

By: Senator(s) Sparks

To: Government Structure

SENATE BILL NO. 2799

1 AN ACT RELATING TO APPOINTMENTS TO STATE BOARDS AND
2 COMMISSIONS AND AGENCY DIRECTOR POSITIONS BY PUBLIC OFFICIALS
3 WHICH REQUIRE SENATE CONFIRMATION; TO AMEND SECTION 7-1-35,
4 MISSISSIPPI CODE OF 1972, TO REVISE AND STANDARDIZE TERMS OF
5 OFFICE, PROCEDURES FOR FILLING VACANCIES AND THE RESPONSIBILITIES
6 OF THE SECRETARY OF STATE REGARDING SAID APPOINTMENTS, AND TO
7 CLARIFY THAT ANY ACTION TAKEN BY A BOARD WHOSE MEMBERS' TERM OF
8 OFFICE HAS EXPIRED IS NULL AND VOID; TO AMEND SECTIONS 43-28-7,
9 73-33-3, 49-15-301, 69-15-2, 73-1-5, 39-11-1, 75-75-103, 73-4-7,
10 37-169-3, 73-75-7, 81-1-61, 81-3-12, 73-5-1, 43-3-103, 39-27-1,
11 31-13-1, 57-10-167, 29-5-213, 37-28-7, 73-6-3, 39-5-91, 59-7-125,
12 37-155-7, 65-1-46, 19-5-333, 37-4-3, 31-3-3, 69-44-3, 47-5-8,
13 73-7-1, 73-30-5, 45-39-3, 73-9-7, 43-26-1, 57-1-5, 43-13-107,
14 37-1-1, 37-63-3, 69-7-253, 73-69-21, 33-15-7, 41-59-7, 71-5-107,
15 73-13-5, 49-2-5, 25-4-5, 69-5-1, 27-104-101, 73-36-9, 49-19-1,
16 73-11-43, 75-76-9, 73-63-9, 55-15-21, 59-7-407, 59-5-21, 59-11-3,
17 61-3-7, 25-15-303, 41-3-1.1, 43-33-704, 41-73-7, 43-1-2, 25-53-7,
18 73-73-23, 45-4-3, 69-46-3, 73-2-13, 45-6-5, 39-3-101, 27-115-9,
19 49-15-305, 73-67-9, 73-43-3, 41-4-3, 63-17-57, 73-17-7, 73-15-9,
20 53-1-5, 73-19-7, 47-7-5, 51-15-1, 69-48-3, 51-9-1, 25-9-109,
21 43-13-107, 73-21-75, 73-23-41, 73-29-7, 37-106-9, 73-31-5,
22 25-11-15, 27-104-7, 45-1-2, 51-35-317, 73-34-7, 73-35-5,
23 37-33-155, 25-58-21, 73-59-21, 27-3-1, 69-10-2, 55-5-53, 49-17-45,
24 25-43-4.103, 73-53-8, 69-9-3, 65-9-9, 27-4-1, 51-27-1, 41-113-9,
25 51-13-105, 11-46-18, 77-13-29, 49-17-422, 7-1-501, 7-1-503,
26 35-1-1, 35-7-7, 73-39-55, 43-55-5, 35-3-24, 49-4-4, 83-34-7,
27 43-59-3, 71-3-85, 37-153-7, 59-7-125 AND 59-17-23, MISSISSIPPI
28 CODE OF 1972, TO REVISE THE PROCEDURES AND TERMS OF OFFICE FOR THE
29 APPOINTMENTS OF MEMBERS TO CERTAIN STATE BOARDS, AGENCIES, AND
30 OTHER GOVERNMENT ENTITIES AND AUTHORITIES WHICH REQUIRE SENATE
31 CONFIRMATION; AND FOR RELATED PURPOSES.

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



33 **SECTION 1.** Section 7-1-35, Mississippi Code of 1972, is
34 amended as follows:

35 **[Until January 1, 2028, this section shall read as follows:]**

36 7-1-35. The Governor shall fill by appointment, with the
37 advice and consent of the Senate, all offices subject to such
38 appointment when the term of the incumbent will expire within nine
39 (9) months after the meeting of the Legislature, and also
40 vacancies in such offices occurring from any cause during the
41 session of the Senate or during the vacation of that body. All
42 such appointments to offices made in vacation shall be reported to
43 the Senate within ten (10) days after the commencement of the
44 session of that body for its advice and consent to the
45 appointment, and the vacancy shall not be filled if caused by the
46 Senate's refusal to confirm any appointment or nomination, or if
47 it * * * does not occur during the last five (5) days of the
48 session, by the appointment of the Governor in the vacation of the
49 Senate, without its concurrence. Any appointment in vacation to
50 which the Senate shall refuse to consent shall be thereby annulled
51 from that date, but the acts of the appointee prior thereto shall
52 not be affected thereby.

53 **[From and after January 1, 2028, this section shall read as**
54 **follows:]**

55 7-1-35. (1) Unless otherwise provided by law, all
56 appointments to agencies, boards, commissions and director
57 positions in the executive branch of Mississippi government shall



58 be made with the advice and consent of the Senate for terms of
59 office of four (4) years commencing on the day of appointment, and
60 continuing until December 31 of the final year of the term of
61 office as provided in the applicable statute, unless another term
62 of office is prescribed by the Mississippi Constitution of 1890.

63 (2) The agency, board member, commission member or director
64 whose term is expiring shall serve until his successor is
65 appointed and qualified, but in no event shall he serve past the
66 July 1 occurring after the end of the term of the Governor or
67 other appointing authority who appointed him, unless he shall be
68 reappointed by the new Governor or appointing authority.

