MISSISSIPPI LEGISLATURE
REGULAR SESSION 2002

By: Representative Holland
To: Agriculture

HOUSE BILL NO. 866
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 69-21-101, MISSISSIPPI CODE OF 1972,
2 TO CREATE THE AGRICULTURAL AVIATION LICENSING LAW OF 2002; TO
3 AMEND SECTION 69-21-103, MISSISSIPPI CODE OF 1972, TO STATE THE
4 PURPOSE OF THE STATE COMMERCIAL AERIAL APPLICATION CONTROL
5 PROGRAM; TO AMEND SECTION 69-21-105, MISSISSIPPI CODE OF 1972, TO
6 REVISE DEFINITIONS; TO AMEND SECTION 69-21-107, MISSISSIPPI CODE
7 OF 1972, TO REVISE THE MEMBERSHIP OF THE STATE BOARD OF
8 AGRICULTURAL AVIATION; TO AMEND SECTION 69-21-109, MISSISSIPPI
9 CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE BOARD; TO
10 AMEND SECTION 69-21-113, MISSISSIPPI CODE OF 1972, TO REVISE
11 REGULATIONS FOR AERIAL APPLICATOR LICENSES; TO AMEND SECTION
12 69-21-117, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN
13 NONRESIDENTS WHO PERFORM AGRICULTURAL AIRCRAFT OPERATIONS IN THE
14 STATE TO OBTAIN AN APPLICATOR'S OR PILOT'S LICENSE; TO AMEND
15 SECTION 69-21-119, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD
16 TO FURNISH A COPY OF ITS FINANCIAL STATEMENT AND A COPY OF ANY
17 PROPOSED LICENSE FEE ADJUSTMENTS TO THE STATE AUDITOR NO LATER
18 THAN SIXTY DAYS AFTER THE END OF EACH FISCAL YEAR; TO AMEND
19 SECTION 69-21-121, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR
20 DISCIPLINARY ACTION AGAINST PERSONS WHO VIOLATE THIS ARTICLE; TO
21 AMEND SECTION 69-21-125, MISSISSIPPI CODE OF 1972, TO PROVIDE
22 CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS; TO AMEND SECTION
23 69-21-127, MISSISSIPPI CODE OF 1972, TO REVISE THE REPEALER; TO
24 CREATE NEW CODE SECTION 69-21-129, MISSISSIPPI CODE OF 1972, TO
25 PROVIDE FOR BOARD HEARINGS FOR ALLEGED VIOLATORS; TO CREATE NEW
26 CODE SECTION 69-21-131, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE
27 JURISDICTION OF THE BOARD; TO CREATE NEW CODE SECTION 69-21-133,
28 MISSISSIPPI CODE OF 1972, TO PROVIDE FOR JUDICIAL REVIEW FOR ANY
29 INDIVIDUAL AGGRAVATED BY A FINAL DECISION OF THE BOARD; TO CREATE
30 NEW CODE SECTION 69-21-135, MISSISSIPPI CODE OF 1972, TO PROVIDE
31 CIVIL PENALTIES FOR VIOLATIONS OF THE RULES AND REGULATIONS OF THE
32 BOARD; TO CREATE NEW CODE SECTION 69-21-137, MISSISSIPPI CODE OF
33 1972, TO PROVIDE FOR THE PAYMENT OF PENALTIES, ATTORNEY'S FEES AND
34 COURT COSTS; TO CREATE NEW CODE SECTION 69-21-139, MISSISSIPPI
35 CODE OF 1972, TO REQUIRE THE BOARD TO COMPLY WITH THE OPEN
36 MEETINGS ACT, THE PUBLIC RECORDS ACT AND THE ADMINISTRATIVE
37 PROCEDURES LAW; TO CREATE NEW CODE SECTION 69-21-141, MISSISSIPPI
38 CODE OF 1972, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL BE
39 COUNSEL AND ATTORNEY FOR THE BOARD; TO REPEAL SECTIONS 69-21-151
40 THROUGH 69-21-165, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR
41 ADMINISTRATIVE HEARING PROCEDURES TO ENFORCE RULES AND REGULATIONS
42 OF THE BOARD OF AGRICULTURAL AVIATION; AND FOR RELATED PURPOSES.
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44 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:
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46 SECTION 1. Section 69-21-101, Mississippi Code of 1972, is
47 amended as follows:
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49 69-21-101. This article shall be known and cited as the
50 "Agricultural Aviation Licensing Law of 2002."
SECTION 2. Section 69-21-103, Mississippi Code of 1972, is amended as follows:

69-21-103. The purpose of this article is to supervise and regulate for the public good all commercial agricultural aerial application within the State of Mississippi and to establish and promote a close working relationship between agricultural aerial applicators and the Mississippi Department of Agriculture and Commerce, the licensing of all persons engaged in the aerial application of pesticides, poisons, seeds and chemicals, and the registration of all such commercial agricultural aircraft and pilots. It is the intent of the Legislature that the program established under this article provide a program of commercial aerial application control within the State of Mississippi sufficient to allow the state to retain delegation from the United States Environmental Protection Agency of the commercial aerial application regulation program created under the Federal Insecticide, Fungicide and Rodenticide Act, 7 USCS 136-136y. This article also establishes an administrative hearing procedure for the board's use in enforcing the rules and regulations of the board.

SECTION 3. Section 69-21-105, Mississippi Code of 1972, is amended as follows:

69-21-105. As used in this article, the following terms shall have the meanings hereinafter ascribed to them:

(a) "Board" shall mean the State Board of Agricultural Aviation * * *.

(b) "Person" shall mean any individual, corporation, firm, partnership, company, trust, association or other legal entity.

(c) "Aerial application" means the practice of engaging in agricultural aircraft operations for remuneration.

(d) "Agricultural aircraft operation" means:
(i) Dispensing any pesticide, seed or fertilizer by aircraft;

(ii) Dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control by aircraft; or

(iii) Engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation by aircraft.

(e) "Aircraft" means any contrivance now known or hereafter invented that is used or designed for navigation of or flight in the air over land and water, and that is designed for or adaptable for use in agricultural aircraft operation.

(f) "Applicator" means any person, as herein defined, who is licensed under this article to engage in agricultural aircraft operations.

(g) "Pesticide" means any substance or mixture of substances, except as set forth in Section 69-21-111, intended for defoliating or desiccating plants, or for preventing, destroying, repelling or mitigating any insects, fungi, bacteria, weeds, or other forms of plant or animal life which the board shall declare to be a pest.

(h) "Pilot" means the operator of an aircraft used in agricultural aircraft operation; provided, however, a pilot may also be a person who is licensed as an applicator under the provisions of this article.

(i) "Insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the Class Insecta, comprising six-legged, usually winged forms, as for example, beetles, bugs and flies; and to other classes of arthropods whose members are wingless and usually have more than six (6) legs, as for example, spiders, mites, ticks, centipedes and wood lice.
(j) "Defoliant" means any substance or mixture of substances intended for causing the leaves or foliage to drop from a plant, with or without causing abscission.

(k) "Desiccant" means any substances or mixtures of substances intended for artificially accelerating the drying of plant tissues.

SECTION 4. Section 69-21-107, Mississippi Code of 1972, is amended as follows:

69-21-107. There is hereby created a State Board of Agricultural Aviation composed of five (5) members as follows:

two (2) licensed applicators to be appointed by the Governor with the advice and consent of the Senate from a list of four (4) applicators submitted to the Governor by the *** Mississippi Agricultural Aviation Association, the Executive Director of the Department of Environmental Quality, or his designee, a registered forester and a licensed engineer with agricultural emphasis to be appointed by the Governor with the advice and consent of the Senate. The term of office of one (1) board member shall be one (1) year; the term of office of the second board member shall be two (2) years; the term of office of the third board member shall be three (3) years; *** the term of office of the fourth board member shall be four (4) years as specified by the Governor in his initial appointments to the board. After the initial appointment, succeeding board members shall serve a staggered four-year term of office. The Executive Director of the Department of Environmental Quality, or his designee, shall continue to serve each term by virtue of his office. Each board member shall serve until his successor is appointed. ***

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Vacancies on the *** board shall be filled as herein stated by appointment of the Governor.

