

By: Representative Ford

To: Military Affairs

HOUSE BILL NO. 436
(As Sent to Governor)

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 SECTION 55-15-63, MISSISSIPPI CODE OF 1972, TO
7 EXTEND THE DATE OF REPEAL ON THOSE SECTIONS CREATING THE
8 MISSISSIPPI VETERANS MONUMENT COMMISSION, PRESCRIBING ITS POWERS
9 AND DUTIES AND ESTABLISHING THE VETERANS MONUMENT TRUST FUND, THE
10 SHILOH CONFEDERATE MEMORIAL TRUST FUND AND THE CONGRESSIONAL MEDAL
11 OF HONOR MONUMENT TRUST FUND FROM JULY 1, 2002, TO JULY 1, 2004;
12 AND FOR RELATED PURPOSES.

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

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

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

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

26 55-15-53. (1) From and after the effective date of Laws,
27 1997, Chapter 466 [approved March 26, 1997] the present membership
28 of the Mississippi Veterans Monument Commission shall cease
29 serving on the commission. From and after the effective date of
30 Laws, 1997, Chapter 466 [approved March 26, 1997] the Mississippi
31 Veterans Monument Commission shall consist of the following seven
32 (7) members:



33 (a) The Chairman of the Mississippi War Veterans
34 Memorial Commission, who shall serve as Secretary of the
35 Mississippi Veterans Monument Commission;

36 (b) The Executive Secretary of the State Veterans
37 Affairs Board;

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

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

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

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

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

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

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

63 (3) The appointed members of the Mississippi Veterans
64 Monument Commission shall receive per diem compensation in the
65 amount authorized under Section 25-3-69 for each day or portion



66 thereof spent in the performance of the duties of the commission
67 and shall be entitled to reimbursement for travel expenses while
68 on commission business as authorized under Section 25-3-41. Other
69 members of the commission shall not be entitled to compensation
70 but shall be entitled to reimbursement for travel expenses as
71 authorized under Section 25-3-41 while on commission business.
72 Commission members shall be limited to reimbursement of travel
73 expenses and per diem compensation authorized herein for no more
74 than twelve (12) meetings per year.

75 (4) When the Mississippi Veterans Monument Commission ceases
76 to exist, all records of the Mississippi Veterans Monument
77 Commission shall become the property of the Mississippi War
78 Veterans Memorial Commission.

79 (5) The Mississippi War Veterans Memorial Commission shall
80 have continuing oversight responsibility over all activities
81 pertaining to all Mississippi veterans monuments.

82 (6) The Mississippi Veterans Monument Commission shall
83 continue in existence under the provisions of this chapter after
84 the design, construction and dedication of the Mississippi
85 veterans monument until July 1, 2004, so that such commission can
86 provide for the design, construction and dedication of future
87 monuments to be located at sites designated by the Mississippi
88 Veterans Monument Commission.

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

91 55-15-55. The Mississippi Veterans Monument Commission is
92 hereby authorized and directed to cause to be constructed and
93 maintained an appropriate monument to honor Mississippi veterans
94 when adequate funds for the construction thereof are deposited in
95 the Veterans Monument Trust Fund herein created.

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



98 55-15-57. The Mississippi Veterans Monument Commission
99 shall:

100 (a) Plan and provide for the design, construction and
101 dedication of the Mississippi veterans monument. The actual
102 design and site of the monument shall be selected with the
103 approval of the Mississippi Department of Archives and History.

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

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

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

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



130 revert to the Mississippi War Veterans Memorial Commission for
131 maintenance of the veterans monument and memorials.

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

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

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

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



163 55-15-62. (1) In addition to the duties assigned to the
164 Mississippi Veterans Monument Commission in Sections 55-15-55,
165 55-15-57 and 55-15-59, Mississippi Code of 1972, the commission is
166 hereby authorized, subject to any available funds, to plan and
167 provide for the design, construction and dedication of a monument
168 recognizing Mississippi recipients of the Congressional Medal of
169 Honor. In planning the design, construction and dedication of the
170 monument, the commission shall consult with and be advised by the
171 State Veterans Affairs Board. The commission may solicit private
172 monetary donations for deposit into a Congressional Medal of Honor
173 Monument Trust Fund which is hereby created in the State Treasury.
174 Private donations to the trust fund may be accepted. The
175 commission is also authorized to accept for deposit into the trust
176 fund grants or donations made to it from any other source. All
177 funds deposited in the trust fund shall be used exclusively for
178 the purpose of designing, constructing and maintaining the
179 monument.

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

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

187 55-15-63. Sections 55-15-51 through 55-15-62, Mississippi
188 Code of 1972, which create and empower the Mississippi Veterans
189 Monument Commission, are repealed from and after July 1, 2004.

190 **SECTION 9.** This act shall take effect and be in force from
191 and after July 1, 2002.