69 (3) To allow geographic representation, all appointments to
70 boards and commissions shall be made from Mississippi Supreme
71 Court Districts as specifically provided in the code section which
72 establishes the board or commission.

73 (4) All appointments to boards and commissions shall be made
74 in a staggered fashion where a majority of the membership of the
75 board or commission shall be appointed at the beginning of the
76 four-year cycle for elected officials and the remainder of the
77 membership of the board or commission shall be appointed at the
78 beginning of the third year of the four-year cycle for elected
79 officials.

80 (5) The Secretary of State shall be the records repository
81 for all appointments to boards, commissions and agency directors.
82 Appointing authorities shall notify the Secretary of State prior



83 to submitting the appointment to the Senate. The Secretary of
84 State shall send a list of the required appointments to boards,
85 commissions and agency directors to be made in the upcoming term
86 of office by newly elected appointing authorities within ten (10)
87 days of the election certification of the appointing authority.
88 The Secretary of State shall also compile and issue a report to
89 the Governor, Lieutenant Governor and Speaker of the House
90 annually, detailing the number of official meetings each board and
91 commission has held in the previous years.

92 (6) Unless otherwise provided by statute, every appointment
93 to an agency board, commission or director position required by
94 statute shall be made by July 1 of the first year of the
95 appointing authorities' term or July 1 of the third year in the
96 appointing authorities' term, as the case may be. In the event an
97 appointment is not made on or before July 1 as required herein,
98 the appointment shall be made by the next elected official in the
99 following order: Governor, Lieutenant Governor, Secretary of
100 State. In the event an appointment is not made on or before July
101 1 as required, by an appointing authority other than the three (3)
102 named above, the appointment shall be made by the next official in
103 the following order: Governor, Lieutenant Governor, Secretary of
104 State.

105 (7) If, for any cause, a vacancy occurs in the office of an
106 appointed agency, board, or commission member, or director
107 position, the appointing authority shall make an appointment to



108 fill the vacancy for the unexpired term within one hundred twenty
109 (120) days of the date the vacancy occurs. If the appointment is
110 not made within one hundred twenty (120) days as required herein,
111 the appointment shall be in the manner prescribed in subsection
112 (6) of this section.

113 (8) Interim appointments shall be allowed to serve for no
114 more than nine (9) months. No interim appointee may serve
115 consecutive interim terms. If an appointment occurs in vacation
116 of the legislative session, it shall be considered an interim
117 appointment until confirmed by the Senate.

118 (9) An agency, board or commission member may be removed by
119 the Governor or other appointing authority for chronic
120 absenteeism, which shall consist of more than three (3) unexcused
121 absences in any one (1) year, and such person shall not be
122 reappointed until their original term has expired. This provision
123 is not applicable to meetings where a designee has attended in
124 place of the agency, board or commission member if the attendance
125 by a designee is authorized by law.

126 (10) Any action taken by a board or commission where the
127 terms of office of a majority of the members has expired shall be
128 null and void.

129 (11) All appointments to an agency, board, commission or
130 director position made in vacation of the legislative session
131 shall be reported to the Senate within ten (10) days after the
132 commencement of the next regular session of that body for its



133 advice and consent to the appointment. Any vacancy to an agency,
134 board, commission or director position shall not be filled if
135 caused by the Senate's refusal to confirm or the Senate's inaction
136 on the nomination, unless the vacancy occurs during the last five
137 (5) days of the session. Any appointment in vacation of the
138 Senate to which the Senate shall refuse to consent or takes no
139 action shall be thereby annulled from the date of sine die
140 adjournment, but the acts of the appointee prior thereto shall not
141 be affected thereby.

142 **SECTION 2.** Section 43-28-7, Mississippi Code of 1972, is
143 amended as follows:

144 43-28-7. (1) * * * The Mississippi ABLE Board of
145 Directors * * *, created by former Section 43-28-7, is continued
146 and reconstituted. The ABLE Board of Directors shall consist of
147 nine (9) members as follows:

148 (a) The State Treasurer, or his or her designee;

149 (b) The Executive Director of the Department of
150 Rehabilitation Services, or his or her designee;

151 (c) The Executive Director of the Department of Mental
152 Health, or his or her designee;

153 (d) Three (3) members of the public who, by reason of
154 his or her education and experience relating to disabilities or
155 financial planning, is qualified to serve, to be appointed by the
156 Governor one (1) of whom shall be appointed from each Supreme
157 Court District;



158 (e) The Executive Director, or his or her designee, of
159 an advocacy organization for citizens of all ages with cognitive,
160 intellectual and developmental disabilities and their families, to
161 be appointed by the Governor;

162 (f) The Executive Director, or his or her designee, of
163 an advocacy organization for citizens of all ages with cross
164 disabilities and their families, to be appointed by the Governor;
165 and

166 (g) The Executive Director, or his or her designee, of
167 an advocacy organization for citizens with mental health
168 disabilities, to be appointed by the Governor.

169 (2) * * * Effective January 1, 2028, the six (6) appointed
170 members shall be appointed by the Governor * * *, with the advice
171 and consent of the Senate, for a term of office of four (4) years,
172 provided that four (4) such members shall be appointed in 2028 to
173 a term ending July 1, 2032, and two (2) such members shall be
174 appointed in 2030 to a term ending July 1, 2034. All appointment
175 procedures, vacancy provisions, interim appointment provisions and
176 removal provisions specifically provided for in Section 7-1-35,
177 Mississippi Code of 1972, shall be fully applicable to
178 appointments to the Mississippi ABLE Board of Directors.

