

1 *House* BILL NO. *260*
 2 INTRODUCED BY *Heavy Runner Wing, Kathi Brasher*
 3 *Cochiella Ream and James Jordan*

4 A BILL FOR AN ACT ENTITLED: "AN ACT STATUTORILY CREATING THE MARTIN LUTHER KING JR.
 5 COMMEMORATIVE COMMISSION; PROVIDING FOR THE MEMBERSHIP OF THE COMMISSION;
 6 DESCRIBING THE PURPOSE AND DUTIES OF THE COMMISSION; ASSIGNING THE COMMISSION TO THE
 7 OFFICE OF THE GOVERNOR FOR ADMINISTRATIVE PURPOSES; AND PROVIDING FOR THE INITIAL
 8 APPOINTMENTS TO THE COMMISSION."
 9

10 WHEREAS, Dr. Martin Luther King Jr. summoned from every Montanan and American qualities that
 11 guide and sustain the American spirit and our nation's commitment to equality, justice, freedom, and peace;
 12 and

13 WHEREAS, Dr. Martin Luther King Jr. awakened our national pride and the essential goodness of
 14 our people by leading an American nonviolent movement that enriched our moral purpose as a nation; and

15 WHEREAS, this human rights movement advocated nonviolent methods of social change in the
 16 struggle for justice, equality, and freedom and raised the consciousness of our country through Dr. King's
 17 personal dream of a nation where all people are judged not by the color of their skin, but by the content
 18 of their character; and

19 WHEREAS, Dr. Martin Luther King Jr. was recognized on November 2, 1983, by the United States
 20 Congress and the President of the United States in the enactment of legislation establishing the third
 21 Monday in January as a national holiday in celebration of Dr. King's birthday, beginning in 1986; and

22 WHEREAS, the State of Montana recognizes the significance of Dr. King's life and accomplishments
 23 in human rights and, having adopted Senate Bill No. 78 in 1991 (Chapter 17, Laws of 1991), sets aside
 24 the third Monday in January as Martin Luther King Jr. Day; and

25 WHEREAS, Dr. King's legacy and ideals have been championed and continued through the Montana
 26 Human Rights Advisory Council and the Martin Luther King Jr. Commemorative Commission, both created
 27 by executive orders.

28
 29 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 30

1 **NEW SECTION. Section 1. Martin Luther King Jr. commemorative commission -- membership --**
2 **officers.** (1) There is a Martin Luther King Jr. commemorative commission. The commission is assigned
3 to the office of the governor for administrative purposes only.

4 (2) The commission is composed of no fewer than 7 and no more than 15 members appointed by
5 the governor. Members serve for no compensation at the pleasure of the governor. The members shall,
6 at a minimum, represent ethnic minorities, elected officials, and students, as well as groups associated with
7 various religions, education, business, labor, youth, peace and justice, and civil and human rights.

8 (3) The commission shall elect a presiding officer and other officers as the members consider
9 necessary.

10 (4) The commission shall meet upon the call of the presiding officer or upon request by a majority
11 of commission members.

12 (5) A majority of the members constitutes a quorum for conducting business.

13

14 **NEW SECTION. Section 2. Purpose of commission -- duties -- report.** (1) The purpose of the
15 Martin Luther King Jr. commemorative commission established in [section 1] is to:

16 (a) encourage appropriate ceremonies and activities honoring the legal holiday venerating Dr. Martin
17 Luther King Jr.;

18 (b) provide advice and assistance to individuals, governments, and private organizations concerning
19 the observance of Martin Luther King Jr. day;

20 (c) work diligently to promote, throughout the state, education and awareness of the principles of
21 nonviolence and respect for all human rights; and

22 (d) seek to involve all sectors, private and public, in a conscious effort to recognize, resolve, and
23 resist racism.

24 (2) It is the duty of the commission to:

25 (a) facilitate workshops and training in human rights to be used by public and private sectors and
26 school systems;

27 (b) develop a library of applicable data and resource materials;

28 (c) prepare and forward to the governor an annual report on the commission's activities and
29 accomplishments during the previous year; and

30 (d) undertake other tasks, consistent with the purpose of the commission, that the governor may

1 assign or that the commission considers necessary, prudent, or advisable.

2

3 NEW SECTION. **Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified
4 as an integral part of Title 2, chapter 15, part 2, and the provisions of Title 2, chapter 15, part 2, apply to
5 [sections 1 and 2].

6

7 NEW SECTION. **Section 4. Transition.** The governor shall make initial appointments to the Martin
8 Luther King Jr. commemorative commission created in [section 1] on or before October 15, 1997.

9

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0260, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act statutorily creating the Martin Luther King Jr. Commemorative Commission; providing for the membership of the commission; describing the purpose and duties of the commission; assigning the commission to the Office of the Governor for administrative purposes; and providing for the initial appointments to the commission.

ASSUMPTIONS:

1. This commission was established by executive order during fiscal year 1996 and is administratively attached to the Office of Community Services in the Department of Labor and Industry. The Governor's Executive Budget includes \$1,500 each year of the 1999 biennium in general fund authority for expenses in support of the commission. The bill attaches the commission to the Governor's Office for administrative purposes, but it is assumed that the commission will be assigned to the Office of Community Services and that the proposed authority in the Executive Budget will cover the minimum operating expenses.
2. In the event that the bill creates a commission attached to the Governor's Office that is operated differently than the existing commission and that is not assigned to the Office of Community Services, there will be increased costs to the Governor's Office. The estimated increased costs would include 0.50 FTE grade 13 to staff the commission, per diem and travel reimbursement estimated to be \$3,000 per year, training, resource library development, office rent, telephone, and annual report costs of approximately \$14,700 per year, and one-time equipment and furniture expenses of \$4,000. The total estimates are \$33,400 in fiscal 1998 and \$29,400 in fiscal 1999 in general fund authority.

