

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.