not be entitled to compensation
64 but shall be entitled to reimbursement for travel expenses as
65 authorized under Section 25-3-41 while on commission business.
66 Commission members shall be limited to reimbursement of travel
67 expenses and per diem compensation authorized herein for no more
68 than twelve (12) meetings per year.

69 (4) When the Mississippi Veterans Monument Commission ceases
70 to exist, all records of the Mississippi Veterans Monument
71 Commission shall become the property of the Mississippi War
72 Veterans Memorial Commission.

73 (5) The Mississippi War Veterans Memorial Commission shall
74 have continuing oversight responsibility over all activities
75 pertaining to all Mississippi veterans monuments.

76 (6) The Mississippi Veterans Monument Commission shall
77 continue in existence under the provisions of this chapter after
78 the design, construction and dedication of the Mississippi
79 veterans monument for a period of one (1) year after the date on
80 which the Mississippi veterans monument is officially dedicated so
81 that such commission can provide for the design, construction and
82 dedication of future monuments to be located at sites designated
83 by the Mississippi Veterans Monument Commission.

84 SECTION 3. Section 55-15-55, Mississippi Code of 1972, is
85 reenacted as follows:

86 55-15-55. The Mississippi Veterans Monument Commission is
87 hereby authorized and directed to cause to be constructed and
88 maintained an appropriate monument to honor Mississippi veterans
89 when adequate funds for the construction thereof are deposited in
90 the Veterans Monument Trust Fund herein created.

91 SECTION 4. Section 55-15-57, Mississippi Code of 1972, is
92 reenacted as follows:

93 55-15-57. The Mississippi Veterans Monument Commission
94 shall:

95 (a) Plan and provide for the design, construction and
96 dedication of the Mississippi veterans monument. The actual
97 design and site of the monument shall be selected with the
98 approval of the Mississippi Department of Archives and History.

99 (b) Solicit private monetary donations for deposit into
100 the Veterans Monument Trust Fund.

101 (c) Report to the Legislature by November 15 of each
102 year on the progress of such monument. In addition to the report
103 required in the preceding sentence, the commission shall submit an
104 annual report on its activities no later than November of each
105 year to the Military Affairs Committees of both the Mississippi
106 House of Representatives and the Mississippi Senate.

107 SECTION 5. Section 55-15-59, Mississippi Code of 1972, is
108 reenacted as follows:

109 55-15-59. The Mississippi Veterans Monument Commission is
110 hereby authorized to accept gifts, grants and donations from
111 individuals and organizations, to be deposited in the Veterans
112 Monument Trust Fund which is hereby created in the State Treasury.
113 The State Treasurer shall invest all monies in the Veterans
114 Monument Trust Fund and any interest earned shall be deposited
115 into the fund. All funds deposited in the Veterans Monument Trust
116 Fund shall be used exclusively for the purpose of designing,
117 erecting and maintaining the veterans monument, except that not
118 more than Seven Thousand Five Hundred Dollars (\$7,500.00) may be
119 expended annually to pay the administrative costs of the
120 commission. Any monies remaining unexpended or unencumbered in
121 the fund upon completion of the monument shall revert to the
122 Mississippi War Veterans Memorial Commission for maintenance of
123 the Veterans monument and memorials.

124 SECTION 6. Section 55-15-61, Mississippi Code of 1972, is
125 reenacted as follows:

126 55-15-61. (1) In addition to the duties assigned to the
127 Mississippi Veterans Monument Commission in Sections 55-15-55,

128 55-15-57 and 55-15-59, Mississippi Code of 1972, the commission
129 shall plan and provide for the design, construction and dedication
130 of a Mississippi Confederate memorial at the Shiloh National
131 Military Park. In planning the design, construction and
132 dedication of the memorial, the commission shall consult with and
133 be advised by an advisory committee composed of three (3)
134 representatives from the Mississippi Department of the Sons of
135 Confederate Veterans. The Mississippi Department of the Sons of
136 Confederate Veterans shall designate such representatives and
137 certify them to the commission. The commission shall solicit
138 private monetary donations for deposit into a Shiloh Confederate
139 Memorial Trust Fund which is hereby created in the State Treasury.
140 Private donations to the trust fund may be matched by the state
141 using any appropriations made for that purpose by the Legislature;
142 however, any state match shall not exceed One Hundred Fifty
143 Thousand Dollars (\$150,000.00) in the aggregate. The commission
144 is also authorized to accept for deposit into the trust fund
145 grants or donations made to it from any other source. All funds
146 deposited in the trust fund shall be used exclusively for the
147 purpose of designing, constructing and maintaining the monument.

148 (2) The board of supervisors of any county and the governing
149 authorities of any municipality are hereby authorized and
150 empowered, in their discretion, to make contributions out of any
151 available county or municipal funds, as appropriate, to the Shiloh
152 Confederate Memorial Trust Fund.

153 SECTION 7. Section 55-15-63, Mississippi Code of 1972, is
154 amended as follows:

155 55-15-63. Sections 55-15-51 through 55-15-61, Mississippi
156 Code of 1972, which create and empower the Mississippi Veterans
157 Monument Commission, are repealed from and after July 1, 2001.

158 SECTION 8. This act shall take effect and be in force from
159 and after July 1, 2000.