

By: Representative Scott

To: Appropriations

## HOUSE BILL NO. 1506

1 AN ACT TO AMEND SECTION 39-29-1, MISSISSIPPI CODE OF 1972, TO  
2 EXPAND THE PURPOSE OF THE MISSISSIPPI COMMISSION ON THE HOLOCAUST,  
3 TO INCLUDE CONSIDERATION AND STUDY OF THE MIDDLE PASSAGE; TO  
4 DESCRIBE THE MIDDLE PASSAGE AS THAT PERIOD IN HISTORY FROM 1440 TO  
5 1870 WHEN AFRICANS WERE KIDNAPPED AND SOLD INTO SLAVERY IN THEIR  
6 HOMELAND, AND THEN TRANSPORTED IN DANGEROUS AND INHUMANE  
7 CONDITIONS TO EUROPE AND NORTH AMERICA; TO EXPAND THE MEMBERSHIP  
8 OF THE COMMISSION; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** The Legislature of the State of Mississippi finds  
11 and declares that:

12 (a) During the period from 1440 to 1870, more than  
13 sixty million (60,000,000) Africans were kidnapped and transported  
14 on the longest, hardest, most dangerous and most horrific voyage  
15 known to man. The Africans were sold as slaves in their homeland  
16 to outsiders who transported them in crowded slave ships under  
17 dangerous and inhumane conditions that included exposure to  
18 infectious diseases such as smallpox, dysentery and ophthalmia.  
19 The Africans, who were captured, branded and locked in chains,  
20 endured abominable and inhumane conditions. The experience of the  
21 African slaves remains today the most paramount example of human  
22 mistreatment and suffering, and it is known as the Middle Passage.

23 (b) All people should remember the horrible atrocities  
24 committed at that time and other times in human history as the  
25 result of bigotry and tyranny, and therefore should continually  
26 rededicate themselves to the principles of human rights and equal  
27 protection under the laws of a democratic society;

28 (c) It is desirable to educate our citizens about the  
29 events during the Middle Passage and about the institution of  
30 slavery and its history;

31 (d) The history of the Middle Passage is the proper  
32 concern of all people, particularly students enrolled in the  
33 schools, colleges and universities of the State of Mississippi;

34 (e) It is desirable to have a permanent state  
35 commission, which as an organized body and on a continuous basis,  
36 will survey, design, encourage and promote implementation of the  
37 Middle Passage education and awareness programs in Mississippi,  
38 and will be responsible for organizing and promoting the  
39 memorialization of the Middle Passage on a regular basis  
40 throughout the state.

41 **SECTION 2.** Section 39-29-1, Mississippi Code of 1972, is  
42 amended as follows:

43 39-29-1. (1) There is created the Mississippi Commission on  
44 the Holocaust and the Middle Passage in the executive branch of  
45 state government. The commission shall be assigned to the Office  
46 of the Secretary of State for administrative purposes only.

47 (2) The commission shall be composed of the following  
48 members:

49 (a) Ex officio members as follows:

50 (i) The State Superintendent of Public Education  
51 or his or her designee;

52 (ii) Commissioner of Institutions of Higher  
53 Learning or his or her designee;

54 (b) Public members as follows:

55 (i) Fourteen (14) public members, at least two (2)  
56 from each of the congressional districts, to be appointed by the  
57 Governor;

58 (ii) Ten (10) public members, at least two (2)  
59 from each of the congressional districts, to be appointed by the  
60 Speaker of the House of Representatives; and

61 (iii) Ten (10) public members, at least two (2)  
62 from each of the congressional districts, to be appointed by the  
63 Lieutenant Governor.

64 (c) The public members of the commission shall be  
65 residents of this state and shall be appointed with due regard for  
66 broad geographic representation. The public members should  
67 include, but are not be limited to, the following:

68 (i) Individuals who have served prominently as  
69 spokespersons for or as leaders of organizations or corporations  
70 that serve members of religious, ethnic, national heritage, or  
71 social groups that were subjected to genocide, slavery,  
72 kidnapping, torture, wrongful deprivation of liberty or property,  
73 officially imposed or sanctioned violence, \* \* \* other forms of  
74 human rights violations and persecution at the hands of the Nazis  
75 and their collaborators during the Nazi era and other forms of  
76 human rights violations and persecution at the hands of those who  
77 furthered the absolute terror of African-American slavery, both  
78 during and after the Middle Passage;

79 (ii) Individuals who are experienced in the field  
80 of Holocaust and the Middle Passage education;

81 (iii) Individuals who represent liberators of  
82 victims of the Holocaust; or

83 (iv) Lay persons who have an interest in Holocaust  
84 and the Middle Passage education.