179 * * *

180 (* * *3) Members of the board of directors shall serve
181 without compensation, but shall be reimbursed for each day's
182 official duties of the board at the same per diem as established



183 by Section 25-3-69, and actual travel and lodging expenses as
184 established by Section 25-3-41.

185 (* * *4) The board of directors shall annually elect one
186 (1) member to serve as chairman of the board and one (1) member to
187 serve as vice chairman. The vice chairman shall act as chairman
188 in the absence of, or upon the disability of the chairman, or in
189 the event of a vacancy of the office of chairman.

190 (* * *5) A majority of the currently serving members of the
191 board shall constitute a quorum for the purposes of conducting
192 business and exercising its official powers and duties. Any
193 action taken by the board shall be upon the vote of a majority of
194 the members present.

195 **SECTION 3.** Section 73-33-3, Mississippi Code of 1972, is
196 amended as follows:

197 73-33-3. (1) There shall be a board of public accountancy,
198 consisting of seven (7) members, who are qualified electors of
199 this state; their duties, powers and qualifications are herein
200 prescribed by this chapter. The members of the Mississippi State
201 Board of Public Accountancy shall be appointed from holders of
202 certificates issued under and by virtue of this chapter.

203 (2) Effective January 1, 2028, the * * * Mississippi State
204 Board of Public Accountancy * * *, created by former Section
205 73-33-3, is continued and reconstituted as follows:

206 The Governor shall appoint * * * two (2) members from * * *
207 each Mississippi Supreme Court District and one (1) from the state



208 at large. The members shall be appointed by the Governor, with
209 the advice and consent of the Senate, for a term of office of four
210 (4) years, commencing on the day of appointment or on July 1 of
211 the year in which the Governor is inaugurated, whichever comes
212 first, provided that four (4) such members shall be appointed in
213 2028 to a term ending July 1, 2032, and three (3) such members
214 shall be appointed in 2030 to a term ending July 1, 2034. All
215 appointment procedures, vacancy provisions, interim appointment
216 provisions and removal provisions specifically provided for in
217 Section 7-1-35, Mississippi Code of 1972, shall be fully
218 applicable to appointments to the Mississippi State Board of
219 Public Accountancy.

220 * * *

221 (3) Each member of the board shall take the oath prescribed
222 by Section 268 of the Mississippi Constitution. The board shall
223 elect from among its membership, to serve one (1) year terms, a
224 chairman who shall preside over meetings and a vice chairman who
225 shall preside in the absence of the chairman or when the chairman
226 shall be excused. A majority of the membership of the board shall
227 constitute a quorum for the transaction of any business. Any
228 board member who shall not attend three (3) consecutive regular
229 meetings of the board for reasons other than illness of said
230 member shall be subject to removal by a majority vote of the board
231 members.



232 (4) The board shall hold regular meetings and special
233 meetings as may be necessary for the purposes of conducting such
234 business as may be required. The board shall adopt rules and
235 regulations governing times and places for meetings, and governing
236 the manner of conducting its business. All meetings of the board
237 shall be open to the public.

238 **SECTION 4.** Section 49-15-301, Mississippi Code of 1972, is
239 amended as follows:

240 49-15-301. (1) The Mississippi Advisory Commission on
241 Marine Resources is hereby established and full power is vested in
242 the advisory commission to advise the Executive Director of the
243 Department of Marine Resources on all matters pertaining to all
244 saltwater aquatic life and marine resources. The advisory
245 commission shall advise the Executive Director of the Department
246 of Marine Resources on the administration of the Coastal Wetlands
247 Protection Law and the Public Trust Tidelands Act.
248 Notwithstanding any other provision of law to the contrary, the
249 commission shall only be an advisory commission to the Department
250 of Marine Resources and shall not have independent authority to
251 take official action on behalf of the Mississippi Department of
252 Marine Resources and its actions are purely advisory in nature.
253 Whenever the terms "Mississippi Commission on Marine Resources,"
254 "Commission on Marine Resources" and "commission" when referring
255 to the Mississippi Commission on Marine Resources appear in any



256 state law, they shall mean the "Mississippi Advisory Commission on
257 Marine Resources."

258 (2) The reconstituted Mississippi Advisory Commission on
259 Marine Resources shall consist of five (5) members to be appointed
260 as follows:

261 (a) The Governor shall appoint five (5) members who
262 shall be residents of Jackson, Harrison and Hancock Counties with
263 the advice and consent of the Senate. The Governor shall appoint
264 at least one (1) member from each county but not more than two (2)
265 members from any one (1) county. The members designated in
266 subparagraphs (i), (ii) and (iv) must be a resident of the county
267 where the business he is appointed to represent is located.

268 (b) The advisory commission shall be composed as
269 follows:

270 (i) One (1) member shall be a commercial seafood
271 processor.

272 (ii) One (1) member shall be a commercial
273 fisherman.

274 (iii) One (1) member shall be a recreational
275 sports fisherman.

276 (iv) One (1) member shall be a charter boat
277 operator.

278 (v) One (1) member shall be a member of an
279 incorporated nonprofit environmental organization.



