

By: Representative Banks

To: Public Buildings,  
Grounds and Lands;  
Appropriations

HOUSE BILL NO. 1258

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 PURPOSE.

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 cause to be constructed and  
57 maintained the Mississippi Civil Rights Monument when adequate  
58 funds for the construction thereof are deposited in the  
59 Mississippi Civil Rights Monument Fund herein created. Such  
60 monument shall be in honor of persons who have contributed to the  
61 advancement of civil rights in 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. In addition to such  
75 report, the commission shall submit an annual report on its  
76 activities no later than November 15 of each year to the Public  
77 Buildings, Grounds and Lands Committee of the Mississippi House of  
78 Representatives and the Public Property Committee of the  
79 Mississippi Senate.

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



95 of the monument shall revert to the Mississippi Department of  
96 Archives and History for maintenance of the Mississippi Civil  
97 Rights Monument.

98         **SECTION 5.** This act shall take effect and be in force from  
99 and after July 1, 2003.

