

By: Fleming, Flaggs, Gibbs, Huddleston,
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To: Judiciary B;
Appropriations

HOUSE BILL NO. 144

1 AN ACT TO CREATE THE STATE POLICE IN THE DEPARTMENT OF PUBLIC
2 SAFETY; TO PROVIDE FOR THE CHIEF OF THE STATE POLICE; TO PROVIDE
3 THE JURISDICTION AND AUTHORITY OF THE STATE POLICE; TO PROVIDE FOR
4 THE APPOINTMENT, TRAINING AND SALARY OF OFFICERS OF THE STATE
5 POLICE; TO AMEND SECTIONS 7-7-211, 27-3-13, 29-5-77, 41-29-107,
6 49-1-12, 49-1-16, 49-1-44, 65-1-131, 75-76-17 AND 77-1-21,
7 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS
8 ACT; TO REPEAL SECTIONS 49-1-9, 49-1-13 AND 49-1-15, MISSISSIPPI
9 CODE OF 1972, WHICH PROVIDE FOR CONSERVATION OFFICERS OF THE
10 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS; AND FOR RELATED
11 PURPOSES.

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

13 SECTION 1. (1) There is hereby created a law enforcement
14 unit of the Department of Public Safety to be known as the State
15 Police. The Commissioner of Public Safety shall appoint a Chief
16 of the State Police who shall be qualified and experienced in law
17 enforcement and who has served for not less than five (5) years as
18 a law enforcement officer in a supervisory position. The chief
19 shall be furnished a vehicle to perform his duties of overseeing
20 the State Police throughout the state. The chief shall enter into
21 bond in an amount determined by the commissioner. The primary
22 duty of the chief shall be directing the enforcement of the laws
23 of the state and the laws and regulations of the Mississippi
24 Department of Transportation, the Public Service Commission, the
25 State Tax Commission, the Department of Wildlife, Fisheries and

26 Parks, the Capitol Police, the Gaming Commission, the Department
27 of Audit and the Bureau of Narcotics. The salary of the chief
28 shall be fixed by the commissioner.

29 (2) The chief is hereby authorized and directed to appoint
30 as many officers as may be required to efficiently enforce the
31 laws under the jurisdiction of the State Police as provided in
32 subsection (1) of this section. These officers shall be located
33 in different sections of the state where there services are most
34 needed. The salary of the officers of the State Police shall be
35 as determined by the State Personnel Board, or its successor.

36 (3) The chief and the officers of the State Police shall be
37 designated law enforcement officers, as defined in Section 45-6-3,
38 and shall be subject to all training and certification
39 requirements of the Board on Law Enforcement Officer Standards and
40 Training.

41 (4) Any officer of an existing law enforcement agency who
42 was exempt from training and certification requirements by such
43 agency shall be exempt from such requirements under this act.

44 SECTION 2. Section 7-7-211, Mississippi Code of 1972, is
45 amended as follows:

46 7-7-211. The department shall have the power and it shall be
47 its duty:

48 (a) To identify and define for all public offices of
49 the state and its subdivisions generally accepted accounting
50 principles as promulgated by nationally recognized professional
51 organizations and to consult with the State Fiscal Officer in the
52 prescription and implementation of accounting rules and
53 regulations;

54 (b) To prescribe, for all public offices of regional
55 and local subdivisions of the state, systems of accounting,
56 budgeting and reporting financial facts relating to said offices

57 in conformity with legal requirements and with generally accepted
58 accounting principles as promulgated by nationally recognized
59 professional organizations; to assist such subdivisions in need of
60 assistance in the installation of such systems; to revise such
61 systems when deemed necessary, and to report to the Legislature at
62 periodic times the extent to which each office is maintaining such
63 systems, along with such recommendations to the Legislature for
64 improvement as seem desirable;

65 (c) To study and analyze existing managerial policies,
66 methods, procedures, duties and services of the various state
67 departments and institutions upon written request of the Governor,
68 the Legislature or any committee or other body empowered by the
69 Legislature to make such request to determine whether and where
70 operations can be eliminated, combined, simplified and improved;

