

# MARTIN LUTHER KING, JR COMMISSION

## Enabling Laws

Act 109 of 2016  
A.C.A. §25-24-101 et seq.

## History and Organization

The Martin Luther King, Jr. Commission was created by Act 1216 of 1993. The Commission is an offspring of the Martin Luther King Federal Holiday Commission and was established under then Governor Bill Clinton by executive order. The Commission was created to promote the legacy and philosophy of Dr. Martin Luther King, Jr. Initially, the Commission had one staff person, and was housed within the Governor's Office at the State Capitol. Then Governor Jim Guy Tucker appointed the 25-member board and recommended that Tracy Steele serve as Executive Director. Senator Steele served as Executive Director until November 2006, and in March, 2008, a new Executive Director, DuShun Scarbrough, was appointed by the Commission. The current headquarters for the Commission is 501 Woodlane, Suite 122S, Little Rock, AR 72201.

In 1997, a mission statement, a stated purpose, goals and objectives, and the Junior Commission Board were developed. Because of its limited resources, a consensus determined that the Commission would focus on youth oriented projects first, and then expand. Violence and crime among youth was one of the critical concerns with the people of Arkansas. Then Governor Jim Guy Tucker called a special legislative session to deal with the problem of juvenile crime. The Commission formed the Junior Commission Board, which is composed of Arkansas high school and college students who have demonstrated strong qualities of leadership and community service. The Junior Commissioners have particular influence in advising the Commission in projects dealing with youth. Junior Commissioners have since been replaced with the development of Youth Commissioners. Each board member is able to choose 1 youth commissioner to represent their district. Each youth commissioner is a high school student who demonstrates strong leadership qualities and a desire to serve the community. Youth commissioners serve in a variety of areas including public speaking, volunteering, mentoring in our Dream Keepers, and Leadership, Education, and Acceptance of Diversity, or L.E.A.D. programs, established in 2008 by Executive Director, DuShun Scarbrough, and advising the commission on projects dealing with youth.

### Mission Statement

The mission of the Arkansas Martin Luther King, Jr. Commission is to promote understanding and acceptance of nonviolence and human

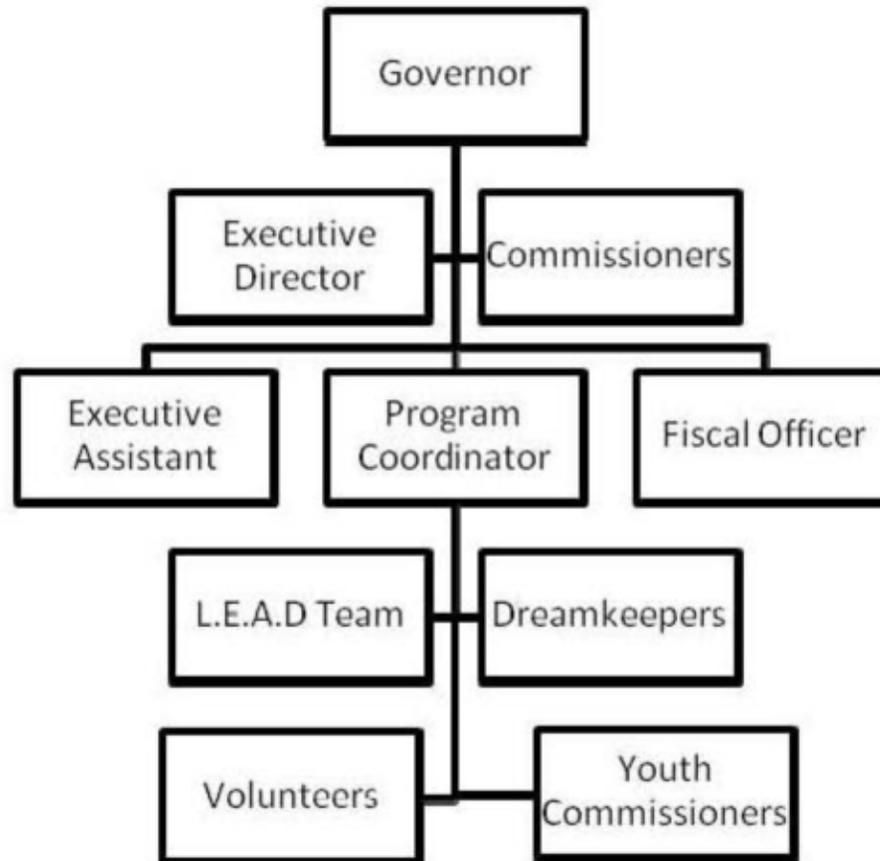
equality as a way of building community among all Arkansans.

