

By: Representative Rogers

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 1136
(As Passed the House)

1 AN ACT TO PROVIDE THAT EVERY MALE BETWEEN THE AGES OF
2 EIGHTEEN AND TWENTY-SIX WHO IS NOT REGISTERED UNDER THE FEDERAL
3 MILITARY SELECTIVE SERVICE ACT SHALL NOT BE EMPLOYED BY THE STATE
4 OF MISSISSIPPI UNLESS HE SUBMITS SATISFACTORY DOCUMENTATION OF HIS
5 REGISTRATION UNDER THE SELECTIVE SERVICE ACT; TO AMEND SECTION 25-
6 9-127, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MALES BETWEEN THE
7 AGES OF EIGHTEEN AND TWENTY-SIX WHO ARE EMPLOYED BY THE STATE
8 SHALL NOT BE PROMOTED TO HIGHER POSITIONS OF EMPLOYMENT WITH THE
9 STATE IF THEY ARE NOT REGISTERED UNDER THE MILITARY SELECTIVE
10 SERVICE ACT; AND FOR RELATED PURPOSES.

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

12 SECTION 1. (1) Every male between the ages of eighteen (18)
13 and twenty-six (26) who is required to register under the federal
14 Military Selective Service Act, 50, USCS App. 453, and is seeking
15 employment with the State of Mississippi shall submit to the
16 person, commission, board or agency to which his application is
17 submitted satisfactory documentation of his compliance with the
18 draft registration requirements of the Military Selective Service
19 Act. The documentation shall include a signed affirmation under
20 penalty of perjury that the male applicant has complied with the
21 requirements of the federal selective service act.

22 (2) Every male between the ages of eighteen (18) and
23 twenty-six (26) who is offered employment with the State of
24 Mississippi shall be prohibited from being employed by the state
25 until he submits the documentation required in subsection 1 of
26 this section.

27 SECTION 2. Section 25-9-127, Mississippi Code of 1972, is
28 amended as follows:

29 25-9-127. (1) No employee of any department, agency or
30 institution who is included under this chapter or hereafter

31 included under its authority, and who is subject to the rules and
32 regulations prescribed by the state personnel system may be
33 dismissed or otherwise adversely affected as to compensation or
34 employment status except for inefficiency or other good cause, and
35 after written notice and hearing within the department, agency or
36 institution as shall be specified in the rules and regulations of
37 the State Personnel Board complying with due process of law; and
38 any employee who has by written notice of dismissal or action
39 adversely affecting his compensation or employment status shall,
40 on hearing and on any appeal of any decision made in such action,
41 be required to furnish evidence that the reasons stated in the
42 notice of dismissal or action adversely affecting his compensation
43 or employment status are not true or are not sufficient grounds
44 for the action taken; provided, however, that this provision shall
45 not apply (a) to persons separated from any department, agency or
46 institution due to curtailment of funds or reduction in staff when
47 such separation is in accordance with rules and regulations of the
48 state personnel system; (b) during the probationary period of
49 state service of twelve (12) months; and (c) to an executive
50 officer of any state agency who serves at the will and pleasure of
51 the Governor, board, commission or other appointing authority.

52 (2) The operation of a state-owned motor vehicle without a
53 valid Mississippi driver's license by an employee of any
54 department, agency or institution that is included under this
55 chapter and that is subject to the rules and regulations of the
56 state personnel system shall constitute good cause for dismissal
57 of such person from employment.

58 (3) Beginning July 1, 1999, every male between the ages of
59 eighteen (18) and twenty-six (26) who is required to register
60 under the federal Military Selective Service Act, 50 USCS App.
61 453, and who is an employee of the state shall not be promoted to
62 any higher position of employment with the state until he submits
63 to the person, commission, board or agency by which he is employed
64 satisfactory documentation of his compliance with the draft
65 registration requirements of the Military Selective Service Act.
66 The documentation shall include a signed affirmation under penalty
67 of perjury that the male employee has complied with the

68 requirements of the federal selective service act.

69 SECTION 3. This act shall take effect and be in force from
70 and after July 1, 1999.