71 (d) To postaudit each year and, when deemed necessary,
72 preaudit and investigate the financial affairs of the departments,
73 institutions, boards, commissions or other agencies of state
74 government, as part of the publication of a comprehensive annual
75 financial report for the State of Mississippi. In complying with
76 the requirements of this subsection, the department shall have the
77 authority to conduct all necessary audit procedures on an interim
78 and year-end basis;

79 (e) To postaudit and, when deemed necessary, preaudit
80 and investigate separately the financial affairs of (i) the
81 offices, boards and commissions of county governments and any
82 departments and institutions thereof and therein; (ii) public
83 school districts, departments of education and junior college
84 districts; and (iii) any other local offices or agencies which

85 share revenues derived from taxes or fees imposed by the state
86 Legislature or receive grants from revenues collected by
87 governmental divisions of the state; the cost of such audits,
88 investigations or other services to be paid as follows: Such part
89 shall be paid by the state from appropriations made by the
90 Legislature for the operation of the State Department of Audit as
91 may exceed the sum of One Hundred Dollars (\$100.00) per day for
92 the services of each staff person engaged in performing the audit
93 or other service, which sum shall be paid by the county, district,
94 department, institution or other agency audited out of its general
95 fund or any other available funds from which such payment is not
96 prohibited by law;

97 (f) To postaudit and, when deemed necessary, preaudit
98 and investigate the financial affairs of the levee boards;
99 agencies created by the Legislature or by executive order of the
100 Governor; profit or nonprofit business entities administering
101 programs financed by funds flowing through the State Treasury or
102 through any of the agencies of the state, or its subdivisions; and
103 all other public bodies supported by funds derived in part or
104 wholly from public funds, except municipalities which annually
105 submit an audit prepared by a qualified certified public
106 accountant using methods and procedures prescribed by the
107 department;

108 (g) To make written demand, when necessary, for the
109 recovery of any amounts representing public funds improperly
110 withheld, misappropriated and/or otherwise illegally expended by
111 an officer, employee or administrative body of any state, county
112 or other public office, and/or for the recovery of the value of

113 any public property disposed of in an unlawful manner by a public
114 officer, employee or administrative body, such demands to be made
115 (i) upon the person or persons liable for such amounts and upon
116 the surety on official bond thereof, and/or (ii) upon any
117 individual, partnership, corporation or association to whom the
118 illegal expenditure was made or with whom the unlawful disposition
119 of public property was made, if such individual, partnership,
120 corporation or association knew or had reason to know through the
121 exercising of reasonable diligence that the expenditure was
122 illegal or the disposition unlawful. Such demand shall be
123 premised on competent evidence, which shall include at least one
124 (1) of the following: (i) sworn statements, (ii) written
125 documentation, (iii) physical evidence, or (iv) reports and
126 findings of government or other law enforcement agencies. Other
127 provisions notwithstanding, a demand letter issued pursuant to
128 this subsection shall remain confidential by the State Auditor
129 until the individual against whom the demand letter is being filed
130 has been served with a copy of such demand letter. If, however,
131 such individual cannot be notified within fifteen (15) days using
132 reasonable means and due diligence, such notification shall be
133 made to the individual's bonding company, if he or she is bonded.
134 Each such demand shall be paid into the proper treasury of the
135 state, county or other public body through the office of the
136 department in the amount demanded within thirty (30) days from the
137 date thereof, together with interest thereon in the sum of one
138 percent (1%) per month from the date such amount or amounts were
139 improperly withheld, misappropriated and/or otherwise illegally
140 expended. In the event, however, such person or persons shall

141 refuse, neglect or otherwise fail to pay the amount demanded and
142 the interest due thereon within the allotted thirty (30) days, the
143 State Auditor shall have the authority and it shall be his duty to
144 institute suit, and the Attorney General shall prosecute the same
145 in any court of the state to the end that there shall be recovered
146 the total of such amounts from the person or persons and surety on
147 official bond named therein; and the amounts so recovered shall be
148 paid into the proper treasury of the state, county or other public
149 body through the State Auditor;

