

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 1037

An Act to amend and reenact § 30-192 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 27 of Title 30 sections numbered 30-192.1 through 30-192.14, relating to the Dr. Martin Luther King, Jr. Memorial Commission; report.

[S 827]

Approved May 1, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 30-192 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding in Chapter 27 of Title 30 sections numbered 30-192.1 through 30-192.14 as follows:

§ 30-192. Dr. Martin Luther King, Jr. Memorial Commission; membership; duties; compensation; staff; annual report.

A. There is hereby established within the legislative branch, the Dr. Martin Luther King, Jr. Memorial Commission, hereinafter referred to as the "Commission." The Commission shall be composed of eighteen members as follows: four members of the Senate to be appointed by the Senate Committee on Privileges and Elections; six members of the House of Delegates to be appointed by the Speaker of the House in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; and four citizen members to be appointed by the Senate Committee on Privileges and Elections as follows: one shall be the Executive Director of Living the Dream, Inc.; one shall be a representative of the Southern Christian Leadership Conference (SCLC) of Virginia; one shall be a representative of a statewide organization or a state affiliate of a national organization whose mission is to represent ethnic or racial minority citizens in the Commonwealth; and one shall be a citizen at-large; and four citizen members to be appointed by the Speaker of the House as follows: one shall be the Executive Director of the Foundation for the Humanities and Public Policy; and three shall be citizens at-large from among any of the state's eleven Congressional districts. The Senate Committee on Privileges and Elections and the Speaker of the House shall ensure, to the extent possible, that their respective appointments to the Commission reflect the demographic population of the Commonwealth.

The Commission shall elect a chairman and a vice-chairman from among its legislative members.

Legislative members of the Commission shall serve terms coincident with their terms of office. Citizen members shall be appointed for a term of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and citizen members may be reappointed. However, no Senate member shall serve more than two consecutive four-year terms; no House member shall serve more than four consecutive two-year terms; and no citizen member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and citizen members shall receive such compensation for the discharge of their duties as provided in the appropriation act. All members shall be reimbursed for reasonable and necessary expenses incurred in the discharge of their duties as provided in § 2.2-2825. However, all such expenses shall be paid from existing appropriations to the Commission.

B. The Commission shall meet not less than four times annually. The Commission shall perform the following duties:

1. Identify, plan, develop, and implement appropriate programs and events that further the philosophy and memory of Dr. King.

2. Monitor the educational goals, programs, and objectives of public and private schools to encourage the recognition and inclusion of the achievements and contributions of ethnic and minority groups.

3. Inventory and review, biennially, activities and events sponsored by localities in the Commonwealth and those instituted or offered by public and private schools and institutions of higher education designed to honor Dr. King's memory.

4. Facilitate the analysis of public policy relative to Dr. King's principles and philosophy, including his work pertaining to social and economic justice, ethics, and racial equality, and promote the appreciation of diverse cultures among the citizenry.

5. Collaborate with The King Center and other established state and local entities and community organizations in activities and events that commemorate the birth and death, and in initiatives designed to perpetuate the work and legacy of Dr. Martin Luther King, Jr.

6. Establish a memorial to honor Dr. Martin Luther King, Jr., in which (i) records, oral histories, and memorabilia documenting his relationship with and impact on the Commonwealth may be acquired and

preserved; (ii) information concerning his life, work, teachings, writings, and philosophy may be collected, preserved, and accessed for educational and cultural purposes; and (iii) scholarly inquiry and writing, undergraduate and graduate study, and policy analysis may be conducted.

7. Encourage and support collaborative activities among state, local, and national organizations that (i) emphasize the noncommercialization of the state and federal King Holiday; (ii) present his life and achievements in historical context; (iii) articulate the relationship between his philosophy, contributions, and current public policies; and (iv) demonstrate his principles consistently through significant participation of persons of diverse racial, ethnic, and cultural backgrounds in public and private endeavors and enterprises.

8. Monitor and evaluate state, local, and national public policy relative to the principles and philosophy of Dr. King, and make appropriate recommendations to the Governor and the General Assembly to maintain progress towards social and economic justice and equal opportunity for all citizens.

9. Perform such other functions and activities as may be necessary to facilitate or implement the Commission's objectives.

C. The Division of Legislative Services shall serve as staff to the Commission. All agencies of the Commonwealth shall assist the Commission, upon request.

