

By: Representatives Coleman (65th), Scott (80th), Blackmon, Coleman (29th), Fredericks, Gibbs, Morris, Myers, Smith (27th), Walker, Wallace, Clarke

To: Appropriations

HOUSE BILL NO. 1349

1 AN ACT TO CREATE THE MARTIN LUTHER KING, JR., COMMISSION; TO
2 PROVIDE FOR THE APPOINTMENTS TO THE COMMISSION; TO PROVIDE THAT
3 THE MEMBERSHIP OF THE COMMISSION SHALL REFLECT THE RACIAL AND
4 GENDER DEMOGRAPHICS OF THE STATE; TO AUTHORIZE THE COMMISSION TO
5 ADOPT RULES FOR ITS ORGANIZATION AND CONDUCT OF BUSINESS; TO
6 PROVIDE THAT MEMBERS SHALL SERVE WITHOUT COMPENSATION BUT SHALL BE
7 REIMBURSED FOR TRAVEL EXPENSES; TO REQUIRE THE COMMISSION TO MEET
8 AT LEAST SEMIANNUALLY; TO REQUIRE THE COMMISSION TO ANNUALLY
9 REPORT TO THE GOVERNOR AND THE LEGISLATURE; AND FOR RELATED
10 PURPOSES.

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

12 SECTION 1. (1) There is created the Martin Luther King,
13 Jr., Commission, hereinafter referred to as "the commission." The
14 purposes of the commission are to encourage appropriate ceremonies
15 and activities throughout the State of Mississippi relating to the
16 observance of the state legal holiday honoring Martin Luther King,
17 Jr., which occurs on the third Monday in January each year, and to
18 provide advice and assistance to local governments and private
19 organizations with respect to the observance of the holiday.

20 (2) The commission shall be composed of thirty (30) persons
21 to be appointed as follows:

22 (a) On or before July 1, 1999, the Governor shall
23 appoint ten (10) members, two (2) from each congressional
24 district. Two (2) appointees of the Governor shall be from the
25 general public; two (2) shall be teachers in a public elementary
26 school; two (2) shall be officers in the Student Government
27 Association at a state-supported university or college; two (2)
28 shall be members of the clergy or representatives of a religious
29 community; and two (2) shall represent business or industry. The
30 Governor shall designate two (2) appointees to serve an initial

31 term that expires on June 30, 2000, four (4) appointees to serve
32 initial terms that expire on June 30, 2001, and four (4)
33 appointees to serve initial terms that expire on June 30, 2002.
34 The Governor shall designate one (1) of his appointees to serve as
35 chairperson of the commission until the commission has organized
36 and selected its officers pursuant to Section 2 of this act.

37 (b) On or before July 1, 1999, the Lieutenant Governor
38 shall appoint ten (10) members, five (5) of whom shall be members
39 of the Senate; two (2) of whom shall be professors at major
40 universities in the state; and three (3) of whom shall be active
41 in professional social organizations. The five (5) members of the
42 Senate shall each be from a congressional district and shall serve
43 ex officio. The Lieutenant Governor shall designate two (2)
44 appointees to serve initial terms that expire on June 30, 2000,
45 four (4) appointees to serve initial terms that expire on June 30,
46 2001, and four (4) appointees to serve initial terms that expire
47 on June 30, 2002.

48 (c) On or before July 1, 1999, the Speaker of the House
49 of Representatives shall appoint ten (10) members, five (5) of
50 whom shall be members of the House of Representatives; two (2) of
51 whom shall be professors at major universities in the state; and
52 three (3) of whom shall be active in professional social
53 organizations. The five (5) members of the House of
54 Representatives shall each be from a congressional district and
55 shall serve ex officio. The Speaker shall designate two (2)
56 appointees to serve initial terms that expire on June 30, 2000,
57 four (4) appointees to serve initial terms that expire on June 30,
58 2001, and four (4) appointees to serve initial terms that expire
59 on June 30, 2002.

60 (d) It is the intent of the Legislature that the
61 commission reflect the racial and gender demographics of the
62 entire state.

63 (3) Upon the expiration of the initial terms, all members
64 shall be appointed for terms of three (3) years from the
65 expiration date of the previous term. Any vacancy occurring other
66 than by expiration of a term shall be filled for the unexpired
67 term by the appropriate appointing authority. An appointment to

68 fill an unexpired term shall not be considered as a full term.

69 SECTION 2. (1) The commission shall adopt rules for its
70 efficient operation, which may include designation of its
71 organizational structure including officers and committees, duties
72 of officers and committees, a process for selecting officers,
73 quorum requirements for committees, provisions for special or ad
74 hoc committees, and other such procedures as may be necessary.
75 The commission may establish committees responsible for conducting
76 specific commission programs or activities.

77 (2) Members of the commission shall serve without
78 compensation or per diem; however, nonlegislative members of the
79 commission may receive, within the funds appropriated,
80 reimbursement for travel expenses incurred while engaged in
81 official business of the commission, as authorized under Section
82 25-3-41. Travel expenses shall not be paid to legislative members
83 for attending meetings of the commission while the Legislature is
84 in session, and travel expenses shall not be paid without prior
85 approval of the proper committee in the member's respective house.

86 (3) The commission shall meet and conduct business at least
87 semiannually, but not more often than once a month. All meetings
88 of the commission and any committees of the commission shall be
89 open to the public, with opportunities for public comment provided
90 on a regular basis. Notice of all meetings shall be given as
91 provided in the Open Meetings Act (Section 25-41-1 et seq.), and
92 appropriate notice also shall be given to all persons requesting
93 the date, time and place of each meeting.

94 SECTION 3. Not later than July 1 of each year, the
95 commission shall submit a report to the Governor and the
96 Legislature concerning its activities under this act.

97 SECTION 4. This act shall take effect and be in force from
98 and after its passage.