150 (h) To investigate any alleged or suspected violation
151 of the laws of the state by any officer or employee of the state,
152 county or other public office in the purchase, sale or the use of
153 any supplies, services, equipment or other property belonging
154 thereto; and in such investigation to do any and all things
155 necessary to procure evidence sufficient either to prove or
156 disprove the existence of such alleged or suspected violations.
157 The State Police may investigate, for the purpose of prosecution,
158 any suspected criminal violation of the provisions of this
159 chapter. For the purpose of administration and enforcement of
160 this chapter, the enforcement employees of the Department of
161 Investigation of the State Department of Audit shall be employees
162 of the State Police from and after July 1, 2000, and shall have
163 the powers of a peace officer of this state only over those
164 persons under indictment or at the direction of another duly
165 authorized law enforcement agency having jurisdiction over the
166 case. All enforcement employees of the Department of
167 Investigation of the State Department of Audit hired on or after
168 July 1, 1993, shall be required to complete the Law Enforcement

169 Officers Training Program and shall meet the standards of the
170 program;

171 (i) To issue subpoenas, with the approval of, and
172 returnable to, a judge of a chancery or circuit court, in termtime
173 or in vacation, to examine the records, documents or other
174 evidence of persons, firms, corporations or any other entities
175 insofar as such records, documents or other evidence relate to
176 dealings with any state, county or other public entity. The
177 circuit or chancery judge must serve the county in which the
178 records, documents or other evidence is located; or where all or
179 part of the transaction or transactions occurred which are the
180 subject of the subpoena;

181 (j) In any instances in which the State Auditor is or
182 shall be authorized or required to examine or audit, whether
183 preaudit or postaudit, any books, ledgers, accounts or other
184 records of the affairs of any public hospital owned or owned and
185 operated by one or more political subdivisions or parts thereof or
186 any combination thereof, or any school district, including
187 activity funds thereof, it shall be sufficient compliance
188 therewith, in the discretion of the State Auditor, that such
189 examination or audit be made from the report of any audit or other
190 examination certified by a certified public accountant and
191 prepared by or under the supervision of such certified public
192 accountant. Such audits shall be made in accordance with
193 generally accepted standards of auditing, with the use of an audit
194 program prepared by the State Auditor, and final reports of such
195 audits shall conform to the format prescribed by the State
196 Auditor. All files, working papers, notes, correspondence and all

197 other data compiled during the course of the audit shall be
198 available, without cost, to the State Auditor for examination and
199 abstracting during the normal business hours of any business day.
200 The expense of such certified reports shall be borne by the
201 respective hospital, or any available school district funds other
202 than minimum program funds, subject to examination or audit. The
203 State Auditor shall not be bound by such certified reports and
204 may, in his or their discretion, conduct such examination or audit
205 from the books, ledgers, accounts or other records involved as may
206 be appropriate and authorized by law;

207 (k) The State Auditor shall have the authority to
208 contract with qualified public accounting firms to perform
209 selected audits required in subsections (d), (e) and (f) of this
210 section, if funds are made available for such contracts by the
211 Legislature, or if funds are available from the governmental
212 entity covered by subsections (d), (e) and (f). Such audits shall
213 be made in accordance with generally accepted standards of
214 auditing, with the use of an audit program prepared by the State
215 Auditor, and final reports of such audits shall conform to the
216 format prescribed by the State Auditor. All files, working
217 papers, notes, correspondence and all other data compiled during
218 the course of the audit shall be available, without cost, to the
219 State Auditor for examination and abstracting during the normal
220 business hours of any business day;

221 (l) The State Auditor shall have the authority to
222 establish training courses and programs for the personnel of the
223 various state and local governmental entities under the
224 jurisdiction of the office of the State Auditor. The training

