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**MARTIN LUTHER KING COMMISSION**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Duane E. Bourdeaux**

AN ACT RELATING TO COMMUNITY AND ECONOMIC DEVELOPMENT; CREATING THE DR. MARTIN LUTHER KING JR. HUMAN RIGHTS COMMISSION; PROVIDING FOR MEMBERSHIP; AND DELINEATING DUTIES AND PROCEDURES.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**9-4-1401**, Utah Code Annotated 1953

**9-4-1402**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **9-4-1401** is enacted to read:

**9-4-1401. Dr. Martin Luther King Jr. Commission -- Creation -- Membership -- Salaries and expenses.**

(1) There is created the Dr. Martin Luther King Jr. Human Rights Commission.

(2) The commission shall consist of 15 members appointed by the governor to represent the diversity of Utah.

(3) The governor shall designate a member of the commission appointed under Subsection (1) as chair of the commission.

(4) Eight members of the commission constitute a quorum.

(5) (a) Except as required by Subsection (5)(b), the governor shall appoint each commission member or reappointed member to a four-year term.

(b) Notwithstanding the requirements of Subsection (5)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of these commission members are staggered so that approximately half of the commission membership is appointed every two years.

28 (6) When a vacancy occurs in the membership for any reason, the replacement shall be  
29 appointed for the unexpired term.

30 (7) (a) (i) Members who are not government employees receive no compensation or  
31 benefits for their services, but may receive per diem and expenses incurred in the performance of  
32 the member's official duties at the rates established by the Division of Finance under Sections  
33 63A-3-106 and 63A-3-107.

34 (ii) Members may decline to receive per diem and expenses for their service.

35 (b) (i) State government officer and employee members who do not receive salary, per  
36 diem, or expenses from their agency for their service may receive per diem and expenses incurred  
37 in the performance of their official duties from the commission at the rates established by the  
38 Division of Finance under Sections 63A-3-106 and 63A-3-107.

39 (ii) State government officer and employee members may decline to receive per diem and  
40 expenses for their service.

41 (c) Legislators on the commission receive compensation and expenses as provided by law  
42 and legislative rule.

43 (d) (i) Local government members who do not receive salary, per diem, or expenses from  
44 the entity that they represent for their service may receive per diem and expenses incurred in the  
45 performance of their official duties at the rates established by the Division of Finance under  
46 Sections 63A-3-106 and 63A-3-107.

47 (ii) Local government members may decline to receive per diem and expenses for their  
48 service.

49 (8) The division shall provide staff services to the commission.

50 Section 2. Section **9-4-1402** is enacted to read:

51 **9-4-1402. Duties.**

52 The commission shall:

53 (1) promote Dr. Martin Luther King Jr. Day by encouraging appropriate ceremonies and  
54 activities honoring the federal legal holiday on the third Monday of January each year;

55 (2) provide advice and assistance to governments and private organizations on the  
56 observance of this national holiday;

57 (3) coordinate efforts with Americans of diverse backgrounds and with private  
58 organizations on the observance of the King holiday;

- 59           (4) seek to involve all sectors, private and public, in a conscious effort to promote  
60 diversity, equity, and human rights;  
61           (5) work diligently to promote education and awareness of the principles of human rights  
62 for all;  
63           (6) conduct workshops and training in human rights for use by public and private sectors  
64 and school systems;  
65           (7) act in partnership with public education to assist public schools in promoting  
66 appropriate events to honor human rights and the holiday;  
67           (8) promote training in the principles of nonviolence;  
68           (9) serve as a resource for state government to increase and improve its level of  
69 responsiveness to human rights; and  
70           (10) forward an annual report to the governor.
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**Legislative Review Note**  
**as of 2-1-00 4:26 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**