

House Bill 797

AN ACT TO CREATE AND EMPOWER THE MISSISSIPPI COMMISSION ON THE STATUS OF WOMEN; TO PRESCRIBE THE POWERS AND DUTIES OF THE COMMISSION; TO ESTABLISH AN INTERAGENCY COUNCIL TO ADDRESS ISSUES AFFECTING THE STATUS OF WOMEN IN MISSISSIPPI; TO CREATE A FUND IN THE STATE TREASURY TO RECEIVE ANY PUBLIC OR PRIVATE FUNDS MADE AVAILABLE FOR THE OPERATION OF THE COMMISSION; AND FOR RELATED PURPOSES.

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

SECTION 1. It is declared to be the public policy of this state to encourage, promote and foster the success and well-being of its citizens and to offer unobstructed access to such opportunities as exist in order that all Mississippians may realize the quality of life for their families to which they aspire. It is a higher public purpose of state government to ensure that no individual is denied the opportunity to succeed and make positive contributions to Mississippi's quality of life because of gender. It is the intent and purpose of this act to create a Commission on the Status of Women.

SECTION 2. (1) There is created the Mississippi Commission on the Status of Women. The commission shall be nonpartisan, and shall be composed of thirteen (13) members to be appointed, with the advice and consent of the Senate, as follows:

(a) Four (4) members shall be appointed by the Governor, including a current or former food stamps recipient and a single parent;

(b) Three (3) members shall be appointed by the Lieutenant Governor, including a current or former college educator with expertise in women's issues;

(c) Three (3) members shall be appointed by the Speaker of the House of Representatives, including a health care professional knowledgeable in women's health issues; and

(d) Three (3) members shall be appointed by the Attorney General, including a law professor or lawyer with expertise in women's issues.

(2) The members of the commission shall be women and men of recognized ability and achievement who are representative of the ethnic, geographic, socioeconomic and cultural diversity of the population of this state, and who have a proven record of efforts to improve the status of women. The initial term of office of one (1) member appointed by the Governor shall expire on June 30, 2002. The initial terms of office of the remaining members shall be fixed by the appointing authorities so that the term of office of one (1) member appointed by each appointing authority expires on June 30, 2003, the term of office of one (1) member appointed by each expires on June 30, 2004, and the terms of office of the remaining three (3) members expires on June 30, 2005. After the expiration of the initial terms, the terms of office of all members shall be four (4) years each, from the expiration date of the previous term. A member may not serve for more

than two (2) consecutive terms. All vacancies shall be filled by the appointing authority for the unexpired term.

(3) The commission shall organize by electing a chair, vice chair and secretary from among its members for terms of two (2) years each. Any member is eligible for successive elections to office.

(4) A majority of the members of the commission shall constitute a quorum for transacting business.

(5) Members of the commission may be reimbursed for expenses as provided in Section 25-3-41, and may receive per diem as provided in Section 25-3-69.

(6) The Lieutenant Governor, Speaker of the House and Attorney General shall notify the Governor after they have made their appointments. The Governor then shall designate a place and time for the initial organizational meeting of the commission, which meeting must be before October 1, 2001.

SECTION 3. The commission shall have the powers and authority necessary to carry out the duties imposed upon it by this act, including, but not limited to, the following:

(a) To conduct research and to study issues affecting the status of women in Mississippi;

(b) To advise and consult with the executive and legislative branches on policies affecting the status of women in Mississippi;

(c) To publish periodic reports documenting the legal, economic, social and political status, and other concerns of women in Mississippi;

(d) To assess programs and practices in all state agencies as those programs and practices affect women;

(e) To maintain an office and to acquire on a contractual or other basis any legal, technical and research expertise and support services as the commission may require for the discharge of its duties;

(f) To hold hearings, meetings, conferences and workshops, to make and sign any agreements, and to do or perform any acts that may be necessary, desirable or proper to carry out the purposes of this act;

(g) To appoint advisers or advisory committees if the commission determines that the experience or expertise of the advisors or advisory committees is needed for projects of the commission;

(h) To apply for and accept funds, grants, gifts and services from the state or federal government or any of their agencies, or any other public or private source, for the purpose of defraying clerical, administrative and other costs as may be necessary in carrying out the commission's duties under this act;

(i) To establish nonprofit entities for the purpose of defraying costs incurred in the performance of the commission's duties; and

(j) To utilize voluntary and uncompensated services of private individuals, agencies and organizations as may be offered and needed.

SECTION 4. (1) The commission shall study issues affecting the status of women in Mississippi, including, but not limited to, the following areas:

- (a) Women's educational and employment problems, needs and opportunities;
 - (b) Women's health issues;
 - (c) The socioeconomic factors that influence the status of women and the development of women's individual potential;
 - (d) Current or proposed state laws, practices or conditions in regard to the civil, economic and political rights of women, including, but not limited to, pensions, tax requirements, property rights, marriage and dissolution of marriage provisions, domestic violence and other matters affecting the status of women; and
 - (e) Any other conditions or practices affecting women which impose special limitations or burdens upon them or which tend to limit opportunities available to women.
- (2) The commission shall act as an information center on the status of women and women's educational, employment and other related needs, and on current and proposed legislation affecting women. In this capacity, the commission shall serve as a liaison and clearinghouse between government, private interest groups and the general public concerned with services for women, and in this regard, the commission may publish a periodic newsletter, maintain a website and communicate with and provide information in other ways to these constituencies.
- (3) The commission shall educate the business, education, state government and local government communities and the general public about the nature and scope of gender discrimination, violence against women, and other matters affecting the status of women in Mississippi.
- (4) The commission shall recommend policies and make recommendations to public and private groups and persons concerned with any issue related to improving the status of women. Toward this end, the commission may develop, prepare and coordinate materials, projects or other activities and give technical and consultative advice. The commission may encourage and help women's organizations, public and private offices and other groups to institute self-help activities designed to meet women's educational, employment and other needs.
- (5) The commission shall promote consideration of qualified women for all levels of government positions.
- (6) Before November 15 of each year, beginning with November 15, 2002, the commission shall report to the Governor and the Legislature on the commission's activities. The report must include the results of the commission's findings of the preceding year, with recommendations for the removal of such injustices as the commission may find to exist.

SECTION 5. There is established an interagency council comprised of representatives of state agencies including, but not limited to, the State Department of Health, State Department of Mental Health, Department of Human Services, State Department of Education, Department of Public Safety, Mississippi Development Authority, Board of Trustees of State Institutions of Higher Learning, State Board for Community and Junior Colleges, Attorney General's Office, Secretary of State's Office and Mississippi Department of Corrections. Each of these agencies shall report to the commission annually through its representative, addressing the current health, employment, educational and overall status of women and the agency's actions to improve women's status. The commission, in its discretion, may call a meeting of the full council;

however, full council meetings may not be called more frequently than once during a fiscal year.

SECTION 6. There is created in the State Treasury a fund into which any public or private funds from any source shall be deposited for the support of the activities of the Commission on the Status of Women.

SECTION 7. The purpose of the Commission on the Status of Women shall be advisory with respect to legislation and regulation and shall not conflict with or supplement state or federal laws or regulations or provide a cause of action relating to any matter contained in this act.

SECTION 8. This act shall take effect and be in force from and after July 1, 2001.

Passed State Senate
March 27, 2001

Passed House of Representatives
March 27, 2001

APPROVED BY THE GOVERNOR

GOVERNOR