225 courses and programs shall include, but not be limited to, topics
226 on internal control of funds, property and equipment control and
227 inventory, governmental accounting and financial reporting, and
228 internal auditing. The State Auditor is authorized to charge a
229 fee from the participants of these courses and programs, which fee
230 shall be deposited into the Department of Audit Special Fund.
231 State and local governmental entities are authorized to pay such
232 fee and any travel expenses out of their general funds or any
233 other available funds from which such payment is not prohibited by
234 law;

235 (m) Upon written request by the Governor or any member
236 of the state Legislature, the State Auditor may audit any state
237 funds and/or state and federal funds received by any nonprofit
238 corporation incorporated under the laws of this state;

239 (n) To conduct performance audits of personal or
240 professional service contracts by state agencies on a random
241 sampling basis, or upon request of the State Personal Service
242 Contract Review Board under Section 25-9-120(3).

243 SECTION 3. Section 27-3-13, Mississippi Code of 1972, is
244 amended as follows:

245 27-3-13. The chairman of the commission is hereby empowered
246 to employ a secretary to the commission, and such accountants,
247 appraisers, inspectors, timber estimators, engineers, valuation
248 experts, clerical help, stenographers, and such other assistants
249 and/or attorneys as he may deem necessary to the proper discharge
250 of the duties of the State Tax Commission, to prescribe their
251 duties and to fix the compensation of each employee. Such
252 employees may be used interchangeably in the administration of the

253 various duties imposed by law upon the commission in its several
254 departments. The State Police shall enforce any laws administered
255 by the commission. Temporary employees of the classes enumerated
256 above may be employed as hereinabove, when in the opinion of the
257 chairman a seasonal press of business requires, except that such
258 temporary employees shall be retained no longer than is necessary
259 to the discharge of the duties imposed by law upon the commission.

260 SECTION 4. Section 29-5-77, Mississippi Code of 1972, is
261 amended as follows:

262 29-5-77. The State Police shall have jurisdiction relative
263 to the enforcement of all laws of the State of Mississippi on the
264 properties set forth in Section 29-5-2 and the Court of Appeals
265 Building. The State Police is authorized and directed through any
266 person or persons appointed by the Office of General Services or
267 through the Department of Public Safety when requested by the
268 Office of General Services, to make arrests for any violation of
269 any law of the State of Mississippi on such grounds of or within
270 such properties. The State Police is hereby empowered and
271 directed to enforce the provisions of Sections 29-5-57 through
272 29-5-67, 29-5-71 through 29-5-77, and 29-5-81 through 29-5-95, and
273 to prescribe such rules and regulations as are necessary therefor.

274 * * *

275 SECTION 5. Section 41-29-107, Mississippi Code of 1972, is
276 amended as follows:

277 41-29-107. The State Police shall enforce the provisions of
278 this chapter. The State Police shall have as chief administrative
279 officer to supervise the enforcement of this chapter a director
280 who shall be appointed by the Chief of the State Police. The

281 director is empowered to employ or appoint necessary agents. The
282 said director may also employ such secretarial, clerical and
283 administrative personnel, including a duly licensed attorney, as
284 necessary for the operation of the bureau, and shall have such
285 quarters, equipment and facilities as needed. The salary and
286 qualifications of the attorney authorized by this section shall be
287 fixed by the director, but the salary shall not exceed the salary
288 authorized for an assistant Attorney General who performs similar
289 duties.

290 The director and agents so appointed shall be citizens of the
291 United States and of the State of Mississippi, and of good moral
292 character. The agents shall be not less than twenty-one (21) nor
293 shall have attained the age of thirty-six (36) years of age at the
294 time of such appointment. In addition thereto, those appointed
295 shall have satisfactorily completed at least two (2) years of
296 college studies. However, two (2) years of satisfactory service
297 as a law enforcement officer and the completion of the prescribed
298 course of study at a school operated by the Bureau of Narcotics
299 and Dangerous Drugs, United States Justice Department, shall
300 satisfy one (1) year of such college studies, and four (4) years
301 of satisfactory service as a law enforcement officer and the
302 completion of the prescribed course of study at such federal
303 bureau school as stated heretofore shall fully satisfy the two (2)
304 years of college requirement. The director shall also be required
305 to complete a prescribed course of study at a school operated by
306 the Bureau of Narcotics and Dangerous Drugs, United States Justice
307 Department.

