

SENATE BILL 2790
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 4, to create the Tennessee Commission on Holocaust Education. This act makes appropriations for the 1996-1997 fiscal year for the purpose of implementing the provisions of this act.

WHEREAS, the Legislature finds and declares that:

(1) During the period from 1933-1943, six million Jews and millions of other Europeans were murdered in Nazi concentration camps as part of a carefully orchestrated program of cultural, social and political genocide known as the Holocaust;

(2) All people should remember the horrible atrocities committed at that time and other times in human history as the result of bigotry and tyranny and, therefore, should continually rededicate themselves to the principles of human rights and equal protection under the laws of a democratic society;

(3) It is desirable to educate our citizens about the events leading up to the Holocaust and about the organizations and facilities that were created and used purposefully for the systematic destruction of human beings;

(4) It is the policy of the state of Tennessee that Holocaust history is the proper concern of all people, particularly students enrolled in the schools, colleges, and universities of the state of Tennessee;

(5) Programs, workshops, institutes, seminars, and other teacher-training activities for the study of the Holocaust have taken place during recent years at various high schools and colleges in the state of Tennessee;

(6) It is desirable to create a permanent state-level commission, which as an organized body, on a continuous basis will survey, design, encourage, and promote implementation of Holocaust education and awareness programs in Tennessee and shall be responsible for organizing and promoting the memorialization of the Holocaust on a regular basis, throughout the State; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, is amended by adding a new chapter composed of Sections 2 through 10 of this act.

SECTION 2. The Tennessee Commission on Holocaust Education is created and established in the executive branch of the state government. It shall be independent, except for administration and finance.

SECTION 3. The commission shall consist of members including: a senator appointed by the speaker of the senate and a representative appointed by the speaker of the house; the commissioner of education; a vice chancellor of the University of Tennessee and a vice president of the board of regents; and twelve (12) public members appointed by the governor. The public members shall be Tennessee residents, with due regard to broad geographic representation, who have served prominently as spokespersons for, or as leaders of organizations which serve members of, religious, ethnic, national heritage, or social groups which were subjected to genocide, torture, wrongful deprivation of liberty or property, officially imposed or sanctioned violence, and other forms of human rights violations and persecution at the hands of the Nazis and their collaborators during the Nazi era, or they shall be residents who are experienced in the field of Holocaust education, or representative of liberators of victims of the Holocaust, such as veterans organizations.

SECTION 4. Each public member of the commission shall serve for a term of three (3) years. Public members shall be eligible for reappointment. They shall serve until their successors are appointed and qualified, and the expiration of the term of that incumbent. A

vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

SECTION 5. The members of the commission shall serve without compensation, but they shall be entitled to reimbursement for all necessary expenses incurred in the performance of their duties, in accordance with the comprehensive state travel regulations.

SECTION 6. The commission shall have a chair appointed by the governor for a three (3) year term. It shall meet upon the call of the chair or of a majority of the commission members. The presence of a majority of the authorized membership of the commission shall be required for the conduct of official business.

SECTION 7. The commission shall appoint an executive director, who shall serve at its pleasure and shall be a person qualified by training and experience to perform the duties of the office.

SECTION 8. The commission shall have the following responsibilities and duties:

(1) To provide, based upon the collective knowledge and experience of its members, assistance and advice to the public and private schools, colleges, and universities with respect to the implementation of Holocaust education and awareness programs.

(2) To meet with appropriate education officials and other interested public and private organizations, including service organizations, for the purpose of assisting with the planning, coordination or modification of courses of study dealing with the subject of the Holocaust.

(3) To survey and catalog the extent and breadth of Holocaust and genocide education presently being incorporated in to the curricula and taught in the educational systems of the state, to inventory those Holocaust memorials, exhibits and resources which could be incorporated in courses of study at various locations and other educational agencies in the development and implementation of Holocaust and genocide education programs. In furtherance of this responsibility, the commission shall be

authorized to contact and cooperate with existing Holocaust and genocide public or private nonprofit resource organizations and may act as a liaison concerning Holocaust and genocide education to members of the United States senate and house of representatives, the Tennessee senate and house of representatives, and the United States Holocaust Memorial Museum.

(4) To compile a roster of individual volunteers who are willing to share their knowledge and experience in classrooms, seminars and workshops on the subject of the Holocaust. These volunteers may be survivors of the Holocaust, liberators of concentration camps, scholars, clergymen, community relations professionals and other persons who, by virtue of their experience or interest, have acquired personal or academic knowledge of the Holocaust.

(5) To coordinate events memorializing the Holocaust and to seek volunteers who are willing and able to participate in commemorative events that will enhance public awareness of the significance of the Holocaust.

(6) To prepare reports for the governor and the general assembly regarding its findings and recommendations to facilitate the inclusion of Holocaust studies and special programs memorializing the Holocaust in educational systems in the state.

SECTION 9.

(a) The commission is authorized to call upon any department, office, division or agency of the state, to supply such data, program reports and other information, personnel and assistance as it deems necessary to discharge its responsibilities under this act.

(b) These departments, offices, divisions and agencies shall to the extent possible and not inconsistent with any other law of this state, cooperate with the commission and shall furnish it with such information, personnel and assistance as may be necessary or helpful to accomplish the purposes of this act.

SECTION 10.

(a) The Tennessee Commission on Holocaust Education is hereby authorized to create a not-for-profit corporation to raise funds, develop, manage, and implement the plans and programs of the commission relating to the Holocaust.

(b) The commission is authorized to select a name for the corporation. The corporation shall have its own board of directors which shall consist of the members of the commission, a representative appointed by the governor, and a representative of the attorney general and reporter. The board may select its own chair with the approval of the chair of the commission.

(c) After proper incorporation, the not-for-profit corporation is authorized and directed to apply for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code [26 U.S.C. § 501(c)(3)].

(d) In addition to funds received from the general public, the corporation may receive funds from the state of Tennessee at such times and in such amounts as appropriated by the general assembly to be used for its tax-exempt purposes.

(e) Upon its incorporation, the not-for-profit corporation shall be responsible for implementing such programs as the commission plans. The not-for-profit corporation may hire such support staff and name such advisory groups or steering committees as necessary to assist in the promotion, coordination, and implementation of and fund-raising for the comprehensive program developed by the commission.

SECTION 11. There is appropriated one hundred thousand dollars (\$100,000) from the general fund to the commission to effectuate the purposes of this act.

SECTION 12. This act shall take effect July 1, 1996, the public welfare requiring it.