A quorum necessary to conduct business shall be a majority of the five (5) board members. Any member who shall not attend three
(3) consecutive meetings of the board shall be subject to removal by the Governor. The chairman of the board shall notify the Governor in writing when any such member has failed to attend three (3) consecutive regular meetings.

Each member of the Agricultural Aviation Board shall receive a per diem as is authorized by law and actual expenses as provided by law incidental to attending meetings of the board, and other authorized business as provided by board authorization as spread on the board minutes.

SECTION 5. Section 69-21-109, Mississippi Code of 1972, is amended as follows:

69-21-109. (1) The board may adopt such rules and regulations as may be necessary to regulate the application of chemicals and pesticides according to the time of year, manner, form and area of application, wind velocity and other pertinent factors and may restrict the use of certain chemicals and pesticides which create an unusual hazard to the health, safety and welfare of the public. The board shall set professional standards for applicators and pilots in the interest of the safety, welfare and general well-being of the public of Mississippi and for the protection of the state's fish and wildlife, air, water and soil.

(2) The board shall have authority to procure samples of pesticide, seed or fertilizer or of pesticide or fertilizer spray and dust materials before and after they are mixed in order to determine the concentration of the mixtures.

(3) The board shall have authority to maintain an office and employ necessary personnel within its budget to carry out the purposes of this article.

(4) It shall be the duty of the board, and the board shall have the authority, to enforce this article and all rules and regulations made and adopted in compliance with this article. The
board shall not have jurisdiction to determine liability between
private parties.

(5) The board or its representatives shall have access to
any premises where there is reason to believe that a chemical or
pesticide is being or has been applied by an applicator, or where
any applicator is based, or preparing to apply any of the
materials herein stated, for the purpose of enforcement of this
article. The board shall have authority to inspect equipment used
for application of chemicals and pesticides as stated in this
article.

(6) The board shall maintain a close liaison and
spirit of cooperation with the Mississippi Department of
Agriculture and Commerce, in the supervision of aerially applied
chemicals which are under their jurisdiction as provided by
Sections 69-21-7 through 69-21-15. The board and the Mississippi
Department of Agriculture and Commerce shall enter a memorandum of
agreement stating their plans to cooperate toward these purposes.
In adopting regulations regarding agricultural aircraft operation,
in providing training and requiring testing and certification of
applicators and in enforcing this article, the board shall strive
to regulate and train applicators in a manner that is not
inconsistent with the training and regulation of ground-based
pesticide applicators provided by the Department of Agriculture
and Commerce.

(7) The board may cooperate with or enter into formal
cooperative agreements with any public or private agency or
educational institution of this state or any other state or
federal agency for the purpose of carrying out the provisions of
this article.

SECTION 6. Section 69-21-113, Mississippi Code of 1972, is
amended as follows:

69-21-113. (1) It shall be unlawful and a misdemeanor for
any person to act, operate or do business as an applicator or
pilot, or to engage in agricultural aircraft operations, unless such person has an applicator's or pilot's license issued by the board. Such license shall be issued only upon application therefor to the board on a form prescribed by the board. The application shall contain information regarding the applicant's qualifications and proposed operations, and such other information as may be specified by the board.

(2) Applicator's and pilot's licenses are not transferable. Licenses shall be effective for a period of one (1) year. Any licensee wishing to have a license renewed must submit an application for renewal with the board no later than ninety (90) days before the expiration of the license. If the applicant submits a timely and complete application for renewal, and the board, through no fault of the applicant, fails to reissue the license on or before the expiration date of the existing license, the existing license shall remain in effect until final action on the renewal application is taken by the board. Licenses are subject to modification, revocation or reissuance for cause at any time during the effective dates of the license.

(3) Any person seeking to obtain a license as an applicator in this state shall submit proof of payment of all ad valorem and other taxes which might be applicable on aircraft and other equipment.

(4) All persons licensed under the provisions of this article shall be known as registered applicators or pilots, and shall be issued a certificate by the board as proof thereof.