280 (c) * * * The Mississippi Advisory Commission on Marine
281 Resources, created by former Section 49-15-301, is continued and
282 reconstituted as follows: Effective January 1, 2028, the members
283 designated in paragraph (b) of this subsection shall be appointed
284 by the Governor, with the advice and consent of the Senate,
285 provided that three (3) such members shall be appointed in 2028 to
286 a term ending July 1, 2032, and two (2) such members shall be
287 appointed in 2030 to a term ending July 1, 2034. All appointment
288 procedures, vacancy provisions, interim appointment provisions and
289 removal provisions specifically provided for in Section 7-1-35,
290 Mississippi Code of 1972, shall be fully applicable to
291 appointments to the Mississippi Advisory Commission on Marine
292 Resources.

293 * * *

294 (3) Each member shall have a demonstrated history of
295 involvement in the matter of jurisdiction for which he is
296 appointed to represent and his employment and activities must not
297 conflict with the matter of jurisdiction represented. A member
298 shall not have a record of conviction of violation of fish and
299 game or seafood laws or regulations within the five (5) years
300 preceding his appointment or a record of any felony conviction.
301 After July 1, * * * 2028, if a member is convicted of a violation
302 of the seafood laws during his term, his office shall be deemed
303 vacant and the Governor shall fill the vacancy as provided
304 in * * * Section 7-1-35.



305 (4) The advisory commission shall elect a chairman who shall
306 preside at all meetings of the commission, and the advisory
307 commission shall also elect a vice chairman who shall serve in the
308 absence or inability of the chairman.

309 (5) Each member shall be paid actual and necessary expenses
310 incurred in attending meetings of the advisory commission and in
311 performing his duties away from his domicile under assignment by
312 the advisory commission. In addition, members shall receive the
313 per diem authorized in Section 25-3-69.

314 (6) The advisory commission shall adopt rules and
315 regulations governing times and places of meetings.

316 (7) The advisory commission shall not take any action
317 without the approval of the Department of Marine Resources, and
318 such action shall be included in the minutes of the advisory
319 commission. A majority of the members shall constitute a quorum
320 of the advisory commission.

321 (8) The advisory commission shall advise the Department of
322 Marine Resources on how to devise a plan to make licenses
323 available in each coastal county.

324 (9) (a) There is hereby created a Marine Resources
325 Technical Advisory Council composed of the Executive Director of
326 the Gulf Coast Research Lab, or his designee; the Executive
327 Director of the Department of Environmental Quality, or his
328 designee; and the Executive Director of the Department of
329 Wildlife, Fisheries and Parks, or his designee.



330 (b) The council shall give technical assistance to the
331 department.

332 (10) For purposes of this section the following definitions
333 apply:

334 (a) "Charter boat operator" means an individual who
335 operates a vessel for hire, guiding sports fishermen for a fee and
336 is duly licensed to engage in such activity in the State of
337 Mississippi.

338 (b) "Commercial fisherman" means a fisherman who sells,
339 barter or exchanges any or all of his catch or who is paid for
340 attempting to catch marine species, and is duly licensed to engage
341 in commercial fishing.

342 (c) "Commercial seafood processor" means an individual
343 who engages in the business of purchasing seafood products and
344 preparing them for resale and who is duly licensed to engage in
345 such commercial activity in the State of Mississippi.

346 (d) "Incorporated environmental nonprofit organization"
347 means an organization duly incorporated in any state as a
348 nonprofit organization and whose stated goals and purposes are the
349 conservation of natural resources.

350 (e) "Recreational sports fisherman" means an individual
351 who catches or harvests marine species only for recreation or
352 personal consumption and not for sale. The individual must
353 possess a saltwater sports fishing license, be a member of an



354 incorporated nonprofit sports fishing organization and not possess
355 a commercial fishing or seafood processor license.

356 **SECTION 5.** Section 69-15-2, Mississippi Code of 1972, is
357 amended as follows:

358 69-15-2. (1) The Mississippi Board of Animal Health is to
359 be composed of the Commissioner of Agriculture and Commerce, the
360 Dean of the College of Veterinary Medicine and the heads of the
361 Animal and Dairy Science and Poultry Science Departments at
362 Mississippi State University of Agriculture and Applied Science,
363 and one (1) person appointed by the President of Alcorn State
364 University from its land grant staff as five (5) ex officio
365 members with full voting rights, and ten (10) other members of the
366 board to be appointed by the Governor as hereinafter provided.
367 The board shall select annually a chairman and vice chairman from
368 any members of the board.

369 (2) The Governor, with the advice and consent of the Senate,
370 shall appoint eleven (11) other members from the following groups
371 or associations from a written list of recommendations from such
372 groups or associations:

373 One (1) licensed and practicing veterinarian who holds a
374 Doctor of Veterinary Medicine Degree, from a written list of three
375 (3) recommendations submitted by the Mississippi State Veterinary
376 Medical Association;



377 One (1) general farmer from a written list of three (3)
378 recommendations submitted by the Mississippi Farm Bureau
379 Federation;

380 One (1) poultry breeder and producer from a written list of
381 three (3) recommendations submitted by the Mississippi Poultry
382 Association;

383 One (1) small ruminant breeder and producer from a written
384 list of three (3) recommendations, one (1) recommendation
385 submitted by each of the following: the Mississippi Sheep
386 Producers' Association, the Mississippi Club Goat Association, and
387 the Mississippi Goat Association. If an association fails to
388 timely submit its recommendation, the Governor may appoint the
389 member from the list of recommendations submitted by the other
390 associations;

391 One (1) beef cattle breeder and producer from a written list
392 of three (3) recommendations submitted by the Mississippi
393 Cattlemen's Association;

394 One (1) swine breeder and producer from a written list of
395 three (3) recommendations submitted by the Mississippi Pork
396 Producers' Association;

397 One (1) dairy breeder and producer from a written list of
398 three (3) recommendations submitted by the American Dairy
399 Association of Mississippi;

400 One (1) horse breeder and producer from a written list of
401 four (4) recommendations, one (1) recommendation submitted by each



402 of the following: the Mississippi Quarter Horse Association,
403 Tennessee Walking Horse Association, Mississippi Cutting Horse
404 Association and Mississippi State Equine Association. If an
405 association fails to timely submit its recommendation, the
406 Governor may appoint the member from the list of recommendations
407 submitted by the other associations;

408 One (1) catfish breeder and producer from a written list of
409 three (3) recommendations submitted by the Mississippi Catfish
410 Association; and

411 One (1) member of the Mississippi Livestock Auction
412 Association from a written list of three (3) recommendations
413 submitted by the Mississippi Livestock Auction Association.