#### Purpose

The purpose of the Arkansas Martin Luther King, Jr. Commission is to:

- Promote racial harmony, understanding community service, respect, and goodwill, among all citizens
- Promote principles of nonviolence
- Promote awareness and appreciation of the Civil Rights Movement and advocate the principles and legacy of Dr. Martin Luther King, Jr.
- Develop, coordinate, and advise the Governor and General Assembly of ceremonies and activities throughout the State relating to the observance of Dr. King's holiday

The Martin Luther King, Jr. Commission continues to reach out to people throughout the state until Dr. King's dream is accepted and realized by every Arkansan.



**Agency Commentary**

The Arkansas Martin Luther King, Jr. Commission is a state agency empowered to serve all Arkansans. It was created in 1993 by Act 1216 of the Arkansas General Assembly to promote the legacy and philosophy of Dr. Martin Luther King, Jr. throughout the State of Arkansas and abroad. The Arkansas MLK, Jr. Commission works closely with the King Center for Nonviolent Social Change in Atlanta, Georgia and other social service entities alike.

The Arkansas MLK, Jr. Commission is guided by Dr. King's teachings and philosophy of love, tolerance, and nonviolence while striving for social improvement in Arkansas, helping communities and organizations achieve new levels of leadership and public service.

The Arkansas MLK, Jr. Commission works directly with youth and others encouraging them to embrace alternatives to violence and discover their common humanity. Through activities that stress racial and cultural diversity, the Arkansas MLK, Jr. Commission offers Arkansas youth a new understanding of the important roles that they play in the communities, now and in the future.

Promote racial harmony, understanding, community service, respect, and goodwill among all Arkansans

Promote Dr. Martin Luther King, Jr.'s Six Principles Of Nonviolence

1. Nonviolence is a way of life for courageous people
  2. Nonviolence seeks to win friendship and understanding
  3. Nonviolence seeks to defeat injustice not people
  4. Nonviolence holds that suffering can educate and transform
  5. Nonviolence chooses love instead of hate
  6. Nonviolence believes that the universe is on the side of justice
- Promote awareness and appreciation of the Civil Rights movement and advocacy of Dr. Martin Luther King, Jr.'s philosophy and legacy
  - Develop, coordinate, and advise the Governor and General Assembly of ceremonies and activities throughout the state relating to the observance of Dr. King's Holiday
  - Promote understanding and acceptance of nonviolence and human equality as a way of building community among all Arkansans

Funding for appropriation for the Arkansas Martin Luther King, Jr. Commission is state general revenue and cash funds from donations, grants, and other like monetary contributions. The Arkansas MLK, Jr. Commission's appropriation is used to further the organization's efforts in enhancing the awareness of peace and harmonious living among all Arkansans.

The Arkansas MLK, Jr. Commission has consistently shown growth each year since Executive Director - DuShun Scarbrough - assumed office in March 2008. The Arkansas MLK, Jr. Commission holds several community outreach projects across the state throughout the year to further in promoting the legacy of Dr. King, to augment the agency's observance of Dr. King's holiday.

Previously in preparing for the 2015 - 2017 Biennial, the Arkansas MLK, Jr. Commission requested an increase of \$8,710.00 in Operating Expenses for FY16 and FY17, which included \$980.00 for office rent increase and \$7,730.00 to purchase four (4) computers and related software each fiscal year. The existing computers/operating system are no longer supported by Microsoft. The replacement equipment and related software can found on the agency's state IT plan under Hardware-Future Purchases and Software-Future Purchases.

The Arkansas MLK, Jr. Commission requests Base Level appropriation for the Treasury Cash appropriation in an effort to retain said appropriation to continue the success experienced with agency being touted for hosting "largest 'Day of Service' event" in the nation (January 20, 2015) as well as being selected # 4 in the nation for being one of the "Best cities for volunteering" the (January 15, 2016).

The Commission requests Base Level appropriation for the 2017-2019 Biennium.

## **Audit Findings**

DIVISION OF LEGISLATIVE AUDIT  
AUDIT OF :  
MARTIN LUTHER KING, JR. COMMISSION  
FOR THE YEAR ENDED JUNE 30, 2014

Findings

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The Agency had inadequate internal controls over cash receipts regarding funds received relating to a bus trip to Washington, D.C., in 2013 for the Presidential Inauguration. Specifically, the Agency was not in compliance with DFA Financial Management Guide section R4-19-4-501 in the following areas:

- Cash receipts were not issued sequentially.
- A duplicate copy of receipts issued was not maintained in numerical order in each receipt book.
- The cash log did not include sufficient detail to allow an audit trail of individual receipts

Recommendations

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We recommend the Agency review DFA Financial Management Guide section R4-19-501 and implement controls to ensure the accountability of all funds received.

