

By: Senator(s) Dearing

To: Highways and  
Transportation;  
Appropriations

SENATE BILL NO. 2744  
(As Passed the Senate)

1 AN ACT TO PROVIDE THAT THE MISSISSIPPI TRANSPORTATION  
2 COMMISSION, UPON THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR, MAY  
3 APPOINT A DEPUTY EXECUTIVE DIRECTOR FOR ADMINISTRATION; TO PROVIDE  
4 THAT THE POWERS AND DUTIES OF THE DEPUTY EXECUTIVE DIRECTOR FOR  
5 ADMINISTRATION SHALL BE SPECIFIED BY THE COMMISSION AND SHALL  
6 INCLUDE, BUT NOT BE LIMITED TO, THE EXECUTION ON BEHALF OF THE  
7 EXECUTIVE DIRECTOR OF CONTRACTS APPROVED BY THE COMMISSION AND  
8 OTHER DOCUMENTS; TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION  
9 COMMISSION TO ISSUE POWERS OF ATTORNEY TO INDIVIDUALS AS MAY BE  
10 RECOMMENDED BY THE EXECUTIVE DIRECTOR TO EXECUTE ANY DOCUMENTS ON  
11 BEHALF OF THE COMMISSION AND THE EXECUTIVE DIRECTOR AS THE  
12 COMMISSION CONSIDERS APPROPRIATE TO FACILITATE THE EFFICIENT  
13 IMPLEMENTATION OF ITS DUTIES AND RESPONSIBILITIES; TO PROHIBIT THE  
14 EXECUTION OF CERTAIN DOCUMENTS BY PERSONS ISSUED SUCH POWERS OF  
15 ATTORNEY; TO PROVIDE FOR THE DURATION OF SUCH POWERS OF ATTORNEY;  
16 TO PROVIDE THAT POWERS OF ATTORNEY MAY BE REVOKED BY THE  
17 COMMISSION AT ANY TIME; TO AMEND SECTION 65-1-11, MISSISSIPPI CODE  
18 OF 1972, TO REVISE THE DUTIES OF THE CHIEF ENGINEER WITH REGARD TO  
19 HIS POSITION AS A DEPUTY EXECUTIVE DIRECTOR; AND FOR RELATED  
20 PURPOSES.

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

22 SECTION 1. (1) The commission, upon the recommendation of  
23 the executive director, may appoint one (1) deputy executive  
24 director for administration in addition to the deputy executive  
25 director provided for in Section 65-1-11. The powers and duties  
26 of the deputy executive director for administration appointed  
27 pursuant to this subsection shall be specified by the commission  
28 and shall include, but not be limited to, the execution on behalf  
29 of the executive director of contracts approved by the commission  
30 and other documents. The appointment of such deputy executive  
31 director for administration and the powers specified by the  
32 commission must be spread upon the minutes of the commission to  
33 become effective.

34 (2) The commission may issue powers of attorney to  
35 individuals as may be recommended by the executive director to  
36 execute any documents on behalf of the commission and the



37 executive director as the commission considers appropriate to  
38 facilitate the efficient implementation of its duties and  
39 responsibilities; however, a power of attorney issued under this  
40 subsection shall not authorize the execution of contracts approved  
41 by the commission. Powers of attorney issued under this  
42 subsection shall specify the limits of the authority to execute  
43 documents granted by them. The duration of such powers of  
44 attorney shall be for the term of office of the commission that  
45 issued them. Such powers of attorney may be revoked by the  
46 commission at any time.

47 **SECTION 2.** Section 65-1-11, Mississippi Code of 1972, is  
48 amended as follows:

49 65-1-11. The executive director, subject to the approval of  
50 the commission, shall employ a chief engineer who shall be a  
51 registered civil engineer, a graduate of a recognized school of  
52 engineering, and who shall have had not less than five (5) years'  
53 actual professional experience in highway construction. The chief  
54 engineer shall also be a deputy executive director of the \* \* \*  
55 department with such powers and duties as may be prescribed by the  
56 commission. \* \* \* The chief engineer shall give bond in the sum  
57 of Fifty Thousand Dollars (\$50,000.00) in some surety company  
58 authorized to do business in this state, which bond shall be  
59 conditioned upon the faithful performance and discharge of his  
60 duties. The principal and surety on such bond shall be liable  
61 thereunder to the State of Mississippi for double the amount of  
62 the value of any money or property which the state may lose, if  
63 any, by reason of any wrongful or criminal act of such engineer.  
64 The term of office of the chief engineer shall be for a period of  
65 four (4) years, unless sooner removed as hereinafter provided, and  
66 he shall be eligible for reappointment. The first term of office,  
67 however, shall extend from the date of appointment until the first  
68 Monday of January 1952.



69           **SECTION 3.** This act shall take effect and be in force from  
70 and after July 1, 2003.

