HOUSE BILL NO. 1259

AN ACT TO CREATE THE MISSISSIPPI CIVIL RIGHTS MONUMENT COMMISSION FOR THE PURPOSE OF CONSTRUCTING THE MISSISSIPPI CIVIL RIGHTS MONUMENT; TO PROVIDE FOR THE COMPOSITION, POWERS AND DUTIES OF THE MISSISSIPPI CIVIL RIGHTS MONUMENT COMMISSION; AND FOR RELATED PURPOSE.

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

SECTION 1. (1) There is created the Mississippi Civil Rights Monument Commission ("commission"). The commission shall consist of five (5) members as follows: two (2) members shall be appointed by the Governor, two (2) members shall be appointed by the Lieutenant Governor, and one (1) member shall be appointed by the Attorney General. Members of the commission shall serve staggered terms as follows: one (1) member appointed by the Governor for a term of one (1) year, one (1) member appointed by the Governor for a term of two (2) years, one (1) member appointed by the Lieutenant Governor for a term of three (3) years, one (1) member appointed by the Lieutenant Governor for a term of four (4) years, and the member appointed by the Attorney General for a term of five (5) years. After the terms of the initial members expire, successors shall be chosen by the appropriate appointing authority and shall serve for terms of five (5) years.

(2) The initial meeting of the commission shall be called and chaired by the member appointed by the Attorney General, until the commission chooses a chairman from among its members. Thereafter, the commission shall elect a chairman and secretary each year. The commission shall meet at the call of the chairman once each month. Minutes of the meetings of the commission shall be kept and, along with all other records and papers, shall remain...
in the custody of the secretary of the commission. A majority of
the commission shall constitute a quorum for the transaction of
business. All actions taken or rules and regulations adopted by
the commission shall be by resolution duly spread upon its
minutes, showing yea and nay votes of each member present. The
signature of the chairman and secretary, pursuant to a duly
adopted resolution, shall be binding upon the commission.

(3) The members of the commission shall receive per diem
compensation in the amount authorized under Section 25-3-69 for
each day or portion thereof spent in the performance of the duties
of the commission and shall be entitled to reimbursement for
tavel expenses while on commission business as authorized under
Section 25-3-41. Commission members shall be limited to
reimbursement of travel expenses and per diem compensation
authorized in this subsection (3) for no more than twelve (12)
meetings per year.

(4) The commission shall have continuing oversight
responsibility over all activities pertaining to the Mississippi
Civil Rights Monument.

(5) The commission shall continue in existence under the
provisions of this act after the design, construction and
dedication of the Mississippi Civil Rights Monument for a period
of one (1) year after the date on which the monument is officially
dedicated.

(6) When the commission ceases to exist, all records of the
commission shall become the property of the Mississippi Department
of Archives and History.

SECTION 2. The commission shall cause to be constructed and
maintained the Mississippi Civil Rights Monument when adequate
funds for the construction thereof are deposited in the
Mississippi Civil Rights Monument Trust Fund herein created. Such
monument shall be in honor of persons who have contributed to the
advancement of civil rights in Mississippi and the United States.
SECTION 3. The commission shall:

   (a) Plan and provide for the design, construction and dedication of the Mississippi Civil Rights Monument to be located on the grounds of the State Capitol. The actual design and site of the monument shall be selected with the approval of the Mississippi Department of Archives and History.

   (b) Solicit private monetary donations for deposit into the Mississippi Civil Rights Monument Trust Fund. The commission also may solicit public funds, including appropriations from the Legislature, for deposit into the Mississippi Civil Rights Monument Trust Fund.

   (c) Report to the Legislature by November 15 of each year on the progress of such monument. In addition to such report, the commission shall submit an annual report on its activities no later than November 15 of each year to the Public Buildings, Grounds and Lands Committee of the Mississippi House of Representatives and the Public Property Committee of the Mississippi Senate.

SECTION 4. The commission may accept gifts, grants and donations from individuals, businesses, organizations, corporations, associations and other legal entities, as well as the State of Mississippi and any agency, department, institution, instrumentality or political subdivision thereof, to be deposited into the Mississippi Civil Rights Monument Trust Fund which is created in the State Treasury. The State Treasurer shall invest all monies in the Mississippi Civil Rights Monument Trust Fund and any interest earned investment earnings shall be deposited into the fund. Unexpend amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund. All funds deposited into the Mississippi Civil Rights Monument Trust Fund shall be used exclusively for the purpose of designing, constructing and maintaining the Mississippi Civil Rights Monument. Any monies remaining unexpended or unencumbered in the
fund upon completion of the monument shall revert to the
Mississippi Department of Archives and History for maintenance of
the Mississippi Civil Rights Monument.

SECTION 5. This act shall take effect and be in force from
and after July 1, 2001.