**Agency Response:**

We acknowledge that there were some cash receipts which were not issued sequentially and that some duplicates were not maintained in numerical order. We dispute that there was any irregularity with regard to the receipts of funds from those who took the trip. Many of the arrangements for the trip were conducted away from the office. This resulted in more than one cash receipt book being utilized. There were duplicates, but frequently the original was kept and the participant received the duplicate copy. We maintain that not a single dime

DIVISION OF LEGISLATIVE AUDIT  
 AUDIT OF :  
 MARTIN LUTHER KING, JR. COMMISSION  
 FOR THE YEAR ENDED JUNE 30, 2014

Findings

to deposit.

As a result, 42 of 267 receipts could not be located by the Agency. Arkansas Legislative Audit (ALA) staff were unable to confirm if these receipts were issued, voided, or missing. Receipts provided by the Agency totaling \$120,450 were reconciled to deposit by ALA staff. The lack of appropriate reconciliation of receipts to deposit by the Agency placed these assets at risk and made it difficult to detect any undeposited receipts.

Recommendations

was misappropriated. In view of the review, the agency, in the unlikely event that a similar trip will be undertaken in the future, will resort to electronic paper devices. That is, we will utilize PayPal for all transactions, and we will adhere strictly to Management Guide Section R4-19-501 and implement controls to ensure accountability of all funds received.

**State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2016**

None

**Employment Summary**

	Male	Female	Total	%
White Employees	0	0	0	0 %
Black Employees	2	1	3	100 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			3	100 %
Total Employees			3	100 %

## Publications

### A.C.A. 25-1-201 et seq.

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution	Unbound Black & White Copies Produced During the Last Two Years	Cost of Unbound Copies Produced During the Last Two Years
		Governor	General Assembly				
None	N/A	N	N	0	N/A	0	0.00

# Department Appropriation Summary

## Historical Data

## Agency Request and Executive Recommendation

Appropriation	2015-2016		2016-2017		2016-2017		2017-2018						2018-2019					
	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
125 Martin Luther King - State Operations	226,765	3	262,865	4	261,764	4	264,398	4	264,398	4	264,398	4	264,398	4	264,398	4	264,398	4
54S Martin Luther King - Treasury Cash	74,056	0	91,118	0	91,050	0	91,123	0	91,123	0	91,123	0	91,123	0	91,123	0	91,123	0
<b>Total</b>	<b>300,821</b>	<b>3</b>	<b>353,983</b>	<b>4</b>	<b>352,814</b>	<b>4</b>	<b>355,521</b>	<b>4</b>										

Funding Sources		%		%		%		%		%		%		%		%
Fund Balance 4000005	33,452	11.1	525	0.1			525	0.1	525	0.1	525	0.1	520	0.1	520	0.1
General Revenue 4000010	226,765	75.3	233,167	65.8			236,395	66.4	236,395	66.4	236,395	66.4	237,395	66.7	237,395	66.7
Cash Fund 4000045	41,129	13.6	120,816	34.1			119,121	33.5	119,121	33.5	119,121	33.5	118,121	33.2	118,121	33.2
<b>Total Funds</b>	<b>301,346</b>	<b>100.0</b>	<b>354,508</b>	<b>100.0</b>			<b>356,041</b>	<b>100.0</b>	<b>356,041</b>	<b>100.0</b>	<b>356,041</b>	<b>100.0</b>	<b>356,036</b>	<b>100.0</b>	<b>356,036</b>	<b>100.0</b>
Excess Appropriation/(Funding)	(525)		(525)				(520)		(520)		(520)		(515)		(515)	
<b>Grand Total</b>	<b>300,821</b>		<b>353,983</b>				<b>355,521</b>		<b>355,521</b>		<b>355,521</b>		<b>355,521</b>		<b>355,521</b>	

Budget amount in 125 Marthin Luther King - State Operations exceeds the authorized amount due to Regular Salaries and Personal Services Matching rate adjustments during the 2015-2017 Biennium.

Budget amount in 54S Martin Luther King - Treasury Cash exceeds the authorized amount due to Peronal Services Mathing rate adjustments during the 2015-2017 Biennium.

## Agency Position Usage Report

FY2014 - 2015						FY2015 - 2016						FY2016 - 2017					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
4	3	1	4	0	25.00 %	4	3	1	4	0	25.00 %	4	3	1	4	0	25.00 %

## **Analysis of Budget Request**

**Appropriation:** 125 - Martin Luther King - State Operations

**Funding Sources:** HUA - Miscellaneous Agencies Fund

The Martin Luther King, Jr. Commission was established by Arkansas Code Annotated §24-24-101. The Commission consists of thirteen (13) members: five (5) members appointed by the Governor; four (4) members appointed by the President Pro Tempore of the Senate; and four (4) members appointed by the Speaker of the House of Representatives. The Governor shall select annually a chair from the membership of the commission.