D. The Commission shall report its activities, findings, and recommendations for appropriate statewide commemorative activities, events, and public policies that further the philosophy of Dr. King annually to the Governor and the General Assembly. "Commission," to (i) promote the legacy and continuation of the work of Dr. Martin Luther King, Jr., particularly racial, economic and social justice, academic scholarship, and community service; (ii) coordinate and lead year-round educational and commemorative activities throughout the Commonwealth that inform the public of his principles, achievements, and contributions, giving special emphasis to his career as a scholar, author, orator, community leader, conciliator, and theologian, and to the federal and state King Holiday; (iii) facilitate public policy analysis relative to his principles and teachings; (iv) foster an appreciation of diverse cultures, particularly minority populations within the Commonwealth; and (v) provide opportunities for public discourse on contemporary issues.

§ 30-192.1. Membership; terms; vacancies; chairman and vice chairman.

The Commission shall be composed of 18 members that includes 10 legislative members and eight nonlegislative citizen members. Members shall be appointed as follows: four members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; six members of the House of Delegates, to be appointed by the Speaker of the House, in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four nonlegislative citizen members, of whom one shall be the Executive Director of Living the Dream, Inc., one shall be a representative of the Southern Christian Leadership Conference of Virginia, and two shall be nonlegislative citizens at-large, to be appointed by the Senate Committee on Privileges and Elections; and four nonlegislative citizen members, of whom one shall be the President of the Foundation for the Humanities and Public Policy, and three shall be nonlegislative citizens at-large, to be appointed by the Speaker of the House. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. The Senate Committee on Privileges and Elections and the Speaker of the House shall ensure, to the extent possible, that their respective appointments to the Commission reflect the demographic population of the Commonwealth.

Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and nonlegislative citizen members may be reappointed. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and a vice chairman from among its membership who shall be members of the General Assembly.

§ 30-192.2. Quorum; meetings; voting on recommendations.

A majority of the voting members shall constitute a quorum. The Commission shall meet not more than four times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the voting members so request.

At the option of a majority of the Senate members appointed to the Commission or a majority of the members of the House of Delegates appointed to the Commission, no recommendation of the Commission shall be adopted without the approval of a majority of such members of the Senate and a majority of such members of the House of Delegates. For the purpose of this provision, a "majority" constitutes a majority of the members present and voting at the meeting of the Commission.

§ 30-192.3. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12,

and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from existing appropriations to the Commission, or if unfunded, shall be approved by the Joint Rules Committee.

§ 30-192.4. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

- 1. Identify, plan, develop, and implement appropriate programs and events that further the philosophy and memory of Dr. King;*
- 2. Monitor the educational goals, programs, and objectives of public and private schools to encourage the recognition and inclusion of the achievements and contributions of ethnic and minority groups;*
- 3. Inventory and review, biennially, activities and events sponsored by localities in the Commonwealth and those instituted or offered by public and private schools and institutions of higher education designed to honor Dr. King's memory;*
- 4. Facilitate the analysis of public policy relative to Dr. King's principles and philosophy, including his work pertaining to social and economic justice, ethics, and racial equality, and promote the appreciation of diverse cultures among the citizenry;*
- 5. Collaborate with The King Center in Atlanta and other established state and local entities and community organizations in activities and events that commemorate the birth and death, and in initiatives designed to perpetuate the work and legacy of Dr. Martin Luther King, Jr.;*
- 6. Establish a memorial to honor Dr. Martin Luther King, Jr., in which (i) records, oral histories, and memorabilia documenting his relationship with and impact on the Commonwealth may be acquired and preserved; (ii) information concerning his life, work, teachings, writings, and philosophy may be collected, preserved, and accessed for educational and cultural purposes; and (iii) scholarly inquiry and writing, undergraduate and graduate study, and policy analysis may be conducted;*
- 7. Encourage and support collaborative activities among state, local, and national organizations that (i) emphasize the noncommercialization of the state and federal King Holiday, (ii) present his life and achievements in historical context, (iii) articulate the relationship between his philosophy, contributions, and current public policies, and (iv) demonstrate his principles consistently through significant participation of persons of diverse racial, ethnic, and cultural backgrounds in public and private endeavors and enterprises;*
- 8. Monitor and evaluate state, local, and national public policy relative to the principles and philosophy of Dr. King, and make appropriate recommendations to the Governor and the General Assembly to maintain progress towards social and economic justice and equal opportunity for all citizens;*
- 9. Apply for and expend such gifts, donations, grants, bequests, and other funds from any source as may be received or that becomes available in connection with its duties under this chapter, and may comply with such conditions and requirements as may be imposed in connection therewith;*
- 10. Seek, accept, and direct the expenditure of public and private contributions to enable it to carry out the purposes of this chapter and to enhance its fiscal stability, financial management, and fund-raising abilities; and*
- 11. Perform such other functions and activities as may be necessary to facilitate or implement the Commission's objectives.*

§ 30-192.5. Staffing.

