

By: Senator(s) Carmichael, Mettetal

To: Veterans and Military  
Affairs

SENATE BILL NO. 2728

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, AND ESTABLISH ITS GENERAL POWERS AND DUTIES;  
4 TO AMEND SECTION 51-15-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE  
5 DATE OF REPEAL OF THOSE REENACTED SECTIONS; AND FOR RELATED  
6 PURPOSES.

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

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

10 55-15-51. It is hereby found and determined by the  
11 Legislature that many thousands of Mississippians have served in  
12 the Armed Forces of the United States; that the Mississippi  
13 veterans have not received the recognition and honor they deserve  
14 for service to their country; and that an appropriate monument  
15 should be established and maintained as a symbol of the  
16 recognition and appreciation of the State of Mississippi to  
17 Mississippi veterans.

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

20 55-15-53. (1) From and after the effective date of Laws,  
21 1997, Chapter 466 [approved March 26, 1997] the present membership  
22 of the Mississippi Veterans Monument Commission shall cease  
23 serving on the commission. From and after the effective date of  
24 Laws, 1997, Chapter 466 [approved March 26, 1997] the Mississippi  
25 Veterans Monument Commission shall consist of the following seven  
26 (7) members:

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

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

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

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

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

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

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

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

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

57 (3) The appointed members of the Mississippi Veterans  
58 Monument Commission shall receive per diem compensation in the  
59 amount authorized under Section 25-3-69 for each day or portion  
60 thereof spent in the performance of the duties of the commission  
61 and shall be entitled to reimbursement for travel expenses while  
62 on commission business as authorized under Section 25-3-41. Other

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

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

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

76 (6) The Mississippi Veterans Monument Commission shall  
77 continue in existence under the provisions of this chapter after  
78 the design, construction and dedication of the Mississippi  
79 veterans monument until July 1, 2006, so that such commission can  
80 provide for the design, construction and dedication of future  
81 monuments to be located at sites designated by the Mississippi  
82 Veterans Monument Commission.

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

85 55-15-55. The Mississippi Veterans Monument Commission is  
86 hereby authorized and directed to cause to be constructed and  
87 maintained an appropriate monument to honor Mississippi veterans  
88 when adequate funds for the construction thereof are deposited in  
89 the Veterans Monument Trust Fund herein created.

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

92 55-15-57. The Mississippi Veterans Monument Commission  
93 shall:

94 (a) Plan and provide for the design, construction and  
95 dedication of the Mississippi veterans monument. The actual

96 design and site of the monument shall be selected with the  
97 approval of the Mississippi Department of Archives and History.

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

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

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

108 55-15-59. The Mississippi Veterans Monument Commission is  
109 hereby authorized to accept gifts, grants and donations from  
110 individuals and organizations, to be deposited in the Veterans  
111 Monument Trust Fund which is hereby created in the State Treasury.  
112 The State Treasurer shall invest all monies in the Veterans  
113 Monument Trust Fund and any interest earned shall be deposited  
114 into the fund. All appropriated funds and funds deposited in the  
115 Veterans Monument Trust Fund shall be used exclusively for the  
116 purpose of designing, erecting, maintaining and dedication of the  
117 veterans monument, except that not more than Seven Thousand Five  
118 Hundred Dollars (\$7,500.00) may be expended annually to pay the  
119 administrative costs of the commission. Costs associated with the  
120 designing, erecting, maintaining and dedication of the veterans  
121 monument are not considered commission administrative costs for  
122 purposes of this section. Upon completion of the monument, money  
123 in the trust fund shall be utilized by the Mississippi War  
124 Veterans Memorial Commission for maintenance of the veterans  
125 monument and memorials.

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

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

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

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

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

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

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

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

181 55-15-63. Sections 55-15-51 through 55-15-62, Mississippi  
182 Code of 1972, which create and empower the Mississippi Veterans  
183 Monument Commission, are repealed on July 1, 2010.

184 **SECTION 9.** This act shall take effect and be in force from  
185 and after July 1, 2006.