

By: Representatives Scott (17th), Clarke, Evans, Bailey, Bowles, Broomfield, Cameron, Chism, Clark, Coleman (29th), Coleman (65th), Davis, Dickson, Eads, Eakes, Fillingane, Flaggs, Ford, Franks, Fredericks, Frierson, Gadd, Green, Harrison, Holland, Hudson, Jennings, Markham, Mayo, McCoy, Miles, Mitchell, Montgomery (15th), Moody, Peranich, Pierce, Roberson, Rushing, Scott (80th), Stevens, Stringer, Thomas, Ward, Warren, Wells-Smith, Whittington, Zuber, Brown

To: Public Health and Welfare; Appropriations

HOUSE BILL NO. 797
(As Sent to Governor)

1 AN ACT TO CREATE AND EMPOWER THE MISSISSIPPI COMMISSION ON
2 THE STATUS OF WOMEN; TO PRESCRIBE THE POWERS AND DUTIES OF THE
3 COMMISSION; TO ESTABLISH AN INTERAGENCY COUNCIL TO ADDRESS ISSUES
4 AFFECTING THE STATUS OF WOMEN IN MISSISSIPPI; TO CREATE A FUND IN
5 THE STATE TREASURY TO RECEIVE ANY PUBLIC OR PRIVATE FUNDS MADE
6 AVAILABLE FOR THE OPERATION OF THE COMMISSION; AND FOR RELATED
7 PURPOSES.

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

9 SECTION 1. It is declared to be the public policy of this
10 state to encourage, promote and foster the success and well-being
11 of its citizens and to offer unobstructed access to such
12 opportunities as exist in order that all Mississippians may
13 realize the quality of life for their families to which they
14 aspire. It is a higher public purpose of state government to
15 ensure that no individual is denied the opportunity to succeed and
16 make positive contributions to Mississippi's quality of life
17 because of gender. It is the intent and purpose of this act to
18 create a Commission on the Status of Women.

19 SECTION 2 . (1) There is created the Mississippi Commission
20 on the Status of Women. The commission shall be nonpartisan, and
21 shall be composed of thirteen (13) members to be appointed, with
22 the advice and consent of the Senate, as follows:

23 (a) Four (4) members shall be appointed by the
24 Governor, including a current or former food stamps recipient and
25 a single parent;

26 (b) Three (3) members shall be appointed by the
27 Lieutenant Governor, including a current or former college
28 educator with expertise in women's issues;

29 (c) Three (3) members shall be appointed by the Speaker
30 of the House of Representatives, including a health care
31 professional knowledgeable in women's health issues; and

32 (d) Three (3) members shall be appointed by the
33 Attorney General, including a law professor or lawyer with
34 expertise in women's issues.

35 (2) The members of the commission shall be women and men of
36 recognized ability and achievement who are representative of the
37 ethnic, geographic, socioeconomic and cultural diversity of the
38 population of this state, and who have a proven record of efforts
39 to improve the status of women. The initial term of office of one
40 (1) member appointed by the Governor shall expire on June 30,
41 2002. The initial terms of office of the remaining members shall
42 be fixed by the appointing authorities so that the term of office
43 of one (1) member appointed by each appointing authority expires
44 on June 30, 2003, the term of office of one (1) member appointed
45 by each expires on June 30, 2004, and the terms of office of the
46 remaining three (3) members expires on June 30, 2005. After the
47 expiration of the initial terms, the terms of office of all
48 members shall be four (4) years each, from the expiration date of
49 the previous term. A member may not serve for more than two (2)
50 consecutive terms. All vacancies shall be filled by the
51 appointing authority for the unexpired term.

52 (3) The commission shall organize by electing a chair, vice
53 chair and secretary from among its members for terms of two (2)
54 years each. Any member is eligible for successive elections to
55 office.

56 (4) A majority of the members of the commission shall
57 constitute a quorum for transacting business.

58 (5) Members of the commission may be reimbursed for expenses
59 as provided in Section 25-3-41, and may receive per diem as
60 provided in Section 25-3-69.

61 (6) The Lieutenant Governor, Speaker of the House and
62 Attorney General shall notify the Governor after they have made
63 their appointments. The Governor then shall designate a place and
64 time for the initial organizational meeting of the commission,
65 which meeting must be before October 1, 2001.

