

By: Senator(s) Carmichael, Michel, King,
Hyde-Smith, Little

To: Veterans and Military
Affairs; Appropriations

SENATE BILL NO. 2386

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 REENACTED SECTION 55-15-53, MISSISSIPPI CODE OF
7 1972, TO PROVIDE THAT THE MISSISSIPPI VETERANS MONUMENT COMMISSION
8 WILL CONTINUE IN EXISTENCE UNTIL JULY 1, 2006, IN ORDER TO PROVIDE
9 FOR THE DESIGN, CONSTRUCTION AND DEDICATION OF FUTURE MONUMENTS TO
10 BE LOCATED AT SITES DESIGNATED BY THE COMMISSION; TO AMEND SECTION
11 55-15-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE
12 REPEALER ON THE SECTION OF LAW THAT CREATES THE MISSISSIPPI
13 VETERANS MONUMENT COMMISSION, PRESCRIBE ITS POWERS AND DUTIES AND
14 ESTABLISH THE VETERANS MONUMENT TRUST FUND, THE SHILOH CONFEDERATE
15 MEMORIAL TRUST FUND AND THE CONGRESSIONAL MEDAL OF HONOR MONUMENT
16 TRUST FUND; AND FOR RELATED PURPOSES.

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

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

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

28 **SECTION 2.** Section 55-15-53, Mississippi Code of 1972, is
29 reenacted and amended as follows:

30 55-15-53. (1) From and after the effective date of Laws,
31 1997, Chapter 466 [approved March 26, 1997] the present membership
32 of the Mississippi Veterans Monument Commission shall cease
33 serving on the commission. From and after the effective date of
34 Laws, 1997, Chapter 466 [approved March 26, 1997] the Mississippi

35 Veterans Monument Commission shall consist of the following seven
36 (7) members:

37 (a) The Chairman of the Mississippi War Veterans
38 Memorial Commission, who shall serve as Secretary of the
39 Mississippi Veterans Monument Commission;

40 (b) The Executive Secretary of the State Veterans
41 Affairs Board;

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

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

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

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

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

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

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

67 (3) The appointed members of the Mississippi Veterans
68 Monument Commission shall receive per diem compensation in the
69 amount authorized under Section 25-3-69 for each day or portion
70 thereof spent in the performance of the duties of the commission
71 and shall be entitled to reimbursement for travel expenses while
72 on commission business as authorized under Section 25-3-41. Other
73 members of the commission shall not be entitled to compensation
74 but shall be entitled to reimbursement for travel expenses as
75 authorized under Section 25-3-41 while on commission business.
76 Commission members shall be limited to reimbursement of travel
77 expenses and per diem compensation authorized herein for no more
78 than twelve (12) meetings per year.

79 (4) When the Mississippi Veterans Monument Commission ceases
80 to exist, all records of the Mississippi Veterans Monument
81 Commission shall become the property of the Mississippi War
82 Veterans Memorial Commission.

83 (5) The Mississippi War Veterans Memorial Commission shall
84 have continuing oversight responsibility over all activities
85 pertaining to all Mississippi veterans monuments.

86 (6) The Mississippi Veterans Monument Commission shall
87 continue in existence under the provisions of this chapter after
88 the design, construction and dedication of the Mississippi
89 veterans monument until July 1, 2006, so that such commission can
90 provide for the design, construction and dedication of future
91 monuments to be located at sites designated by the Mississippi
92 Veterans Monument Commission.

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

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

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

102 55-15-57. The Mississippi Veterans Monument Commission
103 shall:

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

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

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

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

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

133 in the trust fund shall be utilized by the Mississippi War
134 Veterans Memorial Commission for maintenance of the veterans
135 monument and memorials.

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

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

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

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

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

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

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

191 55-15-63. Sections 55-15-51 through 55-15-62, Mississippi
192 Code of 1972, which create and empower the Mississippi Veterans
193 Monument Commission, are repealed from and after July 1, 2006.

194 **SECTION 9.** This act shall take effect and be in force from
195 and after July 1, 2004.