414 All members shall take and subscribe to the general oath of
415 office as provided in Section 268, Mississippi Constitution of
416 1890, and file the same with the Commissioner of Agriculture and
417 Commerce.

418 (3) * * * The Mississippi Board of Animal Health, created by
419 former Section 69-15-2, is continued and reconstituted as follows:
420 Effective January 1, 2028, the board members shall be appointed by
421 the Governor, with the advice and consent of the Senate, for a
422 term of office of four (4) years, provided that six (6) such
423 members shall be appointed in 2028 to a term ending July 1, 2032,
424 and five (5) such members shall be appointed in 2030 to a term
425 ending July 1, 2034. All appointment procedures, vacancy
426 provisions, interim appointment provisions and removal provisions



427 specifically provided for in Section 7-1-35, Mississippi Code of
428 1972, shall be fully applicable to appointments to the Mississippi
429 Board of Animal Health.

430 (4) (a) "Commissioner" means the Commissioner of
431 Agriculture and Commerce.

432 (b) "Department" means the Department of Agriculture
433 and Commerce.

434 (5) On or before July 1, * * * 2025, the board shall
435 appoint, with the advice and consent of the Senate, from a written
436 list of not less than three (3) licensed veterinarians submitted
437 by the commissioner, the State Veterinarian.

438 (6) There is created an advisory council to advise the Board
439 of Animal Health on matters concerning the board. The council
440 shall be composed of the Chairman of the Senate Agriculture
441 Committee, the Chairman of the House Agriculture Committee, and
442 one (1) appointee of the Lieutenant Governor and one (1) appointee
443 of the Speaker of the House of Representatives. The members of
444 the advisory council shall serve in an advisory capacity only.
445 For attending meetings of the council, such legislators shall
446 receive per diem and expenses which shall be paid from the
447 contingent expense funds of their respective houses in the same
448 amounts provided for committee meetings when the Legislature is
449 not in session; however, no per diem or expenses for attending
450 meetings of the council shall be paid while the Legislature is in
451 session. No per diem and expenses shall be paid except for



452 attending meetings of the council without prior approval of the
453 proper committee in their respective houses.

454 **SECTION 6.** Section 73-1-5, Mississippi Code of 1972, is
455 amended as follows:

456 73-1-5. The State Board of Architecture is composed of five
457 (5) members who are licensed architects residing in this state and
458 who have been engaged in the practice of architecture not less
459 than seven (7) years. It is the duty of the board to carry out
460 the purposes of this chapter as herein provided.

461 * * *

462 The State Board of Architecture, created by former Section
463 73-1-5, is continued and reconstituted as follows: Effective
464 January 1, 2028, the board members shall be appointed by the
465 Governor, with the advice and consent of the Senate, one (1) from
466 each Mississippi Supreme Court District and two (2) from the state
467 at large for a term of office of four (4) years, provided that
468 three (3) such members shall be appointed in 2028 to a term ending
469 July 1, 2032, and two (2) such members shall be appointed in 2030
470 to a term ending July 1, 2034. All appointment procedures,
471 vacancy provisions, interim appointment provisions and removal
472 provisions specifically provided for in Section 7-1-35,
473 Mississippi Code of 1972, shall be fully applicable to
474 appointments to the State Board of Architecture.

475 **SECTION 7.** Section 39-11-1, Mississippi Code of 1972, is
476 amended as follows:



477 39-11-1. (1) There is hereby created and established a
478 state commission to be known as the Mississippi Arts Commission,
479 to consist of fifteen (15) members broadly representative of all
480 fields of the performing, visual, literary arts, and the business
481 community, and who are to be appointed by the Governor from among
482 citizens of the state who have demonstrated a vital interest in
483 the performing, visual, or literary arts. These members shall
484 also be representative of the different geographical areas of the
485 state, with not more than five (5) members to be appointed from
486 any Mississippi Supreme Court District.

487 (2) The Mississippi Arts Commission, created by former
488 Section 39-11-1, is continued and reconstituted as follows:
489 Effective January 1, 2028, each member shall be appointed by the
490 Governor, with the advice and consent of the Senate, for a term of
491 office of four (4) years, provided that eight (8) such members
492 shall be appointed in 2028 to a term ending July 1, 2032, and
493 seven (7) such members shall be appointed in 2030 to a term ending
494 July 1, 2034. All appointment procedures, vacancy provisions,
495 interim appointment provisions and removal provisions specifically
496 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
497 fully applicable to appointments to the Mississippi Arts
498 Commission.