85 (d) Public members of the commission shall be appointed  
86 for the terms of five (5) years and until their respective  
87 successors are appointed and qualified. Public members may be  
88 eligible for reappointment. The office of any member of the  
89 commission who fails to attend more than two (2) consecutive  
90 meetings of the commission without an excuse approved by a  
91 resolution of the commission shall become vacant. All vacancies  
92 shall be filled by appointment in the same manner as the original  
93 appointment, and the person appointed to fill a vacancy shall  
94 serve for the remainder of the unexpired term.

95           (e) The commission shall have a chairperson who shall  
96 be appointed by the Governor for a term of five (5) years and  
97 until his or her successor is appointed and qualified.

98           (f) Fifteen (15) members of the commission shall  
99 constitute a quorum for the transaction of the business of the  
100 commission. Public members shall have the right to vote on any  
101 matter before the commission, but ex officio members and their  
102 designees shall not have the right to vote.

103           (g) The Speaker of the House of Representatives shall  
104 appoint a member of the House of Representatives and the  
105 Lieutenant Governor shall appoint a member of the Senate to serve  
106 as advisors to the commission.

107           (3) The Mississippi Commission on the Holocaust and the  
108 Middle Passage shall adopt rules and regulations and set standards  
109 and policies for the organization, operation, management,  
110 budgeting and programs of the commission.

111           (a) The commission shall provide, based upon the  
112 collective knowledge and experience of its members, assistance and  
113 advice to public and private schools, colleges and universities  
114 with respect to the implementation of Holocaust and the Middle  
115 Passage education and awareness programs.

116           (b) The commission shall meet with appropriate  
117 education officials and other interested public and private  
118 organizations, including service organizations, for the purpose of  
119 providing information, planning, coordination, or modification of  
120 courses of study or programs dealing with the subject of the  
121 Holocaust and the Middle Passage.

122           (c) The commission shall survey and catalogue the  
123 extent of the Holocaust and genocide education and the Middle  
124 Passage presently being incorporated into the curricula and taught  
125 in the educational system of this state.

126           (d) The commission shall inventory those Holocaust and  
127 the Middle Passage memorials, exhibits and resources that could

128 not be incorporated into courses of study or programs at various  
129 locations and other educational agencies for the development and  
130 implementation of Holocaust and the Middle Passage and genocide  
131 education programs. In furtherance of this responsibility, the  
132 commission may contact and cooperate with existing Holocaust and  
133 genocide and the Middle Passage public and private nonprofit  
134 resource organizations and may act as a liaison concerning  
135 Holocaust and genocide education and the Middle Passage or members  
136 of the United States Senate and House of Representatives, the  
137 Mississippi Senate and House of Representatives, the United States  
138 Holocaust Memorial Museum and other national and international  
139 Holocaust agencies, and any memorial museum related to the Middle  
140 Passage and other national and international agencies related  
141 thereto.

142 (e) The commission shall compile a roster of individual  
143 volunteers who are willing to share their verifiable knowledge and  
144 experience in classrooms, seminars and workshops on the subject of  
145 the Holocaust and the Middle Passage. The volunteers may be  
146 survivors of the Holocaust, liberators of concentration camps,  
147 scholars, members of the clergy, community relations  
148 professionals, \* \* \* other persons who, by virtue of their  
149 experience, education, or interest, have experience with the  
150 Holocaust, and direct descendants of Africans kidnapped during the  
151 Middle Passage.

152 (f) The commission shall coordinate events  
153 memorializing the Holocaust and the Middle Passage and seek  
154 volunteers who are willing and able to participate in  
155 commemorative events that will enhance public awareness of the  
156 significance of the Holocaust and the Middle Passage.

157 (g) The commission shall prepare reports for the  
158 Governor and the Legislature regarding its findings and  
159 recommendations to facilitate the inclusion of Holocaust and the  
160 Middle Passage studies and special programs memorializing the

161 Holocaust and the Middle Passage in educational systems of this  
162 state.

163 (h) The commission shall appoint advisory committees to  
164 advise the commission on the fulfillment of its duties.

165 (4) The commission may receive gifts, grants and donations  
166 from any public or private sources. Members of the commission may  
167 not be compensated for the performance of their duties except from  
168 funds that are specifically appropriated therefor by the  
169 Legislature or from gifts, grants or donations.

170 **SECTION 3.** This act shall take effect and be in force from  
171 and after July 1, 2005.