

By: Representative Stevens

To: Insurance

HOUSE BILL NO. 884

1 AN ACT TO AMEND SECTION 75-57-101, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE COMPOSITION OF THE STATE LIQUEFIED COMPRESSED GAS
3 BOARD; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 75-57-101, Mississippi Code of 1972, is
6 amended as follows:

7 75-57-101. (1) The State Liquefied Compressed Gas Board is
8 hereby created and is vested with the power to regulate matters
9 pertaining to liquefied compressed gas. All regulations by and
10 actions of the board are subject to the approval of the
11 commissioner. The board shall not exercise administrative and
12 enforcement duties. The Commissioner of Insurance shall retain
13 all administrative and enforcement duties related to liquefied
14 compressed gas. The board is established within the Department of
15 Insurance and shall consist of seven (7) members appointed by the
16 Commissioner of Insurance as follows:

17 (a) Five (5) members, one (1) from each of the
18 congressional districts, to be selected from a list of at least
19 ten (10) individuals who are in the liquefied compressed gas
20 industry doing business in the State of Mississippi; the list
21 shall be submitted, within ten (10) days of the effective date of
22 this act [Laws, 1995, Ch. 475, effective July 1, 1995], by
23 licensed liquefied compressed gas distributors doing business in
24 the state.

25 (b) Two (2) members from the state at large who have a
26 rational relationship to the liquefied compressed gas industry.

27 (c) At least three (3) members of the board must be
28 dealers who sell less than two million five hundred thousand
29 (2,500,000) gallons of propane per year.

30 (d) No two (2) members may be selected from the same
31 company.

32 (e) The members of the board as constituted on January
33 1, 2004, whose terms have not expired shall continue to serve
34 until the expiration of their respective terms. As the terms of
35 the members expire, the members shall be appointed as follows:
36 one (1) member from each of the four (4) Mississippi congressional
37 districts and three (3) members from the state at large. The
38 appointments shall be made in the same manner and with the same
39 qualifications and restrictions as provided in this subsection
40 (1).

41 (2) (a) The initial appointments to the board from the
42 congressional districts shall be made as follows: One (1) member
43 of the board shall be appointed for a term ending on June 30,
44 1996; one (1) for a term ending on June 30, 1997; one (1) for a
45 term ending on June 30, 1998; one (1) for a term ending on June
46 30, 1999; and one (1) for a term ending June 30, 2000. After the
47 expiration of such initial terms, all subsequent appointments
48 shall be made in the same manner as the original appointments were
49 made for terms of five (5) years.

50 (b) The three (3) members from the state at large shall
51 serve for terms concurrent with the term of the Commissioner of
52 Insurance.

53 (c) An appointment to fill a vacancy, other than by
54 expiration of a term of office, shall be made by the Commissioner
55 of Insurance for the balance of the unexpired term.

56 (3) There shall be a chairman of the board elected by and
57 from the membership of the board.

58 (4) Board members shall receive per diem compensation
59 according to Section 25-3-69. The board members shall not be

60 compensated for more than twelve (12) meetings per year held at a
61 site within the state selected by the board. Any member who fails
62 to attend three (3) consecutive called meetings of the board may
63 be removed by the Commissioner of Insurance.

64 **SECTION 2.** This act shall take effect and be in force from
65 and after July 1, 2004.