SENATE BILL NO. 2653

AN ACT TO ESTABLISH THE MISSISSIPPI TRAINING AND EDUCATION MARKETING BOARD AND PROVIDE FOR ITS MEMBERSHIP; TO EMPOWER THIS BOARD TO CONDUCT PROGRAMS TO ADVERTISE AND INCREASE PARTICIPATION IN WORKFORCE TRAINING AND EDUCATION PROGRAMS; TO AUTHORIZE THE BOARD TO ADOPT REGULATIONS AND EMPLOY PERSONNEL; TO ESTABLISH A MISSISSIPPI TRAINING AND EDUCATION MARKETING ADVISORY COUNCIL TO DEVELOP A STATEWIDE PLAN FOR A TRAINING AND EDUCATION MARKETING SYSTEM; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) The Legislature finds that (a) the continued economic development of the State of Mississippi depends greatly on the skills and educational levels of the workers of the state; (b) Mississippi's workforce skills and educational attainment levels are low compared to other states' workforces; (c) the workplace in the United States and Mississippi is changing in response to heightened international competition and new technologies, and such forces, which are ultimately beneficial to our state, are shrinking the demand for and undermining the earning power of unskilled labor; (d) Mississippi lacks a system to help parents, youth and employed workers understand the importance of education and training for entry and progression in the workplace.

(2) The Legislature hereby declares that the public policy of the state requires a comprehensive and coordinated marketing and promotion effort to inform parents, youth and workers of the importance of continued skill building and education and to raise the awareness of the citizens of the state to the importance of a highly skilled, flexible and competitive workforce.

(3) There is hereby created the Mississippi Training and Education Marketing Board with domicile at the seat of government.
The board shall be composed of three (3) members: one (1) member shall represent education, one (1) member shall represent workers and one (1) member shall represent the public.

The appointment of the members of the board shall be made by the Governor of the State of Mississippi, with the advice and consent of the Senate. All appointments shall be made for terms of six (6) years. Each member shall serve after the completion of his term until the successor is appointed and duly qualified. Each vacancy shall be filled by appointment for the unexpired term. The chairman shall be designated by the Governor from among its members.

(4) A majority of the members of the board shall constitute a quorum for the transaction of all business and the carrying out of the duties of the board. No member shall receive any salary but each member shall receive per diem compensation as authorized in Section 25-3-69 and shall be reimbursed for expenses in the manner and amount specified in Section 25-3-41.

The board shall meet on the call of its chairman or at the request of a majority of its members but in any event the board shall meet not less than four (4) times in each year.

(5) The Mississippi Training and Education Marketing Board shall be and is hereby declared and created a corporate body. The board shall have the power to contract and be contracted with and shall have and possess all the powers of a body corporate for all purposes necessary for fully carrying out the provisions of this act. The board shall adopt a corporate seat by which it shall authenticate its proceedings. Copies of the proceedings records and acts of the board and certificates purporting to relate the facts concerning such proceedings records and acts signed by the chairman of the board and authenticated by said seal shall be prima facie evidence thereof in all courts of the state.

(6) Except for the collections of the proceeds of any assessments levied hereunder which shall be collected by the State...
Tax Commission and deposited in the State Treasury for the administration of this act, the Mississippi Training and Education Marketing Board shall prescribe reasonable rules and regulations for the enforcement of the provisions of this act.

(7) The board shall plan and conduct campaigns for advertising publicity parent student and worker information and promotion to increase the participation in training and education programs, to make aware career and job skill and education requirements, trends, earning potentials, advancements and other such relevant information. The board may contract for any advertising publicity parent student and worker information and promotion services. To accomplish such purposes the board, with advice from the Mississippi Training and Education Marketing Advisory Council, shall have power and it shall be the duty of the board to disseminate information:

(a) Relating to training and education programs within the state and nation and the importance thereof in the selection of careers and jobs.

(b) On the various economic aspects relating to the careers and job trends and opportunities in Mississippi.

(c) To decide upon some distinctive and suggestive emblem for Mississippi trained and educated workers and to promote the use of same in the advertisement and promotion of Mississippi workers.

The powers and duties of the board shall include, but not be limited to, the following:

(a) To alter, rescind, modify or amend the rules and regulations necessary for the exercise of its powers and the performance of its duties. Such rules and regulations shall have the force and effect of law when not inconsistent therewith.

(b) Employ such personnel, including an executive director, as it deems necessary to carry out the purposes of this
act and to fix and pay the salaries thereof, including technical
and professional services on a fee basis when necessary.

(c) Make such advertising contracts and other
agreements as it deems appropriate, including particularly
cooporative agreements with other advertisers of similar products.

(d) Make cooperative agreements with the various local
state and federal agencies and entities in the marketing and
promotion of training and education. The board may use as much of
its funds as it deems necessary for matching monies available from
any of the local state and federal agencies or political
subdivisions thereof.

(e) Seek grants, donations and contributions, including
in kind services from state and federal agencies and from state
and national nonprofit corporations and foundations.

(f) Keep books, records and accounts of all its
proceedings which shall be open to inspection and audit by the
State Auditor at all times.

(g) Purchase or authorize the purchase of all office
equipment and supplies and to incur all other reasonable and
necessary expenses and obligations necessary to carry out the
purposes of this act.

(8) There is hereby created the Mississippi Training and
Education Marketing Advisory Council. The council shall be
composed of seventeen (17) members: three (3) voting members who
represent business and industry, including business members
serving on local workforce development boards; three (3) voting
members who represent workers appointed from recommendations made
by recognized worker organizations; five (5) voting members who
represent education, one (1) of whom represents local public
education, one (1) of whom represents two-year public
postsecondary education, one (1) of whom represents four-year
public postsecondary education, one (1) of whom represents private
postsecondary education and one (1) of whom represents vocational
education; one (1) voting member who represents community-based
organizations; and the five (5) ex officio voting members: one
(1) member shall be the Commissioner of Higher Education, one (1)
member shall be the Executive Director of the State Board for
Community and Junior Colleges, one (1) member shall be the State
Superintendent of Education, one (1) member shall be the private
sector co-chair of the State Workforce Development Council and one
(1) member shall be the Chairman of the Mississippi Workforce
Investment Board. The members of the council shall represent
diverse regions of the state and diverse population groups of the
state.

The Governor shall appoint council members to six-year
staggered terms and designate one (1) business or worker
representative to serve as the council's presiding officer.
One-third (1/3) of members' terms expire in each odd-numbered
year. Chairs of the council's five-partner agencies serve as ex
officio members of the council. An ex officio member serves as a
member of the council as long as the member continues to serve in
the designated office. The council shall be a state council
composed of state and local agencies and other workforce
development entities. It shall develop partnerships among
business, education, labor, government and other communities of
interest. The council shall develop and recommend, in cooperation
with the Executive Director of the Mississippi Training and
Education Marketing Board, to the Governor and the Legislature, a
single statewide strategic plan that establishes the framework for
the budgeting and operation of the Training and Education
Marketing Board in cooperation with the agencies represented on
the council.

The council shall include in the strategic plan, goals,
objectives and performance measures for the training and education
marketing system that involve programs of state agencies that are
represented on the council.
SECTION 2. This act shall take effect and be in force from and after July 1, 2002.