The Office of the Clerk of the chairman of the Commission shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis and other services as requested by the Commission. All agencies of the Commonwealth shall assist the Commission, upon request.

§ 30-192.6. Chairman's executive summary of activity and work of the Commission.

The chairman of the Commission shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a state document. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 30-192.7. Dr. Martin Luther King, Jr. Commission Fund established.

There is hereby created in the state treasury a special nonreverting fund to be known as the Dr. Martin Luther King, Jr. Commission Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. All moneys, including gifts, donations, grants, bequests, and other funds from any source as may be received by the Commission, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal

year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of supporting the Commission's work, the Martin Luther King, Jr. Living History and Public Policy Center, and as seed money to generate additional funds. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the chairman, upon the approval of a majority of the members of the Commission.

§ 30-192.8. Martin Luther King, Jr. Living History and Public Policy Center created; purpose.

There is created and constituted within the legislative branch of government as a separate component of the Dr. Martin Luther King, Jr. Memorial Commission, the Martin Luther King, Jr. Living History and Public Policy Center, hereinafter referred to as the "Center." For the purpose of implementing the provisions of subdivision 6 of § 30-192.4, the Commission, in conjunction with the Board of Trustees of the Center, shall apply for, receive, and expend such gifts, grants, donations, bequests, and other funds as may be received or made available for the establishment, administration, operation and maintenance of the Center. The Center shall be funded solely through nonstate funds. Initially, the Center shall be composed of nine four-year public and private institutions of higher education in the Commonwealth as partner and regional institutions to ensure full access to the Center's programs, activities, scholarship, and resources throughout the Commonwealth. The partner institutions shall be Norfolk State University, Old Dominion University, the University of Virginia, Virginia Commonwealth University, and Virginia Polytechnic Institute and State University. The regional institutions shall be Eastern Virginia Medical School, Hampton University, James Madison University, and Virginia State University. Virginia Commonwealth University shall be designated as the home site and coordinator of the Center for administrative purposes.

§ 30-192.9. Board of Trustees membership; terms; vacancies; chairman and vice chairman.

The Center shall be governed by a 19-member Board of Trustees consisting of six legislative members and 13 nonlegislative citizen members to be appointed as follows: two members of the Senate, of whom one member shall be the chairman or vice chairman of the Dr. Martin Luther King, Jr. Memorial Commission if the chairman or vice chairman is a member of the Senate, to be appointed by the Senate Committee on Privileges and Elections; four members of the House of Delegates, of whom one member shall be the chairman or the vice chairman of the Dr. Martin Luther King, Jr. Memorial Commission if the chairman or vice chairman is a member of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; the president or his designee of Eastern Virginia Medical School, Hampton University, James Madison University, Norfolk State University, and two nonlegislative citizen members who shall represent the business and corporate community, to be appointed by the Senate Committee on Privileges and Elections; and the president or his designee of Old Dominion University, the University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University, Virginia State University, and two nonlegislative citizen members who shall represent private, nonprofit foundations in the Commonwealth, to be appointed by the Speaker of the House of Delegates.

Legislative members and the presidents or their designees of the named institutions of higher education shall serve terms coincident with their terms of office or until their successors shall qualify. Nonlegislative citizen members shall serve two-year terms. All members may be reappointed. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

The Board shall elect a chairman and vice chairman from among its members and may establish bylaws as necessary.

§ 30-192.10. Quorum; meetings of the Board.

A majority of the voting members shall constitute a quorum. The Board shall meet not more than four times each year. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the voting members so request.

§ 30-192.11. Compensation; expenses.

Legislative members of the Board shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such compensation and expenses shall be paid from existing nonpublic funds as may be received by the Board.

§ 30-192.12. Powers and duties of the Board of Trustees and the Center.

