

By: Representative Fleming

To: Appropriations

HOUSE BILL NO. 780

1 AN ACT TO AMEND SECTION 55-23-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE DIRECTOR OF VETERANS MEMORIAL STADIUM SHALL SERVE
3 AT THE WILL AND PLEASURE OF THE COMMISSION; AND FOR RELATED
4 PURPOSES.

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

6 **SECTION 1.** Section 55-23-5, Mississippi Code of 1972, is
7 amended as follows:

8 55-23-5. There is hereby created a commission to be known as
9 "The Mississippi Veterans Memorial Stadium Commission,"
10 hereinafter sometimes referred to as the commission, which shall
11 consist of five (5) members as follows:

12 (a) One (1) member shall be appointed by the Mayor of
13 the City of Jackson, Mississippi;

14 (b) One (1) member shall be selected by the Board of
15 Trustees of State Institutions of Higher Learning from among the
16 membership of the board or shall be some other person designated
17 by the board; and

18 (c) Two (2) members shall be appointed by the Governor
19 from the state at large outside of Hinds County, Mississippi, and
20 one (1) member shall be appointed by the Governor from Hinds
21 County, Mississippi. The appointee from Hinds County may be
22 selected from a list of three (3) persons submitted by the Hinds
23 County Board of Supervisors to the Governor.

24 Terms of members shall begin on May 1, 1987, as follows: Of
25 the members appointed by the Governor, one (1) shall serve for a
26 term of one (1) year, one (1) for a term of two (2) years and one
27 (1) for a term of three (3) years; the member appointed by the
28 Mayor of the City of Jackson shall serve for a term of four (4)

29 years; and the member representing the Board of Trustees of State
30 Institutions of Higher Learning shall serve for a term of five (5)
31 years. Upon the expiration of the foregoing terms, members shall
32 serve for terms of five (5) years each. The appointing authority
33 shall fill any vacancy in the above terms by appointment of a
34 member for the unexpired term. Members shall be eligible for
35 reappointment. An appointed member serving on the commission on
36 April 30, 1987, shall be eligible for appointment to the
37 commission for a term beginning May 1, 1987, of either one (1),
38 two (2), three (3), four (4) or five (5) years, if such member is
39 otherwise qualified. One (1) member of the commission appointed
40 by the Governor shall be a person knowledgeable in marketing with
41 at least three (3) years actual experience therein and one (1)
42 member appointed by the Governor shall be a person of recognized
43 ability in a trade or business with at least five (5) years actual
44 experience therein. From and after May 1, 1987, the name of the
45 commission shall be the "Mississippi Veterans Memorial Stadium
46 Commission" and any references in this act to the Mississippi
47 Memorial Stadium Commission or commission shall mean the
48 Mississippi Veterans Memorial Stadium Commission unless the
49 context clearly indicates a different meaning. From and after May
50 1, 1987, the stadium shall be known as the "Mississippi Veterans
51 Memorial Stadium." The commission is authorized to accept
52 donations of money, property or services from any public or
53 private source to accomplish any physical replacement or
54 alterations of stadium property necessary to accomplish the
55 renaming of the stadium.

56 The members of the commission shall serve without
57 compensation except that members shall be paid their actual and
58 necessary expenses in connection with the performance of their
59 duties as members of the commission, including mileage, as
60 authorized in Section 25-3-41, Mississippi Code of 1972, plus a
61 per diem as is authorized by Section 25-3-69, Mississippi Code of

62 1972, while engaged in the performance of their duties. The
63 expenses, mileage and per diem allowance shall be paid out of the
64 Mississippi Veterans Memorial Stadium Fund.

65 The commission shall elect from its membership a chairman who
66 shall preside over meetings and a vice chairman who shall preside
67 in the absence of the chairman. Three (3) members of the
68 commission shall constitute a quorum for the transaction of any
69 and all business of the commission.

70 The powers of the commission shall be exercised by a majority
71 of the members thereof, but it may delegate to one or more of its
72 members, or to its agents and employees, such powers and duties as
73 it may deem proper, and may adopt rules and regulations for the
74 conduct of its business and affairs. The commission shall
75 contract with a certified public accounting firm to conduct audits
76 of concession and novelty sales by vendors at the stadium. The
77 commission shall, as far as is practicable, provide that the cost
78 of such audits shall be paid by the vendor of such concessions or
79 novelties, or both.

80 The commission shall appoint a director who shall serve at
81 the will and pleasure of the commission. The director shall have
82 at least a bachelor's degree from an accredited university or
83 college. The director shall have the responsibility for insuring
84 the marketing of tickets to events conducted in the stadium, in
85 addition to such other duties as the commission may designate.
86 Before entering upon the duties of his office, the director shall
87 give bond to the State of Mississippi in the sum of Fifty Thousand
88 Dollars (\$50,000.00), and said bond shall be conditioned upon the
89 faithful discharge and performance of his official duty. The
90 principal and surety on said bond shall be liable thereunder to
91 the state for double the amount of value of any money or property
92 which the state may lose, if any, by reason of any wrongful or
93 criminal act of said director. Said bond, when approved by the
94 commission, shall be filed with the Secretary of State, and the

95 premium thereon shall be paid from the Mississippi Veterans
96 Memorial Stadium Fund.

97 **SECTION 2.** This act shall take effect and be in force from
98 and after July 1, 2005.