

# VIRGINIA ACTS OF ASSEMBLY -- 1997 SESSION

## CHAPTER 490

*An Act to amend and reenact § 9-145.45 of the Code of Virginia; to repeal § 9-145.46 of the Code of Virginia; and to repeal the second enactment of Chapter 741 of the Acts of Assembly of 1992, relating to the Dr. Martin Luther King, Jr. Memorial Commission.*

[H 2198]

Approved March 18, 1997

**Be it enacted by the General Assembly of Virginia:**

**1. That § 9-145.45 of the Code of Virginia is amended and reenacted as follows:**

§ 9-145.45. Dr. Martin Luther King, Jr. Memorial Commission; membership; duties; staff; annual report.

A. ~~The Dr. Martin Luther King Jr. Memorial Commission~~ There is hereby established within the legislative branch, the Dr. Martin Luther King, Jr. Memorial Commission, hereinafter referred to as the "Commission." The Commission ~~and~~ shall be composed of fifteen ~~citizens of Virginia~~ members as follows: ~~(i)~~ five members of the House of Delegates to be appointed by the Speaker of the House; ~~(ii)~~ four members of the Senate to be appointed by the Senate Committee on Privileges and Elections; ~~(iii)~~ ~~five~~ four ~~citizen~~ members ~~citizens~~ to be appointed by the Governor, two of whom shall be appointed by the Speaker of the House and two of whom shall be appointed by the Senate Committee on Privileges and Elections; the Project Director of the Dr. Martin Luther King, Jr. Community Learning Week; and ~~(iv)~~ the Executive Director of the National Association for the Advancement of Colored People Virginia State Conference. ~~Membership~~ Members of the Commission shall be appointed for the life of the Commission. Vacancies shall be filled in the same manner as the original appointments. ~~The members shall Legislative members of the Commission shall receive no such compensation as provided in § 14.1-18, and all members shall be reimbursed for their services but shall be reimbursed for travel and other necessary the actual expenses incurred by them in the performance of their duties.~~

The Dr. Martin Luther King Jr. Memorial Commission shall appoint from among its membership elect a chairman; ~~one or more vice chairmen and a secretary and a vice-chairman from among its members.~~

B. The Dr. Martin Luther King Jr. Memorial Commission shall have the following powers and duties meet not less than four times annually. The Commission shall perform the following duties:

1. ~~To participate in the planning, development and execution of~~ Identify, plan, develop, and implement appropriate programs and events that further the philosophy and memory of Dr. King.

2. ~~To make recommendations to the Governor concerning the creation of a separate and distinct state holiday for Dr. King~~ Monitor the educational goals, programs, and objectives of public and private schools to ensure the recognition and inclusion of the achievements and contributions of ethnic and minority groups.

3. ~~To encourage the continuation of the Commission's efforts by voluntary means~~ Inventory, and review, biennially, activities and events sponsored by localities in the Commonwealth and those instituted or offered by public and private institutions of higher education designed to honor Dr. King's memory and encourage the participation of persons representative of the demographic composition of the Commonwealth, to the end that Dr. King's philosophy of social justice and racial equality is reflected in public policies and affairs, and an appreciation of diverse cultures is promoted among the citizenry.

4. Collaborate with the Dr. Martin Luther King, Jr. Federal Holiday Commission and other established state and local entities and community organizations in activities and events that commemorate the birth, death, and legacy of Dr. Martin Luther King, Jr.

5. Establish a mechanism in honor of Dr. Martin Luther King, Jr., by which (i) the records and memorabilia documenting his relationship with and impact on the Commonwealth may be acquired and preserved; (ii) information concerning his life and philosophy may be collected and disseminated for educational and cultural purposes; and (iii) scholarly inquiry, writing, graduate study, and policy analysis may be conducted.

6. Encourage and engage in the dissemination of appropriate information and collaborative activities which emphasize the noncommercialization of the commemoration of Dr. King's birth, presents his life and achievements in historical context, articulates the relationship between his philosophy, contributions, and current public policies, and demonstrates his philosophy consistently through significant participation of persons of diverse racial, ethnic, and cultural backgrounds in public and private affairs and enterprises.

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

C. By December 1, 1992, the Commission shall submit to the Governor and the General Assembly a preliminary report making recommendations for appropriate programs and events that further the philosophy and memory of Dr. King. Each year thereafter, the Commission shall submit an annual report to the Governor and the General Assembly of the Commission's activities and of any further recommendations.

*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 annually to the Governor and the General Assembly its activities, findings, and recommendations for appropriate statewide commemorative activities, events, and public policies which further the philosophy of Dr. King.*

**2. That § 9-145.46 of the Code of Virginia is repealed.**

**3. That the second enactment of Chapter 741 of the Acts of Assembly of 1992 is repealed.**