

By: Representative Watson

To: Appropriations

## HOUSE BILL NO. 1443

1 AN ACT TO AMEND SECTION 55-23-5, MISSISSIPPI CODE OF 1972, TO  
2 EXPAND THE MEMBERSHIP OF THE MISSISSIPPI VETERANS MEMORIAL STADIUM  
3 COMMISSION IN COMPLIANCE WITH THE ORDER OF THE UNITED STATES  
4 DISTRICT COURT IN THE CASE OF AYERS V. FORDICE; AND FOR RELATED  
5 PURPOSES.

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

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

9 55-23-5. There is hereby created a commission to be known as  
10 "The Mississippi Veterans Memorial Stadium Commission,"  
11 hereinafter sometimes referred to as the commission, which shall  
12 consist of six (6) members as follows:

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

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

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

25 (d) One (1) member shall be appointed in compliance  
26 with the order of the United States District Court in the case of  
27 Ayers v. Fordice, 879 F.Supp. 1419 (N.D. Miss. 1995), such

28 appointee being the President of Jackson State University, or his  
29 designee.

30 Terms of members shall begin on May 1, 1987, as follows: Of  
31 the members appointed by the Governor, one (1) shall serve for a  
32 term of one (1) year, one (1) for a term of two (2) years and one  
33 (1) for a term of three (3) years; the member appointed by the  
34 Mayor of the City of Jackson shall serve for a term of four (4)  
35 years; and the member representing the Board of Trustees of State  
36 Institutions of Higher Learning shall serve for a term of five (5)  
37 years. Upon the expiration of the foregoing terms, members shall  
38 serve for terms of five (5) years each. The appointing authority  
39 shall fill any vacancy in the above terms by appointment of a  
40 member for the unexpired term. Members shall be eligible for  
41 reappointment. An appointed member serving on the commission on  
42 April 30, 1987, shall be eligible for appointment to the  
43 commission for a term beginning May 1, 1987, of either one (1),  
44 two (2), three (3), four (4) or five (5) years, if such member is  
45 otherwise qualified. One (1) member of the commission appointed  
46 by the Governor shall be a person knowledgeable in marketing with  
47 at least three (3) years actual experience therein and one (1)  
48 member appointed by the Governor shall be a person of recognized  
49 ability in a trade or business with at least five (5) years actual  
50 experience therein. From and after May 1, 1987, the name of the  
51 commission shall be the "Mississippi Veterans Memorial Stadium  
52 Commission" and any references in Sections 55-23-3 through  
53 55-23-11 to the Mississippi Memorial Stadium Commission or  
54 commission shall mean the Mississippi Veterans Memorial Stadium  
55 Commission unless the context clearly indicates a different  
56 meaning. From and after May 1, 1987, the stadium shall be known  
57 as the "Mississippi Veterans Memorial Stadium." The commission is  
58 authorized to accept donations of money, property or services from  
59 any public or private source to accomplish any physical

60 replacement or alterations of stadium property necessary to  
61 accomplish the renaming of the stadium.

62 The members of the commission shall serve without  
63 compensation except that members shall be paid their actual and  
64 necessary expenses in connection with the performance of their  
65 duties as members of the commission, including mileage, as  
66 authorized in Section 25-3-41, Mississippi Code of 1972, plus a  
67 per diem as is authorized by Section 25-3-69, Mississippi Code of  
68 1972, while engaged in the performance of their duties. The  
69 expenses, mileage and per diem allowance shall be paid out of the  
70 Mississippi Veterans Memorial Stadium Fund.

71 The commission shall elect from its membership a chairman who  
72 shall preside over meetings and a vice chairman who shall preside  
73 in the absence of the chairman. Three (3) members of the  
74 commission shall constitute a quorum for the transaction of any  
75 and all business of the commission.

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

86 The commission shall appoint a director who shall have at  
87 least a bachelor's degree from an accredited university or  
88 college. The director shall have the responsibility for insuring  
89 the marketing of tickets to events conducted in the stadium, in  
90 addition to such other duties as the commission may designate.  
91 Before entering upon the duties of his office, the director shall  
92 give bond to the State of Mississippi in the sum of Fifty Thousand

93 Dollars (\$50,000.00), and said bond shall be conditioned upon the  
94 faithful discharge and performance of his official duty. The  
95 principal and surety on said bond shall be liable thereunder to  
96 the state for double the amount of value of any money or property  
97 which the state may lose, if any, by reason of any wrongful or  
98 criminal act of said director. Said bond, when approved by the  
99 commission, shall be filed with the Secretary of State, and the  
100 premium thereon shall be paid from the Mississippi Veterans  
101 Memorial Stadium Fund.

102         **SECTION 2.** This act shall take effect and be in force from  
103 and after its passage.