

By: Representative Franks

To: Public Health and Human Services

HOUSE BILL NO. 1147

1 AN ACT TO AMEND SECTION 37-33-155, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE MEMBERSHIP OF THE STATE BOARD OF REHABILITATION  
3 SERVICES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 37-33-155, Mississippi Code of 1972, is  
6 amended as follows:

7 37-33-155. (1) There is created the State Board of  
8 Rehabilitation Services, which shall consist of seven (7) members,  
9 five (5) members to be appointed by the Governor and two (2)  
10 members to be appointed by the Lieutenant Governor. Of the  
11 members appointed by the Governor, one (1) shall be a person who  
12 is visually impaired, one (1) shall be a person who is hearing  
13 impaired or hard of hearing, one (1) shall be a person who is  
14 physically impaired, one (1) shall be person who is mentally  
15 impaired or the parent of a person who is mentally impaired and  
16 one (1) shall be a person who uses assistive technology. Of the  
17 members appointed by the Governor, four (4) shall be from separate  
18 congressional districts and one (1) shall be from the state at  
19 large, with one (1) appointed for a term to expire on July 1,  
20 2006, one (1) appointed for a term to expire on July 1, 2007, one  
21 (1) appointed for a term to expire on July 1, 2008, one (1)  
22 appointed for a term to expire on July 1, 2009, and one (1)  
23 appointed for a term to expire on July 1, 2010. The members  
24 appointed by the Lieutenant Governor shall be from the state at  
25 large, with one (1) appointed for a term to expire on July 1,  
26 2006, one (1) appointed for a term to expire on July 1, 2008, and  
27 one (1) appointed for a term to expire on July 1, 2010. Upon the

28 expiration of the initial terms, the members shall be appointed  
29 for terms of five (5) years from the expiration date of the  
30 previous term. All original and subsequent appointments shall be  
31 with the advice and consent of the Senate. An appointment to fill  
32 a vacancy, other than by expiration of a term of office, shall be  
33 made for the balance of the unexpired term. No board appointee  
34 shall be an employee or elected official of the State of  
35 Mississippi or a political subdivision thereof, or an employee of  
36 the former State Department of Rehabilitation Services before July  
37 1, 1989, or an employee of the Division of Rehabilitation Services  
38 of the Department of Human Services or any subordinate  
39 administrative unit of the division before July 1, 1991, or an  
40 employee of the State Department of Rehabilitation Services after  
41 June 30, 1991.

42 (2) The board shall elect a chairperson from its membership  
43 at the first meeting of the original board members and every two  
44 (2) years thereafter on July 15 of the year. A majority of the  
45 membership of the board shall constitute a quorum for the  
46 transaction of any business, and the board shall meet at least  
47 quarterly and hold other meetings as are necessary for the purpose  
48 of conducting required business. All meetings of the board shall  
49 be called by the chairperson, except the first meeting of the  
50 original board members, which shall be called by the Governor.

51 (3) The appointed members of the board shall be compensated  
52 at a per diem rate as authorized by Section 25-3-69, plus actual  
53 and necessary expenses as authorized by Section 25-3-41. Members  
54 of the board appointed before July 1, 1991, shall be paid  
55 compensation and expenses under this subsection from funds  
56 available to the Division of Rehabilitation Services of the  
57 Department of Human Services.

58 **SECTION 2.** This act shall take effect and be in force from  
59 and after July 1, 2005.