499 **SECTION 8.** Section 75-75-103, Mississippi Code of 1972, is
500 amended as follows:



501 75-75-103. There is hereby created the Mississippi Athletic
502 Commission, hereinafter referred to as the commission. The
503 commission shall consist of three (3) members, each of whom shall
504 be a qualified voter and at least thirty (30) years of age. The
505 membership of the commission shall consist of a chairman of the
506 commission and two (2) associate commissioners, appointed by the
507 Governor, with the advice and consent of the Senate, to be
508 appointed from each of the three (3) Mississippi Supreme Court
509 Districts. * * * The Mississippi Athletic Commission, created by
510 former Section 75-75-103, is continued and reconstituted as
511 follows: Effective January 1, 2028, the commissioners shall be
512 appointed by the Governor, with the advice and consent of the
513 Senate, for a term of office of four (4) years, provided that two
514 (2) such members shall be appointed in 2028 to a term ending July
515 1, 2032, and two (2) such members shall be appointed to a term
516 ending July 1, 2034. All appointment procedures, vacancy
517 provisions, interim appointment provisions and removal provisions
518 specifically provided for in Section 7-1-5, Mississippi Code of
519 1972, shall be fully applicable to appointments to the Mississippi
520 Athletic Commission.

521 **SECTION 9.** Section 73-4-7, Mississippi Code of 1972, is
522 amended as follows:

523 73-4-7. (1) The Mississippi Auctioneer Commission is
524 created, and it shall have the authority to make such rules and
525 regulations as are reasonable and necessary for the orderly



526 regulation of the auctioneering profession and the protection of
527 the public, which rules and regulations are not inconsistent with
528 the Mississippi Constitution of 1890 and state laws. The
529 commission shall have the following powers:

530 (a) The power to set reasonable license fees, to
531 collect and hold such fees and to disburse such fees in any manner
532 not inconsistent with this chapter.

533 (b) The power to make such rules and regulations as
534 will promote the orderly functioning of the auction profession and
535 ensure the protection of the public.

536 (c) The power to hire and retain such staff and support
537 personnel as are necessary to conduct business and assure
538 compliance with this chapter.

539 (d) The power to conduct investigations, hold hearings,
540 subpoena witnesses, make findings of fact and otherwise enforce
541 the disciplinary provisions contained in this chapter.

542 (2) The Mississippi Auctioneer Commission shall consist of
543 five (5) members, one (1) from each * * * Mississippi Supreme
544 Court District and two (2) from the state at large, who shall be
545 appointed by the Governor, with the advice and consent of the
546 Senate. All appointees shall possess the following minimum
547 qualifications:

548 (a) An appointee shall be a citizen of Mississippi.



549 (b) An appointee shall have been engaged as an
550 auctioneer for a period of not less than five (5) years
551 immediately preceding his appointment.

552 (c) An appointee shall be of good reputation,
553 trustworthy and knowledgeable in the auction profession.

554 An individual may not act as a member of the commission while
555 holding another elected or appointed office in either the state or
556 federal government or while owning a school or other facility to
557 train individuals to be auctioneers.

558 (3) * * * The Mississippi Auctioneer Commission, created by
559 former Section 73-4-7, is continued and reconstituted as follows:
560 Effective January 1, 2028, each commissioner shall be appointed by
561 the Governor, with the advice and consent of the Senate, for a
562 term of office of four (4) years, provided that three (3) such
563 members shall be appointed in 2028 to a term ending July 1, 2032,
564 and two (2) such members shall be appointed in 2030 to a term
565 ending July 1, 2034. All appointment procedures, vacancy
566 provisions, interim appointment provisions and removal provisions
567 specifically provided for in Section 7-1-35, Mississippi Code of
568 1972, shall be fully applicable to appointments to the Mississippi
569 Auctioneer Commission.

570 (4) Each member of the commission shall receive a per diem
571 as provided by Section 25-3-69 per meeting and shall be reimbursed
572 for ordinary and necessary expenses incurred in the performance of
573 official duties as provided in Section 25-3-41.



574 **SECTION 10.** Section 37-169-3, Mississippi Code of 1972, is
575 amended as follows:

576 37-169-3. (1) Members of the Mississippi Autism Advisory
577 Committee shall be composed of the following:

578 (a) Five (5) persons who are the parents of children
579 with autism or ASD, with one (1) such person to be appointed by
580 the Governor, two (2) to be appointed by the Lieutenant Governor,
581 and two (2) to be appointed by the Speaker of the House;

582 (b) One (1) person who is a member of the governing
583 body of a school district, to be appointed by the State
584 Superintendent of Public Education;

585 (c) The State Superintendent of Public Education or the
586 Associate Superintendent of the Office of Special Education;

587 (d) One (1) person who is the director of special
588 education services in a school district, to be appointed by the
589 State Superintendent of Public Education;

590 (e) Two (2) members of the Mississippi Special
591 Education Advisory Committee, to be selected by the committee;

592 (f) Two (2) educators or behavioral specialists who
593 work directly with students with ASD, to be appointed by the State
594 Superintendent of Public Education;

595 (g) Two (2) Mississippi licensed psychologists who
596 perform evaluation or consultation with Mississippi schools, to be
597 appointed by the Mississippi Association of Psychology in the
598 Schools;



599 (h) The project director of the Mississippi Parent
600 Training and Information Center;

601 (i) Two (2) persons who are representatives of autism
602 advocacy groups or professionals who work with the advocacy groups
603 and provide services to individuals with autism or ASD, to be
604 appointed by the Executive Director of the Department of Mental
605 Health;

606 (j) One (1) person who is a representative of the State
607 Department of Mental Health, to be appointed by the executive
608 director of the department;

609 (k) One (1) person who is a representative of a private
610 mental health facility who provides services to youth with ASD, to
611 be appointed by the Executive Director of the State Department of
612 Mental Health;