308 During the period of the first twelve (12) months after

309 appointment, any employee of the State Police enforcing this
310 chapter shall be subject to dismissal at the will of the director.

311 After twelve (12) months' service, no such employee * * * shall
312 be subject to dismissal unless charges have been filed with the
313 director, showing cause for dismissal of such employee of the
314 State Police. A date shall be set for hearing before the director
315 and the employee notified in writing of the date of such hearing
316 and of the charges filed. Said hearing shall be held not less than
317 ten (10) days after notification to the employee. After said
318 hearing, at which the employee shall be entitled to legal counsel,
319 a written order of the director shall be necessary for dismissal
320 and the decision shall be final. Any such order of the director
321 shall be a public record and subject to inspection as such.

322 The Commissioner of Public Safety may assign members of the
323 Mississippi Highway Safety Patrol, regardless of age, to assist in
324 the enforcement of this chapter at the request of the
325 director * * *; however, when any highway patrolman or other
326 employee, agent or official of the Mississippi Department of
327 Public Safety is assigned to duty for, or is employed for the
328 enforcement of this chapter, he shall not be subject to assignment
329 or transfer to any other bureau or department within the
330 Mississippi Department of Public Safety except by the director.
331 Any highway patrolman assigned to duty regarding enforcement of
332 this chapter shall retain his status as a highway patrolman, but
333 shall be under the supervision of the director. For purposes of
334 seniority within the highway safety patrol and for purposes of
335 retirement under the Mississippi Highway Safety Patrol Retirement
336 System, highway patrolmen assigned to enforcement this chapter

337 will be credited as if performing duty with the highway safety
338 patrol.

339 The director may enter into contracts or agreements with the
340 State Board of Health for purposes of recruitment and screening of
341 applicants through the merit system.

342 The director may enter into agreements with bureaus or
343 departments of other states or of the United States for the
344 exchange or temporary assignment of agents for special undercover
345 assignments and for performance of specific duties.

346 The director is hereby authorized to assign agents charged with
347 enforcing this chapter to such duty and to request and accept
348 agents from such other bureaus or departments for such duty.

349 SECTION 6. Section 49-1-12, Mississippi Code of 1972, is
350 amended as follows:

351 49-1-12. (1) The term "conservation officer" means a law
352 enforcement officer of the State Police.

353 (2) Wherever the terms "warden," "game warden," or "game and
354 fish warden" appear, the same shall mean an officer of the State
355 Police.

356 SECTION 7. Section 49-1-16, Mississippi Code of 1972, is
357 amended as follows:

358 49-1-16. (a) There is hereby created a Conservation
359 Officers' Reserve Unit, hereinafter termed "the reserve," to
360 assist the conservation officers in the performance of their
361 duties. The reserve shall consist of volunteers who are approved
362 by the Chief of the State Police or his designated representative,
363 and the members of the reserve shall serve without pay. Reserve
364 officers shall be in such numbers as determined by the enforcement

365 needs, with the maximum strength of reserve officers limited to
366 the same number as conservation officers.

367 (b) In order to be eligible for membership in the reserve,
368 an applicant must be twenty-one (21) years of age, be a high
369 school graduate or its equivalent, be in good physical condition,
370 have a Mississippi driver's license, be in good standing with the
371 community, be available for training and duty, not be a member of
372 any police, auxiliary police, civil defense, or private security
373 agency, have never been convicted of a felony, and have one (1) of
374 the following:

375 (i) An honorable discharge or honorable separation
376 certificate from one (1) of the United States military services;

377 (ii) Three (3) years of responsible post-high school
378 work experience that required the ability to deal effectively with
379 individuals and groups of persons;

380 (iii) Successful completion of sixty (60) semester
381 hours at an accredited college or university; or

382 (iv) Such qualifications as are outlined in this
383 section for enforcement officers.