66 SECTION 3. The commission shall have the powers and
67 authority necessary to carry out the duties imposed upon it by
68 this act, including, but not limited to, the following:

69 (a) To conduct research and to study issues affecting
70 the status of women in Mississippi;

71 (b) To advise and consult with the executive and
72 legislative branches on policies affecting the status of women in
73 Mississippi;

74 (c) To publish periodic reports documenting the legal,
75 economic, social and political status, and other concerns of women
76 in Mississippi;

77 (d) To assess programs and practices in all state
78 agencies as those programs and practices affect women;

79 (e) To maintain an office and to acquire on a
80 contractual or other basis any legal, technical and research
81 expertise and support services as the commission may require for
82 the discharge of its duties;

83 (f) To hold hearings, meetings, conferences and
84 workshops, to make and sign any agreements, and to do or perform
85 any acts that may be necessary, desirable or proper to carry out
86 the purposes of this act;

87 (g) To appoint advisers or advisory committees if the
88 commission determines that the experience or expertise of the
89 advisors or advisory committees is needed for projects of the
90 commission;

91 (h) To apply for and accept funds, grants, gifts and
92 services from the state or federal government or any of their
93 agencies, or any other public or private source, for the purpose

94 of defraying clerical, administrative and other costs as may be
95 necessary in carrying out the commission's duties under this act;

96 (i) To establish nonprofit entities for the purpose of
97 defraying costs incurred in the performance of the commission's
98 duties; and

99 (j) To utilize voluntary and uncompensated services of
100 private individuals, agencies and organizations as may be offered
101 and needed.

102 SECTION 4. (1) The commission shall study issues affecting
103 the status of women in Mississippi, including, but not limited to,
104 the following areas:

105 (a) Women's educational and employment problems, needs
106 and opportunities;

107 (b) Women's health issues;

108 (c) The socioeconomic factors that influence the status
109 of women and the development of women's individual potential;

110 (d) Current or proposed state laws, practices or
111 conditions in regard to the civil, economic and political rights
112 of women, including, but not limited to, pensions, tax
113 requirements, property rights, marriage and dissolution of
114 marriage provisions, domestic violence and other matters affecting
115 the status of women; and

116 (e) Any other conditions or practices affecting women
117 which impose special limitations or burdens upon them or which
118 tend to limit opportunities available to women.

119 (2) The commission shall act as an information center on the
120 status of women and women's educational, employment and other
121 related needs, and on current and proposed legislation affecting
122 women. In this capacity, the commission shall serve as a liaison
123 and clearinghouse between government, private interest groups and
124 the general public concerned with services for women, and in this
125 regard, the commission may publish a periodic newsletter, maintain

126 a website and communicate with and provide information in other
127 ways to these constituencies.

128 (3) The commission shall educate the business, education,
129 state government and local government communities and the general
130 public about the nature and scope of gender discrimination,
131 violence against women, and other matters affecting the status of
132 women in Mississippi.

133 (4) The commission shall recommend policies and make
134 recommendations to public and private groups and persons concerned
135 with any issue related to improving the status of women. Toward
136 this end, the commission may develop, prepare and coordinate
137 materials, projects or other activities and give technical and
138 consultative advice. The commission may encourage and help
139 women's organizations, public and private offices and other groups
140 to institute self-help activities designed to meet women's
141 educational, employment and other needs.

142 (5) The commission shall promote consideration of qualified
143 women for all levels of government positions.

144 (6) Before November 15 of each year, beginning with November
145 15, 2002, the commission shall report to the Governor and the
146 Legislature on the commission's activities. The report must
147 include the results of the commission's findings of the preceding
148 year, with recommendations for the removal of such injustices as
149 the commission may find to exist.

150 SECTION 5. There is established an interagency council
151 comprised of representatives of state agencies including, but not
152 limited to, the State Department of Health, State Department of
153 Mental Health, Department of Human Services, State Department of
154 Education, Department of Public Safety, Mississippi Development
155 Authority, Board of Trustees of State Institutions of Higher
156 Learning, State Board for Community and Junior Colleges, Attorney
157 General's Office, Secretary of State's Office and Mississippi
158 Department of Corrections. Each of these agencies shall report to

159 the commission annually through its representative, addressing the
160 current health, employment, educational and overall status of
161 women and the agency's actions to improve women's status. The
162 commission, in its discretion, may call a meeting of the full
163 council; however, full council meetings may not be called more
164 frequently than once during a fiscal year.

165 SECTION 6. There is created in the State Treasury a fund
166 into which any public or private funds from any source shall be
167 deposited for the support of the activities of the Commission on
168 the Status of Women.

169 SECTION 7. The purpose of the Commission on the Status of
170 Women shall be advisory with respect to legislation and regulation
171 and shall not conflict with or supplement state or federal laws or
172 regulations or provide a cause of action relating to any matter
173 contained in this act.

174 SECTION 8. This act shall take effect and be in force from
175 and after July 1, 2001.