

By: Representative Ford

To: Military Affairs

HOUSE BILL NO. 440

1 AN ACT TO REENACT SECTIONS 55-15-51 THROUGH 55-15-62,  
 2 MISSISSIPPI CODE OF 1972, WHICH CREATE THE MISSISSIPPI VETERANS  
 3 MONUMENT COMMISSION, PRESCRIBE ITS POWERS AND DUTIES AND ESTABLISH  
 4 THE VETERANS MONUMENT TRUST FUND; TO AMEND SECTION 55-15-63,  
 5 MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE  
 6 REENACTED CODE SECTIONS FROM JULY 1, 2001, TO JULY 1, 2002; AND  
 7 FOR RELATED PURPOSES.

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

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

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

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

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



28           (a) The Chairman of the Mississippi War Veterans  
29 Memorial Commission, who shall serve as Secretary of the  
30 Mississippi Veterans Monument Commission;

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

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

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

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

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

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

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

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

58           (3) The appointed members of the Mississippi Veterans  
59 Monument Commission shall receive per diem compensation in the  
60 amount authorized under Section 25-3-69 for each day or portion



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

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

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

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

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

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

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



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

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

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

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

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

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

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



127           55-15-61. (1) In addition to the duties assigned to the  
128 Mississippi Veterans Monument Commission in Sections 55-15-55,  
129 55-15-57 and 55-15-59, Mississippi Code of 1972, the commission  
130 shall plan and provide for the design, construction and dedication  
131 of a Mississippi Confederate memorial at the Shiloh National  
132 Military Park. In planning the design, construction and  
133 dedication of the memorial, the commission shall consult with and  
134 be advised by an advisory committee composed of three (3)  
135 representatives from the Mississippi Department of the Sons of  
136 Confederate Veterans. The Mississippi Department of the Sons of  
137 Confederate Veterans shall designate such representatives and  
138 certify them to the commission. The commission shall solicit  
139 private monetary donations for deposit into a Shiloh Confederate  
140 Memorial Trust Fund which is hereby created in the State Treasury.  
141 Private donations to the trust fund may be matched by the state  
142 using any appropriations made for that purpose by the Legislature;  
143 however, any state match shall not exceed One Hundred Fifty  
144 Thousand Dollars (\$150,000.00) in the aggregate. The commission  
145 is also authorized to accept for deposit into the trust fund  
146 grants or donations made to it from any other source. All funds  
147 deposited in the trust fund shall be used exclusively for the  
148 purpose of designing, constructing and maintaining the monument.

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

154           SECTION 7. Section 55-15-62, Mississippi Code of 1972, is  
155 reenacted as follows:

156           55-15-62. (1) In addition to the duties assigned to the  
157 Mississippi Veterans Monument Commission in Sections 55-15-55,  
158 55-15-57 and 55-15-59, Mississippi Code of 1972, the commission is  
159 hereby authorized, subject to any available funds, to plan and



160 provide for the design, construction and dedication of a monument  
161 recognizing Mississippi recipients of the Congressional Medal of  
162 Honor. In planning the design, construction and dedication of the  
163 monument, the commission shall consult with and be advised by the  
164 State Veterans Affairs Board. The commission may solicit private  
165 monetary donations for deposit into a Congressional Medal of Honor  
166 Monument Trust Fund which is hereby created in the State Treasury.  
167 Private donations to the trust fund may be accepted. The  
168 commission is also authorized to accept for deposit into the trust  
169 fund grants or donations made to it from any other source. All  
170 funds deposited in the trust fund shall be used exclusively for  
171 the purpose of designing, constructing and maintaining the  
172 monument.

173 (2) The board of supervisors of any county and the governing  
174 authorities of any municipality are hereby authorized and  
175 empowered, in their discretion, to make contributions out of any  
176 available county or municipal funds, as appropriate, to the  
177 Congressional Medal of Honor Monument Trust Fund.

178 SECTION 8. Section 55-15-63, Mississippi Code of 1972, is  
179 amended as follows:

180 55-15-63. Sections 55-15-51 through 55-15-61, Mississippi  
181 Code of 1972, which create and empower the Mississippi Veterans  
182 Monument Commission, are repealed from and after July 1, 2002.

183 SECTION 9. This act shall take effect and be in force from  
184 and after July 1, 2001.