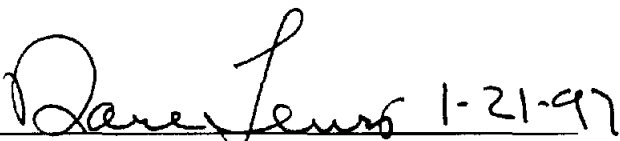
FISCAL IMPACT:

Department of Labor & Industry:

	<u>FY98</u>	<u>FY99</u>
	<u>Difference</u>	<u>Difference</u>
<u>Expenditures:</u> (As shown in the Executive Budget)		
Operating Expenses	1,500	1,500
 <u>Funding:</u>		
General fund (01)	1,500	1,500

TECHNICAL NOTES:

As noted in assumption 1, the bill attaches the commission to the Governor's Office for administrative purposes. This differs from the current administrative attachment to the Department of Labor and Industry as established by executive order.


 DAVE LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

 GEORGE HEAVY RUNNER, PRIMARY SPONSOR DATE
 Fiscal Note for HB0260, as introduced

HB 260

1 HOUSE BILL NO. 260

2 INTRODUCED BY HEAVY RUNNER, ELLINGSON, KOTTEL, BROOKE, DOHERTY, COCCHIARELLA,
3 REAM, SANDS, SQUIRES, FRANKLIN
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT STATUTORILY CREATING THE MARTIN LUTHER KING JR.
6 COMMEMORATIVE COMMISSION; PROVIDING FOR THE MEMBERSHIP OF THE COMMISSION;
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8 OFFICE OF THE GOVERNOR FOR ADMINISTRATIVE PURPOSES; AND PROVIDING FOR THE INITIAL
9 APPOINTMENTS TO THE COMMISSION."
10

11 WHEREAS, Dr. Martin Luther King Jr. summoned from every Montanan and American qualities that
12 guide and sustain the American spirit and our nation's commitment to equality, justice, freedom, SERVICE,
13 and peace; and

14 WHEREAS, Dr. Martin Luther King Jr. awakened our national pride and the essential goodness of
15 our people by leading an American nonviolent movement that enriched our moral purpose as a nation; and

16 WHEREAS, this human rights movement advocated nonviolent methods of social change in the
17 struggle for justice, equality, and freedom and raised the consciousness of our country through Dr. King's
18 personal dream of a nation where all people are judged not by the color of their skin, but by the content
19 of their character; and

20 WHEREAS, Dr. Martin Luther King Jr. was recognized on November 2, 1983, by the United States
21 Congress and the President of the United States in the enactment of legislation establishing the third
22 Monday in January as a national holiday in celebration of Dr. King's birthday, beginning in 1986; and

23 WHEREAS, the State of Montana recognizes the significance of Dr. King's life and accomplishments
24 in human rights and, having adopted Senate Bill No. 78 in 1991 (Chapter 17, Laws of 1991), sets aside
25 the third Monday in January as Martin Luther King Jr. Day; and

26 WHEREAS, Dr. King's legacy and ideals have been championed and continued through the Montana
27 Human Rights Advisory Council and the Martin Luther King Jr. Commemorative Commission, both created
28 by executive orders.
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30 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

SECOND READING

1 **NEW SECTION. Section 1. Martin Luther King Jr. commemorative commission -- membership --**
 2 **officers.** (1) There is a Martin Luther King Jr. commemorative commission. The commission is assigned
 3 to the office of the governor for administrative purposes only.

4 (2) The commission is composed of no fewer than 7 and no more than 15 members appointed by
 5 the governor. Members serve for no compensation at the pleasure of the governor. The members shall,
 6 ~~at a minimum,~~ represent **AND REACH OUT TO** ethnic minorities, elected officials, and students, as well as
 7 groups associated with various religions, education, business, labor, youth, peace and justice, and civil and
 8 human rights.

9 (3) The commission shall elect a presiding officer and other officers as the members consider
 10 necessary.

11 (4) The commission shall meet upon the call of the presiding officer or upon request by a majority
 12 of commission members.

13 (5) A majority of the members constitutes a quorum for conducting business.

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15 **NEW SECTION. Section 2. Purpose of commission -- duties -- report.** (1) The purpose of the
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17 (a) encourage appropriate ceremonies and activities honoring the legal holiday venerating Dr. Martin
 18 Luther King Jr.;

19 (b) provide advice and assistance to individuals, governments, and private organizations concerning
 20 the observance of Martin Luther King Jr. day;

21 (c) work diligently to promote, throughout the state, education and awareness of the principles of
 22 nonviolence ~~and,~~ respect for all human rights, **AND THE ETHIC OF COMMUNITY SERVICE**; and

23 (d) seek to involve all sectors, private and public, in a conscious effort to recognize, resolve, and
 24 resist racism.

25 (2) It is the duty of the commission to:

26 (a) facilitate workshops and training in human rights to be used by public and private sectors and
 27 school systems;

28 (b) **THROUGH PRIVATE SOURCES**, develop a library of applicable data and resource materials;

29 (c) prepare and forward to the governor an annual report on the commission's activities and
 30 accomplishments during the previous year; and

1 (d) undertake other tasks, consistent with the purpose of the commission, that the governor may
2 assign or that the commission considers necessary, prudent, or advisable.

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4 NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified
5 as an integral part of Title 2, chapter 15, part 2, and the provisions of Title 2, chapter 15, part 2, apply to
6 [sections 1 and 2].

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9 Luther King Jr. commemorative commission created in [section 1] on or before October 15, 1997.

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