613 (l) One (1) person who is a representative of the
614 University of Mississippi Medical Center and who provides medical
615 or other services to individuals with autism or ASD, to be
616 appointed by the Vice Chancellor of the University of Mississippi
617 Medical Center;

618 (m) Two (2) persons who are working in private industry
619 whose business has the potential to employ individuals with
620 autism, to be appointed by the Governor;

621 (n) One (1) person who is a Transition Specialist, to
622 be appointed by the State Superintendent of Public Education;



623 (o) One (1) representative of the T.K. Martin Center,
624 to be appointed by the Director of the T.K. Martin Center;

625 (p) One (1) representative of the Mississippi
626 Department of Rehabilitation Services;

627 (q) Two (2) persons who are licensed therapists, to be
628 appointed by the President of the Mississippi Speech Language and
629 Hearing Association;

630 (r) One (1) person who is a representative of the
631 Mississippi Department of Insurance, to be appointed by the
632 commissioner; and

633 (s) One (1) person who is a representative of the
634 Mississippi Department of Human Services, to be appointed by the
635 director of the department.

636 (2) The Mississippi Autism Advisory Committee, created by
637 former Section 37-169-3, is continued and reconstituted as
638 follows: Effective January 1, 2028, each member appointed by the
639 Governor or an official in the executive branch of government or a
640 private sector association shall be appointed, with the advice and
641 consent of the Senate, for a term of office of four (4) years,
642 provided that a majority of the membership of the committee as
643 designated by the Secretary of State shall be appointed in 2028 to
644 a term ending July 1, 2032, and the remainder of the committee as
645 designated by the Secretary of State shall be appointed in 2030 to
646 a term ending July 1, 2034. All appointment procedures, vacancy
647 provisions, interim appointment provisions and removal provisions



648 specifically provided for in Section 7-1-35, Mississippi Code of
649 1972, shall be fully applicable to appointments to the Mississippi
650 Autism Advisory Committee.

651 **SECTION 11.** Section 73-75-7, Mississippi Code of 1972, is
652 amended as follows:

653 73-75-7. (1) The Mississippi Autism Board shall consist of
654 five (5) members, three (3) to be appointed by the Governor, with
655 the advice and consent of the Senate, one (1) from each of the
656 three (3) Mississippi Supreme Court Districts and two (2) to be
657 appointed by the Lieutenant Governor, with the advice and consent
658 of the Senate, from the state at large. The Governor shall
659 appoint one (1) licensed psychologist practicing in the area of
660 applied behavior analysis, one (1) licensed behavior analyst, and
661 one (1) public member who is not licensed in behavior analysis and
662 who is the family member of a recipient of applied behavior
663 analysis services. The Lieutenant Governor shall appoint two (2)
664 licensed behavior analysts.

665 (2) * * * The Mississippi Autism Board, created by former
666 Section 73-75-7, is continued and reconstituted as follows:
667 Effective January 1, 2028, each board member shall be appointed,
668 with the advice and consent of the Senate, for a term of office of
669 four (4) years, provided that two (2) of the Governor's
670 appointments, as designated by the Secretary of State, shall be
671 appointed in 2028 to a term ending July 1, 2032, and one (1) of
672 the Governor's appointments, as designated by the Secretary of



673 State, shall be appointed in 2030 to a term ending July 1, 2034.
674 All appointment procedures, vacancy provisions, interim
675 appointment provisions and removal provisions specifically
676 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
677 fully applicable to appointment to the Mississippi Autism Board.

678 * * *

679 (* * *3) Each board member shall serve without
680 compensation, but shall receive actual traveling and incidental
681 expenses necessarily incurred while engaged in the discharge of
682 official duties.

683 **SECTION 12.** Section 81-1-61, Mississippi Code of 1972, is
684 amended as follows:

685 81-1-61. The management, control and direction of the
686 department shall be vested in the Commissioner of Banking and
687 Consumer Finance, who shall be directly responsible for the proper
688 functioning of the department. The commissioner shall be a banker
689 who possesses not less than ten (10) consecutive years of active
690 banking experience of which five (5) years' experience were
691 performed in a major policy-making function as an executive
692 officer, or shall be a person who possesses fifteen (15) years of
693 active experience as a state or federal financial institutions
694 examiner. The commissioner shall have been active in such major
695 policy-making function or actively employed by the state or
696 federal financial institutions regulatory authority within the
697 previous five (5) years of his appointment. Effective July 1,



698 2025, the commissioner shall be appointed by the Governor, with
699 the advice and consent of the Senate, for a term of office of four
700 (4) years, commencing on the day of appointment or on July 1 of
701 the year in which the Governor is inaugurated, whichever comes
702 first. The commissioner shall serve until his successor is
703 appointed and qualified, but in no event shall he serve past the
704 July 1 occurring after the end of the term of the Governor who
705 appointed him, unless he shall be reappointed by the new Governor.
706 If, for any cause, a vacancy occurs in the office of the
707 commissioner, the Governor shall make the appointment for the
708 unexpired term.

709 The commissioner shall be of good moral character, thoroughly
710 understanding the theory and practice of banking, and must be a
711 qualified elector of the State of Mississippi. The commissioner
712 shall not be an officer, director or employee of any banking
713 corporation during his entire term as commissioner, effective from
714 the time of his appointment.

715 The commissioner may be removed by the Governor for good
716 cause, but only after notice and a hearing.

717 All appointment procedures, vacancy provisions, interim
718 appointment provisions and removal provisions specifically
719 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
720 fully applicable to appointments to the position of commissioner.

