

By: Senator(s) Canon

To: Appropriations

SENATE BILL NO. 2859

1 AN ACT TO AMEND SECTION 39-5-3, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT APPOINTMENTS TO THE BOARD OF TRUSTEES OF THE
3 DEPARTMENT OF ARCHIVES AND HISTORY SHALL BE MADE BY THE GOVERNOR
4 FROM THE FOUR MISSISSIPPI CONGRESSIONAL DISTRICTS ON A PHASED-IN
5 BASIS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 39-5-3, Mississippi Code of 1972, is
8 amended as follows:

9 39-5-3. The Department of Archives and History shall be
10 under the control of a board of nine (9) trustees. The board
11 shall have the power and authority to fill all vacancies occurring
12 therein, whether by expiration of term of service or by death or
13 resignation, but the names of all newly elected members shall be
14 communicated to the next ensuing session of the State Senate for
15 confirmation * * *. The members of the board of trustees as
16 constituted on January 1, 2003, whose terms have not expired shall
17 serve the balance of their terms, after which time the membership
18 of the board of trustees shall be appointed as follows: The
19 Governor shall appoint two (2) members of the board of trustees
20 from each of the four (4) Mississippi congressional districts as
21 they currently exist and one (1) from the state at large, with
22 the advice and consent of the Senate, with the congressional
23 districts to be designated at the time of appointment, and the
24 Governor shall make appointments from the congressional district
25 having the smallest number of board members until the membership
26 includes two (2) members from each congressional district as
27 required. All trustees chosen to succeed the present members or
28 their successors shall serve for a term of six (6) years;



29 provided, however, that trustees appointed after January 1, 2003,
30 shall serve for a term of four (4) years. The board of trustees
31 shall hold at the State Capitol at least one (1) regular meeting
32 during the year, and as many special meetings as may be necessary,
33 and at said meetings five (5) members shall constitute a quorum.
34 The Director of the Department of Archives and History,
35 hereinafter provided, shall be secretary of the board. The
36 trustees shall receive no compensation for their services other
37 than the amount of their necessary expenses actually paid out
38 while in attendance on the meetings of the board or the business
39 of the department. The board is empowered to adopt rules for its
40 own government and for the government of the department, to elect
41 and fix the compensation of a director not to exceed the maximum
42 set by the Legislature, and other officials or employees, and to
43 do and perform such other acts and things as may be necessary to
44 carry out the true intent and purposes of this chapter.

45 **SECTION 2.** This act shall take effect and be in force from
46 and after its passage.