A. The Board of Trustees shall:

1. Manage, control, maintain, and operate the Martin Luther King, Jr. Living History and Public Policy Center;
2. Establish the Center as a nonprofit corporation exempt from taxation pursuant to § 501(c)(3) of

the Internal Revenue Code to conduct the activities, within existing available funds, enumerated in this section;

3. Establish the Center, initially, as a virtual center to facilitate statewide access and links to the partner institutions and regional participants;

4. Employ and establish the qualifications and duties, and fix salaries and compensation of staff for the Center from such funds as may be received. Technical support for the Center shall be provided through the assistance of one of the partner institutions with high technological capabilities;

5. Establish a procedure to allow additional institutions to apply to become participants in the Center with appropriate roles and responsibilities;

6. Seek, receive, and expend gifts, grants, donations, or bequests from public or private sources on behalf of the Center for its support and to enable it to carry out its duties pursuant to this section;

7. Receive, expend, and administer donations, bequests, or devises of real and personal property for the endowment of the Center or for any special purpose designated by the donor that is consistent with the purposes of the Center set forth in this chapter;

8. Have, in addition to its other powers, all the corporate powers given to corporations by the provisions of Title 13.1, except in those cases where, by the express terms of its provisions, the law is confined to corporations created under that title. The Board shall also have the power to accept, execute, and administer any trust in which it may have an interest under the terms of the instrument creating the trust;

9. Enter into contracts with respect to the duties and responsibilities imposed upon the Center herein; all such contracts shall be approved by the Attorney General;

10. Have the authority to enter into and administer agreements with institutions of higher education in the Commonwealth to effectuate the provisions of this section;

11. Have the authority to request and accept the cooperation of agencies of the Commonwealth or local governments in the performance of its duties;

12. Adopt a logo or other emblems for use in connection with the Center;

13. Adopt policies, set fees as may be necessary, for the use of the Center, and determine revenue generating programs and activities that may be conducted by the Center;

14. Provide a comprehensive report to the Commission at least annually on the activities and cooperative relationships of the Center, and confer with the Commission to provide informal updates on the status and sources of funding on a quarterly basis until the funding and implementation of the Center are assured; and

15. Perform any lawful acts necessary or appropriate to carry out the purposes of the Center.

B. The Center shall:

1. Preserve and advance Dr. King's philosophy and memory through the analysis of public policy relative to principles associated with Dr. King of justice, nonviolence, peace, equality, and the concept of the "Beloved Community;"

2. Determine and implement programs and services consistent with the King legacy and principles. To commence the Center's activities and future endeavors, such programs and services shall include, but not be limited to, education, social policy, politics, economics, and culture and shall be designed to make a permanent contribution to embedding the principles associated with Dr. King into the fabric of Virginia life;

3. Develop and implement programs and services that facilitate fund-raising and revenue generation and provide visibility to the Center. The programs and services shall be a collaborative effort between the partner institutions, regional participants, and the Commission;

4. Serve as a catalyst for social, economic, and community transformation by leveraging and brokering resources that support scholarly, multidisciplinary research consistent with the purposes of the Center;

5. Promote public education, dialogue, research, scholarship, and the acquisition and preservation of memorabilia to (i) foster an understanding and appreciation of the totality of Dr. King, (ii) enable the examination of a range of matters relevant to King principles and his legacy, (iii) provide available resources to supplement and support the curricula of public and private schools, and (iv) aid the conduct of various research and other projects focused on K-12 education and minority students to promote a better understanding of the needs of educationally at-risk students and the identification of successful strategies to promote their academic achievement;

6. Extend the Center's educational, cultural, and community outreach programs to public and private schools, institutions of higher education, public libraries, appropriate public and private educational and cultural organizations, the religious community, and the public through various media and available technologies such as, TELETECHNET, an interactive distance education program, digital website links, online degree programs, digital exhibits, and other state-of-the-art technologies;

7. Provide for affiliations with undergraduate and graduate degree programs at all participating institutions of higher education, and, through the existing technological infrastructure and capacity of the institutions, enable the delivery of online degree programs, and make available the academic resources and staff of the Center to assist and support such programs;

8. Expand access to higher education in Virginia by providing undergraduate, graduate and professional programs through partnerships with the Commonwealth's private and public institutions of higher education;

