

By: Representative Scott

To: Appropriations

HOUSE BILL NO. 859

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, 2006.