384 Members of the immediate family of conservation officers
385 shall not be eligible for the reserve unless a special waiver is
386 granted by the commission.

387 Upon acceptance into the reserve, members shall receive a
388 temporary appointment for one (1) year. During this year of
389 temporary status, members must successfully complete the required
390 training and must qualify on the same firearms course as
391 conservation officers.

392 (c) The reserve shall be under the leadership and direction

393 of the Chief of the State Police, who may designate an officer to
394 coordinate the actions of the reserve. The training of the
395 reserve shall be conducted by a State Police officer. The reserve
396 shall meet at least once each month for the purpose of training
397 and transacting such business as may come before it. The
398 chief * * * shall be notified in writing of all meetings of the
399 reserve and the time and place of such meetings shall be recorded
400 with the chief * * *. The chief * * * shall prepare a reserve
401 officer's manual with the advice and consent of the commission.
402 The manual shall include, but is not limited to, the following:
403 activities and operations, training, administration and duties.
404 During active service, the reserve shall be under the direction of
405 the chief * * * or his designated representative. When a reserve
406 officer is on active duty and assigned to a specific conservation
407 officer, he shall be under the direct supervision of that officer.
408 Reserve officers serve at the discretion of the chief * * * and
409 may be dismissed by him * * *. Reserve officers shall furnish
410 their own uniforms and other personal equipment if the State
411 Police does not provide such items.

412 (d) The chief may, by regulation, require members of the
413 Conservation Officers' Reserve Unit to attend officer reserve
414 training programs conducted by county or municipal agencies or at
415 the Mississippi Law Enforcement Officers Training Academy at the
416 expense of the State Police if the chief deems such training
417 necessary or desirable.

418 (e) The State Police may issue uniforms to such reserve
419 officers and may authorize the issuance of any state equipment
420 necessary for the reserve officers to adequately assist law

421 enforcement officers. The chief is authorized to develop a
422 reserve officer identification system to accomplish the issuance
423 of such items in accordance with the State Auditor guidelines.

424 (f) In the event the chief shall determine that a member of
425 the Conservation Officers' Reserve Unit may attend a training
426 program as authorized under the provisions of this section, the
427 chief shall require that any such reserve officer shall sign an
428 agreement, prior to attending a training program, which shall
429 stipulate that if the reserve officer accepts employment from any
430 other public or private law enforcement agency within three (3)
431 years after completion of his training program, the reserve
432 officer or the respective hiring law enforcement agency shall
433 reimburse the State Police for the total cost of his training
434 program. By October 1 of each year, the chief shall provide the
435 Game and Fish Committee of the Mississippi House of
436 Representatives and the Wildlife and Marine Resources Committee of
437 the Mississippi Senate a listing which contains each name and the
438 respective cost of training each reserve officer received during
439 the previous year.

440 SECTION 8. Section 49-1-44, Mississippi Code of 1972, is
441 amended as follows:

442 49-1-44. In addition to the regulations of the commission
443 and the statutes relating to protection and preservation of
444 wildlife and the environment, conservation officers of the State
445 Police are hereby authorized to assist in the detection and
446 apprehension of violators of the laws of this state which pertain
447 to theft of cattle, to enforce and apprehend violators of the laws
448 of this state which pertain to unauthorized dumping of garbage,

449 obstructing streams and littering, as set forth specifically in
450 Sections 97-15-13, 97-15-21, 97-15-23, 97-15-25, 97-15-27,
451 97-15-29, 97-15-31, 97-15-39, 97-15-41, 97-15-43, 97-15-45,
452 97-17-53, 97-17-79, 97-17-81 and 97-17-83, but not limited
453 thereto, and in addition to any other powers and duties otherwise
454 delegated or assigned to conservation officers of the State
455 Police.

456 SECTION 9. Section 65-1-131, Mississippi Code of 1972, is
457 amended as follows:

458 65-1-131. (1) The Chief of the State Police may appoint and
459 commission qualified persons as security officers of the
460 Mississippi Department of Transportation. Any such security
461 officer so appointed shall be a full-time employee of the State
462 Police and shall not be employed by any privately owned guard or
463 security service, and shall at all times be answerable and
464 responsible to the Chief of the State Police.