SECTION 7. Section 69-21-117, Mississippi Code of 1972, is amended as follows:

69-21-117. Any person who is a nonresident of this state and who intends to perform agricultural aircraft operations in the state or as a function of flights originating from a departure point within the state shall obtain an applicator's or pilot's license under this article. Nonresident licensees shall designate
and maintain a resident agent in this state for service of process, and shall establish and maintain proof of financial responsibility and provide proof of payment of all state taxes as provided in this article and as applied to a resident aerial applicator. Nothing in this article shall be construed to prevent the board from issuing reciprocal licenses from other states that recognize and accept registered aerial applicators of the State of Mississippi.

SECTION 8. Section 69-21-119, Mississippi Code of 1972, is amended as follows:

69-21-119. (1) A fee of not more than Five Hundred Dollars ($500.00) for each aircraft owned, operated, used and employed in aerial application by an applicator shall be paid to the board for the issuance or required annual renewal of a license for an applicator. Each aircraft shall be identified at all times by a device supplied to the registered applicator by the board.

(2) A fee of not more than Two Hundred Fifty Dollars ($250.00) for each pilot engaged in aerial application shall be paid to the board for the issuance or required annual renewal of a license for a pilot. Each pilot shall have in his possession at all times an identification card supplied by the board.

(3) All funds collected under the provisions of this article shall be kept in the Treasury of the State of Mississippi and disbursed upon requisitions signed by the chairman of the board. Such funds shall be subject to audit by the Auditor of the State of Mississippi. The board shall furnish a copy of its financial statement and a copy of any proposed license fee adjustments to the State Auditor no later than sixty (60) days after the end of each fiscal year. Such financial statement shall reflect all funds collected and all disbursements made under the provisions of this article.

SECTION 9. Section 69-21-121, Mississippi Code of 1972, is amended as follows:
69-21-121. (1) Any person found by the board to have violated any of the provisions of this article, any rule, regulation or written order of the board or any condition or limitation of a license issued by the board shall be subject to disciplinary action. Disciplinary matters shall be conducted as enforcement proceedings under Section 69-21-129. The board may discipline a violator in the following manner:

(a) By placing him upon probation, the terms of which may be set by the board;
(b) By suspending his right to do business as an applicator or pilot for a time deemed proper by the board;
(c) By revoking, cancelling or suspending his license; * * *
(d) By levying a penalty against him in accordance with Section 69-21-135; and
(e) By taking any other action in relation to his license as the board may deem proper under the circumstances.

(2) The board shall suspend the license of an applicator or pilot for at least one (1) year if either of the following has occurred:

(a) The board determines that the licensee has committed one or more violations of this article, any rule, regulation or written order of the board or any condition or limitation of a license issued by the board on three (3) separate occasions during any twelve-month period, and each of those occasions, including singular or multiple violations, has resulted in the issuance of a penalty of One Thousand Dollars ($1,000.00) or more by the board; or

(b) The board determines that the licensee has committed one or more violations of this article, any rule, regulation or written order of the board or any condition or limitation of a license issued by the board that results in the issuance of a penalty of One Thousand Dollars ($1,000.00) or more.
by the board while on probation ordered under subsection (1) of this section.

* * *

**SECTION 10.** Section 69-21-125, Mississippi Code of 1972, is amended as follows:

69-21-125. (1) Violation of this article, the rules and regulations adopted by the board, a condition included in a license issued by the board or an order issued by the board shall be a misdemeanor punishable by a fine of not less than One Hundred Dollars ($100.00) and not more than Five Hundred Dollars ($500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment. A violation of this article, the rules and regulations adopted by the board, a condition included in a license issued by the board or an order issued by the board may be cause for the imposition of administrative or civil penalties as allowed by Sections 69-21-129 and 69-21-135. Each violation shall constitute a separate offense. * * *

(2) In addition to the penalties herein provided, the board is hereby granted the authority to file in any court of competent jurisdiction injunctive proceedings against any person violating the provisions of this article or the rules and regulations promulgated hereunder.

(3) The Attorney General, district attorneys, and county attorneys of the state shall assist the board upon its request to carry out the penalty section of this article.

