

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.