465 (2) A security officer appointed and commissioned as
466 provided in subsection (1) of this section shall, before entering
467 upon his duties as such officer, take the oath of office
468 prescribed by Section 268, Mississippi Constitution of 1890, which
469 shall be endorsed upon his commission. The commission, with the
470 oath endorsed upon it, shall be entered in the official minute
471 book of the Transportation Commission.

472 (3) A security officer appointed and commissioned pursuant
473 to the provisions of subsection (1) of this section, shall, while
474 engaged in the performance of his duties, carry on his person a
475 badge identifying him as a security officer of the Mississippi
476 Department of Transportation and an identification card issued by

477 the Transportation Commission. When in uniform, each such
478 security officer shall wear his badge in plain view.

479 (4) A security officer appointed and commissioned under
480 subsection (1) of this section may exercise the same powers of
481 arrest and the right to bear firearms that may be exercised by any
482 state, municipal or other police officer in this state, * * * with
483 emphasis to violations of law which are committed on or within
484 buildings, property or facilities owned by or under the
485 jurisdiction of the Transportation Commission or the
486 Transportation Department. Any right granted under this
487 subsection in no way relieves the requirements of appropriate
488 affidavit and warrant for arrest from the appropriate jurisdiction
489 and authority pursuant to the laws of this state.

490 (5) On behalf of each person who is employed as a security
491 officer under subsection (1) of this section and who is trained as
492 a security officer at the Mississippi Law Enforcement Officers'
493 Training Academy, the State Police shall be required to pay to the
494 academy at least an amount equal to the per student cost of
495 operation of said academy as tuition.

496 SECTION 10. Section 75-76-17, Mississippi Code of 1972, is
497 amended as follows:

498 75-76-17. (1) From and after July 1, 2000, there are hereby
499 created, for supervision by the Chief of the State Police, two (2)
500 divisions which are entitled the Enforcement Division and the
501 Investigation Division of the State Police which shall be
502 responsible for enforcing the provisions of this chapter excluding
503 an audit division.

504 (2) The Chief of the State Police shall employ division

505 directors that possess training and experience in the fields of
506 investigation, law enforcement, law or gaming.

507 SECTION 11. Section 77-1-21, Mississippi Code of 1972, is
508 amended as follows:

509 77-1-21. For the purpose of enforcing the provisions of the
510 Mississippi Motor Carrier Regulatory Law of 1938, the Chief of the
511 State Police is hereby authorized to employ, in addition to
512 personnel already employed by the commission, one (1) chief
513 enforcement officer and twenty-one (21) inspectors, the salaries
514 of whom shall be fixed by the Chief of the State Police. The
515 chief enforcement officer and the inspectors shall devote their
516 full time to the performance of their duties and shall take an
517 oath faithfully to perform the duties of their position. The
518 chief shall require bonds to be carried on such employees as the
519 chief may deem necessary, the cost thereof to be paid by the State
520 Police. The chief enforcement officer and inspectors shall be
521 qualified by experience and training in law enforcement or
522 investigative work, and shall attend and satisfactorily complete
523 an appropriate course of instruction established by the
524 Commissioner of Public Safety at the law enforcement officers
525 training academy. The chief enforcement officer and the
526 inspectors herein referred to shall be selected after an
527 examination as to physical and mental fitness. Such employees
528 shall be citizens of the United States and the State of
529 Mississippi, and of good moral character. All such members of
530 staff shall be appointed by the chief and shall be subject to
531 removal at any time by the chief.

532 SECTION 12. Sections 49-1-9, 49-1-13 and 49-1-15,

533 Mississippi Code of 1972, which provide for conservation officers
534 of the Department of Wildlife, Fisheries and Parks, is repealed.

535 SECTION 13. This act shall take effect and be in force from
536 and after July 1, 2000.