**SECTION 11.** Section 69-21-127, Mississippi Code of 1972, is amended as follows:

SECTION 12. The following section shall be codified as Section 69-21-129, Mississippi Code of 1972:

69-21-129. (1) Whenever the board, an employee of the board or the Bureau of Plant Industry has reason to believe that a violation of this article, the rules and regulations adopted by the board, a condition included in a license issued by the board or an order issued by the board has occurred, the board may cause a written notice of violation to be served upon the alleged violator or violators. The notice of violation shall specify the statute, regulation, license or order alleged to be violated and the facts alleged to constitute a violation thereof and shall require that the alleged violator appear before the board at a time and place specified in the notice and answer the charges complained of. The time of appearance before the board shall not be less than fifteen (15) days from the date of the receipt by the alleged violator of the notice of violation, as proven by testimony, affidavit of the person delivering the notice of violation to the alleged violator, entry into evidence of a United States Postal Service return receipt or similar evidence of receipt.

(2) The board shall afford an opportunity for a hearing to the alleged violator at the time and place specified in the notice of violation. A certified court reporter shall be present at the hearing who shall make a transcription of the proceedings. At the hearing, both the alleged violator and the staff, or their legal representatives, shall be allowed to present legal arguments, factual evidence and witnesses relevant to the allegations and shall be allowed to cross-examine witnesses for the opposing party. Board hearings may be conducted by the board itself, or the board may appoint a hearing officer who shall be authorized to conduct the hearing and to have the record of the hearing prepared and delivered to the board along with that hearing officer's recommended findings of fact and conclusions of law. On the basis
of the evidence produced at the hearing, the board shall make findings of fact and conclusions of law and enter an order that in its opinion will best further the purposes of this article. The board's order may include an assessment of penalties, the imposition of injunctive relief, or both. If the board has utilized a hearing officer in the matter, the board may, upon review of the hearing record, issue an order accepting the hearing officer's recommended findings of fact and conclusions of law or may include in its order the board's own findings of fact and conclusions of law. The board shall give written notice of the order to the alleged violator and to other persons who make written request for notice of the order, and the board may assess such penalties as provided in this article.

(3) For purposes of such hearing, the board or its hearing officer may require the attendance of witnesses, administer oaths and hear testimony, either oral or documentary, for and against the accused. The board may issue subpoenas to compel the attendance of witnesses and the production of books, papers, records or other documentary evidence at a hearing. Subpoenas may be served by any method allowed by the Mississippi Rules of Civil Procedure or may be served by certified mail, return receipt requested. In case of the failure of any person to comply with any subpoena issued by the board, the board or its authorized representative may invoke the aid of any court of general jurisdiction of this state. The court may thereupon order such person to comply with the requirements of the subpoena. Failure to comply with the order of the court may be treated as contempt thereof.

(4) The board may adopt rules of practice and procedure governing its proceedings and hearings.

(5) The board may settle an enforcement matter before a hearing. The settlement of any enforcement matter shall be
memorialized in an order approved by the board and subject to review under Section 69-21-133.

(6) In assessing penalties under this article, the board may consider at least the following:

(a) The willfulness of the violation;

(b) Any damage to air, water, land or other natural resources of the state or to their uses;

(c) Costs of restoration and abatement borne by governmental bodies;

(d) Economic benefit as a result of noncompliance;

(e) The seriousness of the violation, including any harm to public health, safety and welfare, harm to the environment and the importance of the provision violated to the agricultural aviation regulatory system; and

(f) Past performance history.

(7) Any interested person has the right to request the board to call a hearing for the purpose of taking action in respect to any matter within the jurisdiction of the board by making a request therefor in writing. Upon receipt of any such request, the board shall conduct such investigations as it deems necessary. On the basis of its investigations, the board shall schedule the matter for hearing or shall determine in writing that no hearing is warranted. Any hearing held under this subsection shall conform to the requirements of this section regarding hearing notice and procedure.

**SECTION 13.** The following section shall be codified as Section 69-21-131, Mississippi Code of 1972:

69-21-131. The board shall have jurisdiction over all persons and property within the state necessary to administer and enforce the provisions of this article and the rules and regulations of the board. The board may adopt rules and regulations to implement the provisions of this article.
SECTION 14. The following section shall be codified as Section 69-21-133, Mississippi Code of 1972:

69-21-133. (1) Any individual aggrieved by a final decision of the board shall be entitled to judicial review. Any final decision of the board made in a contested licensing or enforcement matter and the final promulgation of regulations by the board shall be memorialized in an order issued by the board.