9. Support research in areas consistent with the mission of the Center by eminent or visiting scholars, nationally and internationally, and collaborate with other national and international institutions of higher education and public policy centers on matters of mutual concern;

10. Establish a doctoral fellowship program in which one doctoral or faculty fellowship is supported at each partner institution annually. These fellows shall examine issues relevant to the principles of Martin Luther King, Jr., and shall be recruited carefully to ensure, as much as possible, that scholarly publications that will endure are produced. At least once each year, the Center shall convene a forum or other appropriate setting in which the work of such fellows may be shared with other scholars and the public;

11. Produce policy analyses of issues specific to Virginia and contemporary issues relative to principles associated with Dr. King to further the development of sound, feasible, and fair policies for all Virginians. These analyses may involve, but not be limited to, the assessment of education and health care for the poor and minorities, economic development, the nexus between public policies and quality of life, and other issues with the intent to provide viable and important decision-making information;

12. Conduct public forums, conferences, lectures, and research to address contemporary issues and public policies, including, but not limited to, disparity in health care, economic development, education, ethics, religion, social and environmental justice, civil and human rights, the criminal justice system, the global economic system, community and race relations, and racial, ethnic and cultural diversity;

13. Design and implement a comprehensive database to provide information on minority populations in Virginia. The database shall include, but not be limited to, accurate and reliable information and data concerning demographics, educational attainment, labor and economic development statistics, housing and criminal justice data, a profile of minority businesses, social and cultural issues, health status and chronic conditions and diseases prevalent among minority groups represented in Virginia. The database shall be accessible to researchers, the business and corporate community, and policy makers, in a centralized location, to facilitate and enhance planning and the targeting of resources. Significant works on the history, culture, achievements, and contributions of minorities to society shall be acquired to provide access for research, educational and cultural purposes;

14. Serve as a resource and referral center and living history museum in which electronic media, including, but not limited to, films, digital audio and video recordings, and a digital library, as well as records, oral histories, and memorabilia documenting Dr. King's relationship with and impact on the Commonwealth shall be acquired and preserved. In addition to information concerning his life, work, teachings, writings, and philosophy, the Center shall acquire and maintain historical documents, records, artifacts, and memorabilia related to the Civil Rights Movement, the African Diaspora, and African-Americans and other minority populations in the United States for educational purposes. The Center shall establish a working relationship with and a website link to the King Center in Atlanta, the King Papers Project at Stanford University, and Boston University to facilitate research and scholarship;

15. Actively seek and obtain nonstate funding through gifts, public and private grants, donations, federal support, endowments, in-kind services, and revenue-generating enterprises, such as contract research or subscription processes with local governments, local school boards, private organizations, and other entities, creative collaborations between various public and private institutions, and the provision of local programming, and training modules for public and private entities. All such funds and resources as may be received or made available to the Center shall be used to provide the financial support for the Center, its staff, and its work in accordance with the provisions of this section; and

16. Submit to the Board of Trustees such reports concerning the status of the Center's programs, activities, cooperative relationships, and fund-raising endeavors as the Board may require.

§ 30-192.13. Staffing.

The Board may appoint and employ and, at its pleasure, remove an executive director and a fund-raiser/grant writer for the Center, who may be an employee of one of the participating institutions of higher education, and such other persons as it deems necessary to assist it in carrying out its duties as set forth in this chapter. However, during the initial development and implementation phase of the Center, the Board shall employ only an executive director and a fund-raiser/grant writer. The Board shall determine the duties of all staff and fix the salaries and compensation of such persons within the amounts allocated therefor from such nonpublic funds as may be received by the Board. During the initial development and implementation phase of the Center, additional staff to support the functions of the Center may be provided by the participating institutions through an arrangement approved by the Board. All agencies of the Commonwealth shall provide assistance to the Board, upon request.

§ 30-192.14. Chairman's executive summary of activity and work of the Center and the Board.

The chairman of the Board shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Center and the Board no later than the first day of each regular session of the General Assembly. The executive summary shall state whether the

Board intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a state document. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

2. That notwithstanding the provisions of this act, legislative and nonlegislative citizen members appointed to the Commission pursuant to Chapter 679 of the Acts of Assembly of 2002 shall continue to serve until their original terms expire. Such members shall be eligible to serve the full length of consecutive terms as provided by this act, if so appointed.

3. That an emergency exists and this act is in force from its passage.