The responsibility of the Commission is to promote racial harmony, understanding, respect and goodwill among all citizens; promote principles of nonviolence; promote awareness and appreciation of the civil rights movement and advocacy of the principles and legacy of Dr. King; develop, coordinate, and advise the Governor and the General Assembly of appropriate ceremonies and activities related to Dr. King's birthday; and to receive donations and contributions from individuals and public and private organizations to carry out its responsibilities. Funding to support the activities of the Commission is derived from General Revenue.

Base Level Regular Salaries and Personal Services Matching include the continuation of the previously authorized 2017 Salaries and Career Service Payments for eligible employees. Personal Services Matching includes the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay Increases.

The Agency is requesting Base Level appropriation of \$264,398 each year of the 2017-2019 Biennium.

The Executive Recommendation provides for the Agency Request.

## Appropriation Summary

**Appropriation:** 125 - Martin Luther King - State Operations

**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2015-2016 Actual	2016-2017 Budget	2016-2017 Authorized	2017-2018			2018-2019		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	129,980	149,968	149,277	150,568	150,568	150,568	150,568	150,568	150,568
<b>#Positions</b>		<b>3</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
Personal Services Matching	5010003	49,472	54,113	53,703	55,046	55,046	55,046	55,046	55,046	55,046
Operating Expenses	5020002	47,313	58,484	58,484	58,484	58,484	58,484	58,484	58,484	58,484
Conference & Travel Expenses	5050009	0	300	300	300	300	300	300	300	300
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>		<b>226,765</b>	<b>262,865</b>	<b>261,764</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>
<b>Funding Sources</b>										
General Revenue	4000010	226,765	233,167		236,395	236,395	236,395	237,395	237,395	237,395
Cash Fund	4000045	0	29,698		28,003	28,003	28,003	27,003	27,003	27,003
<b>Total Funding</b>		<b>226,765</b>	<b>262,865</b>		<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
<b>Grand Total</b>		<b>226,765</b>	<b>262,865</b>		<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>	<b>264,398</b>

FY17 Budget amount in Regular Salaries and Personal Services Matching exceeds the authorized amount due to salary and matching rate adjustments during the 2015-2017 Biennium.

## **Analysis of Budget Request**

**Appropriation:** 54S - Martin Luther King - Treasury Cash

**Funding Sources:** NMK - Martin Luther King - Cash in Treasury

One of the responsibilities of the Commission is to receive donations and contributions in order to carry out its duties of promoting racial harmony, understanding, respect and goodwill, with these revenues deposited into a cash fund account pursuant to Arkansas Code Annotated §25-24-102. The Commission continues to apply for grants in support of community-based programs and services for the prevention of youth crime and violence.

The Agency is requesting Base Level appropriation of \$91,123 each year of the 2017-2019 Biennium.

The Executive Recommendation provides for the Agency Request. Expenditure of appropriation is contingent upon available funding.

## Appropriation Summary

**Appropriation:** 54S - Martin Luther King - Treasury Cash

**Funding Sources:** NMK - Martin Luther King - Cash in Treasury

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2015-2016 Actual	2016-2017 Budget	2016-2017 Authorized	2017-2018			2018-2019		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Extra Help	5010001	15,946	15,900	15,900	15,900	15,900	15,900	15,900	15,900	15,900
<b>#Extra Help</b>		<b>3</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
Personal Services Matching	5010003	1,593	1,294	1,226	1,299	1,299	1,299	1,299	1,299	1,299
Operating Expenses	5020002	56,517	67,924	67,924	67,924	67,924	67,924	67,924	67,924	67,924
Conference & Travel Expenses	5050009	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Professional Fees	5060010	0	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
<b>Total</b>		<b>74,056</b>	<b>91,118</b>	<b>91,050</b>	<b>91,123</b>	<b>91,123</b>	<b>91,123</b>	<b>91,123</b>	<b>91,123</b>	<b>91,123</b>
<b>Funding Sources</b>										
Fund Balance	4000005	33,452	525		525	525	525	520	520	520
Cash Fund	4000045	41,129	91,118		91,118	91,118	91,118	91,118	91,118	91,118
<b>Total Funding</b>		<b>74,581</b>	<b>91,643</b>		<b>91,643</b>	<b>91,643</b>	<b>91,643</b>	<b>91,638</b>	<b>91,638</b>	<b>91,638</b>
Excess Appropriation/(Funding)		(525)	(525)		(520)	(520)	(520)	(515)	(515)	(515)
<b>Grand Total</b>		<b>74,056</b>	<b>91,118</b>		<b>91,123</b>	<b>91,123</b>	<b>91,123</b>	<b>91,123</b>	<b>91,123</b>	<b>91,123</b>

FY17 Budget amount in Personal Services Matching exceeds the authorized amount due to matching rate adjustments during the 2015-2017 Biennium.