

By: Representative Ford

To: Military Affairs

HOUSE BILL NO. 436

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, THE SHILOH CONFEDERATE MEMORIAL
 5 TRUST FUND AND THE CONGRESSIONAL MEDAL OF HONOR MONUMENT TRUST
 6 FUND; TO AMEND SECTION 55-15-63, MISSISSIPPI CODE OF 1972, TO
 7 EXTEND THE DATE OF REPEAL ON THOSE SECTIONS CREATING THE
 8 MISSISSIPPI VETERANS MONUMENT COMMISSION, PRESCRIBING ITS POWERS
 9 AND DUTIES AND ESTABLISHING THE VETERANS MONUMENT TRUST FUND, THE
 10 SHILOH CONFEDERATE MEMORIAL TRUST FUND AND THE CONGRESSIONAL MEDAL
 11 OF HONOR MONUMENT TRUST FUND FROM JULY 1, 2002, TO JULY 1, 2003;
 12 AND FOR RELATED PURPOSES.

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

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

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

24 **SECTION 2.** Section 55-15-53, Mississippi Code of 1972, is
 25 reenacted as follows:

26 55-15-53. (1) From and after the effective date of Laws,
 27 1997, Chapter 466 [approved March 26, 1997] the present membership
 28 of the Mississippi Veterans Monument Commission shall cease
 29 serving on the commission. From and after the effective date of
 30 Laws, 1997, Chapter 466 [approved March 26, 1997] the Mississippi
 31 Veterans Monument Commission shall consist of the following seven
 32 (7) members:



33 (a) The Chairman of the Mississippi War Veterans
34 Memorial Commission, who shall serve as Secretary of the
35 Mississippi Veterans Monument Commission;

36 (b) The Executive Secretary of the State Veterans
37 Affairs Board;

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

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

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

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

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

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

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

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



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

75 (4) When the Mississippi Veterans Monument Commission ceases
76 to exist, all records of the Mississippi Veterans Monument
77 Commission shall become the property of the Mississippi War
78 Veterans Memorial Commission.

79 (5) The Mississippi War Veterans Memorial Commission shall
80 have continuing oversight responsibility over all activities
81 pertaining to all Mississippi veterans monuments.

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

90 **SECTION 3.** Section 55-15-55, Mississippi Code of 1972, is
91 reenacted as follows:

92 55-15-55. The Mississippi Veterans Monument Commission is
93 hereby authorized and directed to cause to be constructed and
94 maintained an appropriate monument to honor Mississippi veterans
95 when adequate funds for the construction thereof are deposited in
96 the Veterans Monument Trust Fund herein created.

97 **SECTION 4.** Section 55-15-57, Mississippi Code of 1972, is
98 reenacted as follows:



99 55-15-57. The Mississippi Veterans Monument Commission
100 shall:

101 (a) Plan and provide for the design, construction and
102 dedication of the Mississippi veterans monument. The actual
103 design and site of the monument shall be selected with the
104 approval of the Mississippi Department of Archives and History.

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

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

113 **SECTION 5.** Section 55-15-59, Mississippi Code of 1972, is
114 reenacted as follows:

115 55-15-59. The Mississippi Veterans Monument Commission is
116 hereby authorized to accept gifts, grants and donations from
117 individuals and organizations, to be deposited in the Veterans
118 Monument Trust Fund which is hereby created in the State Treasury.
119 The State Treasurer shall invest all monies in the Veterans
120 Monument Trust Fund and any interest earned shall be deposited
121 into the fund. All appropriated funds and funds deposited in the
122 Veterans Monument Trust Fund shall be used exclusively for the
123 purpose of designing, erecting, maintaining and dedication of the
124 veterans monument, except that not more than Seven Thousand Five
125 Hundred Dollars (\$7,500.00) may be expended annually to pay the
126 administrative costs of the commission. Costs associated with the
127 designing, erecting, maintaining and dedication of the veterans
128 monument are not considered commission administrative costs for
129 purposes of this section. Any monies remaining unexpended or
130 unencumbered in the fund upon completion of the monument shall



131 revert to the Mississippi War Veterans Memorial Commission for
132 maintenance of the veterans monument and memorials.

133 **SECTION 6.** Section 55-15-61, Mississippi Code of 1972, is
134 reenacted as follows:

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

157 (2) The board of supervisors of any county and the governing
158 authorities of any municipality are hereby authorized and
159 empowered, in their discretion, to make contributions out of any
160 available county or municipal funds, as appropriate, to the Shiloh
161 Confederate Memorial Trust Fund.

162 **SECTION 7.** Section 55-15-62, Mississippi Code of 1972, is
163 reenacted as follows:



164 55-15-62. (1) In addition to the duties assigned to the
165 Mississippi Veterans Monument Commission in Sections 55-15-55,
166 55-15-57 and 55-15-59, Mississippi Code of 1972, the commission is
167 hereby authorized, subject to any available funds, to plan and
168 provide for the design, construction and dedication of a monument
169 recognizing Mississippi recipients of the Congressional Medal of
170 Honor. In planning the design, construction and dedication of the
171 monument, the commission shall consult with and be advised by the
172 State Veterans Affairs Board. The commission may solicit private
173 monetary donations for deposit into a Congressional Medal of Honor
174 Monument Trust Fund which is hereby created in the State Treasury.
175 Private donations to the trust fund may be accepted. The
176 commission is also authorized to accept for deposit into the trust
177 fund grants or donations made to it from any other source. All
178 funds deposited in the trust fund shall be used exclusively for
179 the purpose of designing, constructing and maintaining the
180 monument.

181 (2) The board of supervisors of any county and the governing
182 authorities of any municipality are hereby authorized and
183 empowered, in their discretion, to make contributions out of any
184 available county or municipal funds, as appropriate, to the
185 Congressional Medal of Honor Monument Trust Fund.

186 **SECTION 8.** Section 55-15-63, Mississippi Code of 1972, is
187 amended as follows:

188 55-15-63. Sections 55-15-51 through 55-15-62, Mississippi
189 Code of 1972, which create and empower the Mississippi Veterans
190 Monument Commission, are repealed from and after July 1, 2003.

191 **SECTION 9.** This act shall take effect and be in force from
192 and after July 1, 2002.

