

By: Representatives Banks, Evans, Hines

To: Public Property;
Appropriations

HOUSE BILL NO. 1445

1 AN ACT TO CREATE THE MISSISSIPPI CIVIL RIGHTS MONUMENT
2 COMMISSION FOR THE PURPOSE OF CONSTRUCTING THE MISSISSIPPI CIVIL
3 RIGHTS MONUMENT; TO PROVIDE FOR THE COMPOSITION, POWERS AND DUTIES
4 OF THE MISSISSIPPI CIVIL RIGHTS MONUMENT COMMISSION; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** (1) There is created the Mississippi Civil
8 Rights Monument Commission ("commission"). The commission shall
9 consist of five (5) members as follows: two (2) members shall be
10 appointed by the Governor, two (2) members shall be appointed by
11 the Lieutenant Governor, and one (1) member shall be appointed by
12 the Attorney General. Members of the commission shall serve
13 staggered terms as follows: one (1) member appointed by the
14 Governor for a term of one (1) year, one (1) member appointed by
15 the Governor for a term of two (2) years, one (1) member appointed
16 by the Lieutenant Governor for a term of three (3) years, one (1)
17 member appointed by the Lieutenant Governor for a term of four (4)
18 years, and the member appointed by the Attorney General for a term
19 of five (5) years. After the terms of the initial members expire,
20 successors shall be chosen by the appropriate appointing authority
21 and shall serve for terms of five (5) years.

22 (2) The initial meeting of the commission shall be called
23 and chaired by the member appointed by the Attorney General, until
24 the commission chooses a chairman from among its members.
25 Thereafter, the commission shall elect a chairman and secretary
26 each year. The commission shall meet at the call of the chairman
27 once each month. Minutes of the meetings of the commission shall
28 be kept and, along with all other records and papers, shall remain

29 in the custody of the secretary of the commission. A majority of
30 the commission shall constitute a quorum for the transaction of
31 business. All actions taken or rules and regulations adopted by
32 the commission shall be by resolution duly spread upon its
33 minutes, showing yea and nay votes of each member present. The
34 signature of the chairman and secretary, pursuant to a duly
35 adopted resolution, shall be binding upon the commission.

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

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

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

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

56 **SECTION 2.** The commission shall construct and maintain the
57 Mississippi Civil Rights Monument when adequate funds for the
58 construction thereof are deposited in the Mississippi Civil Rights
59 Monument Fund herein created. Such monument shall be in honor of
60 persons who have contributed to the advancement of civil rights in
61 Mississippi and the United States.

62 **SECTION 3.** The commission shall:

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

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

73 (c) Report to the Legislature by November 15 of each
74 year on the progress of such monument.

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

93 **SECTION 5.** This act shall take effect and be in force from
94 and after July 1, 2006.