(2) Any appeal from a final decision of the board shall be filed in the chancery court of the county in which the violation occurred on the record made before the board, including a verbatim transcript of the testimony at the hearing held before the board. The appeal shall be filed within thirty (30) days after execution of the order by the board. The appeal shall be perfected upon filing notice of the appeal with the board and by the prepayment to the board of all costs, including the cost of preparation of the record of the proceedings before the board and the filing of a bond in an amount set by the board, conditioned that if the action of the board is affirmed, the aggrieved party shall pay the costs of the appeal to the court of appeals.

(3) The scope of review of the court of appeals shall be limited to a review of the record made before the board to determine if the action of the board is unlawful for the reason that it was:

(a) Not supported by any substantial evidence;
(b) Arbitrary or capricious; or
(c) In violation of some statutory or constitutional right of the individual.

(4) No relief shall be granted based upon the court's finding of harmless error by the board in complying with the procedural requirements of this article. If there is a finding of prejudicial error in the proceedings, the cause may be remanded for a rehearing consistent with the findings of the court.
(5) Any party aggrieved by action of the chancery court may appeal to the State Supreme Court in the manner provided by law.

SECTION 15. The following section shall be codified as Section 69-21-135, Mississippi Code of 1972:

69-21-135. Each violation of the rules and regulations of the board, violations of this article and violations of licenses and orders issued by the board shall be subject to the imposition of a civil penalty of up to Five Thousand Five Hundred Dollars ($5,500.00) per violation per day.

SECTION 16. The following section shall be codified as Section 69-21-137, Mississippi Code of 1972:

69-21-137. (1) Any penalty assessed by the board shall be due and payable within thirty (30) days of the receipt of the board's order in the matter by the person owing the penalty unless the board agrees to allow a longer period for payment. All sums of money collected as a result of fines levied under this section shall be disbursed as provided in Section 69-21-125(1).

(2) If the judgment is not paid within thirty (30) days, or within such additional time as the board may allow, the board through its designated representative may file suit in the circuit court of the county where the defendant resides or in the case of a nonresident defendant in the Circuit Court of the First Judicial District of Hinds County or any other court with appropriate jurisdiction to enforce the decision of the board and recover reasonable attorney's fees and all court costs.

(3) A copy of the notification sent by the board to the violator shall be sufficient proof as to the judgment of the board, and a copy of the United States Postal Service return receipt, or a similar indicia of delivery or service, shall be sufficient to prove receipt of the board's order by the person owing the penalties.

SECTION 17. The following section shall be codified in Section 69-21-139, Mississippi Code of 1972:
The board shall conduct all meetings, including meetings regarding enforcement matters, under the Mississippi Open Meetings Act, Section 25-41-1 et seq. The board shall keep minutes of its meetings, including all orders, rules and regulations promulgated, in a record book, or books, especially prepared for that purpose. All minutes of board meetings and hearings and all rules, regulations and orders made by the board shall be in writing and shall be filed in full by the board in a book for such purposes, to be kept by the board, which shall be a public record and open to inspection by the public at all times during reasonable hours. The board shall compile and publish annually the rules and regulations promulgated by the board in current consolidated version. The board shall provide the consolidated compilation of the rules and regulations to the public for a cost sufficient to cover printing and postage and administrative expenses, including the cost of any contractual services necessary to compile and publish such rules and regulations on an annual basis. A copy of any rule, minutes, regulation or order certified by the board shall be received in evidence in all courts of this state with the same effect as the original. The board shall compile and index on a current date basis all orders of the board in a book for such purposes that shall be available for inspection and copying by the public. All responsibilities of the board under this section may be delegated by the board to its staff. The board shall maintain its records and make its records available to the public upon request in accordance with the Mississippi Public Records Act, Section 25-61-1 et seq. The board shall be subject to the provisions of the Mississippi Administrative Procedures Law, Section 25-43-1 et seq. The following section shall be codified as Section 69-21-141, Mississippi Code of 1972:
The Attorney General shall be counsel and attorney for the board and shall provide such legal services as may be requested from time to time, including, but not limited to, the provision of hearing officers and legal representation.


SECTION 20. This act shall take effect and be in force from and after its passage.