721 **SECTION 13.** Section 81-3-12, Mississippi Code of 1972, is
722 amended as follows:



723 81-3-12. (1) There is created the State Board of Banking
724 Review, which shall be composed of five (5) members appointed by
725 the Governor as provided in this section, one (1) of whom shall be
726 from the First Supreme Court District, one (1) of whom shall be
727 from the Second Supreme Court District, one (1) of whom shall be
728 from the Third Supreme Court District, and two (2) of whom shall
729 be from the state at large. The members appointed from the state
730 at large shall be designated as representatives of the banks and
731 shall be active executive officers or directors of state chartered
732 banks with actual practical experience of at least five (5) years
733 therein. The members appointed from each Supreme Court District
734 shall be persons knowledgeable in economic affairs and of
735 recognized ability in a trade or business, with at least three (3)
736 years' actual experience therein, but shall not presently be
737 officers or directors in any banking corporation, shall not have
738 been officers or directors in any banking corporation for the past
739 five (5) years immediately prior to their appointment to the
740 board, shall not become officers or directors of any banking
741 corporation while serving on the board, and shall not be the
742 beneficial owner, directly or indirectly, of five percent (5%) or
743 more of the capital stock in any banking corporation; such persons
744 shall be designated representatives of borrowers and depositors.
745 Each member shall be eligible for reappointment at the discretion
746 of the Governor. The board shall elect from its number a chairman
747 and a vice chairman. Each member of the board shall be a citizen



748 of the United States, a resident of the State of Mississippi and a
749 qualified elector therein, of integrity and sound and nonpartisan
750 judgment. Each member shall qualify by taking the oath of office
751 and shall hold office until his successor is appointed and
752 qualified.

753 (2) * * * The State Board of Banking Review, created by
754 former Section 81-3-12, is continued and reconstituted as follows:
755 Effective January 1, 2028, the members of the board shall be
756 appointed by the Governor, with the advice and consent of the
757 Senate, for a term of office of four (4) years, provided that
758 three (3) such members shall be appointed in 2028 to a term ending
759 July 1, 2032, and two (2) such members shall be appointed in 2030
760 to a term ending July 1, 2034. All appointment procedures,
761 vacancy provisions, interim appointment provisions and removal
762 provisions specifically provided for in Section 7-1-35,
763 Mississippi Code of 1972, shall be fully applicable to
764 appointments to the State Board of Banking Review.

765 (3) The members of the board shall serve without
766 compensation except that members shall be paid their actual and
767 necessary expenses in connection with the performance of their
768 duties as members of the board, including mileage, as authorized
769 in Section 25-3-41, plus a per diem as is authorized by law while
770 engaged in the performance of such duties. Such expenses, mileage
771 and per diem allowance shall be paid out of the maintenance fund
772 of the Department of Banking and Consumer Finance.



773 (4) If an application for authority to establish a bank,
774 branch bank or branch office be filed with the commissioner for
775 consideration from any municipality or county of which the member
776 of the board who is a representative of the banks is a resident,
777 or if such application is filed from any county in which the
778 member's bank has a branch bank or branch office, such member
779 shall be ineligible to serve in consideration and determination of
780 such application, and the commissioner shall certify such fact to
781 the Governor who shall thereupon appoint another banker from the
782 same geographical location as the member who is ineligible to
783 serve on the board in the place and stead of such member during
784 consideration of such application.

785 (5) In addition to its other duties and powers, the board
786 may adopt reasonable rules or regulations, consistent with
787 applicable provisions of law, concerning the conduct of board
788 meetings and hearings and all formal and informal board procedures
789 relating to such meetings and hearings. The board shall have
790 authority, with respect to its hearings or meetings, to determine
791 the order and form in which evidence may be presented and to
792 impose reasonable time limitations on presentation of evidence.

793 **SECTION 14.** Section 73-5-1, Mississippi Code of 1972, is
794 amended as follows:

795 73-5-1. The State Board of Barber Examiners is continued and
796 reconstituted as follows: The Board of Barber Examiners shall
797 consist of five (5) members, to be appointed by the Governor, with



798 the advice and consent of the Senate, one (1) member to be
799 appointed from each of the Mississippi Supreme Court
800 Districts * * * and two (2) from the state at large. Each member
801 shall be a practical barber and a qualified elector of this state.
802 He shall have been engaged in the practice of barbering in the
803 State of Mississippi for at least five (5) years immediately
804 before the time of his appointment and shall be a person of good
805 moral character. * * * From and after July 1, 2002, no member of
806 the board who is connected in any way with any barbering school
807 shall participate in the administration of examinations of barber
808 applicants. From and after July 1, 2004, no member of the board
809 shall be connected in any way with any school in which barbering
810 is taught.

811 * * *

812 Effective January 1, 2028, the members of the Board of Barber
813 Examiners shall be appointed by the Governor, with the advice and
814 consent of the Senate, for a term of office of four (4) years,
815 provided that three (3) such members shall be appointed in 2028 to
816 a term ending July 1, 2032, and two (2) such members shall be
817 appointed in 2030 to a term ending July 1, 2034. All appointment
818 procedures, vacancy provisions, interim appointment provisions and
819 removal provisions specifically provided for in Section 7-1-35,
820 Mississippi Code of 1972, shall be fully applicable to
821 appointments to the Mississippi Board of Barber Examiners.



822 **SECTION 15.** Section 43-3-103, Mississippi Code of 1972, is
823 amended as follows:

824 43-3-103. (1) From and after July 1, 1997, the MIB shall be
825 governed by a board of directors hereby created, to consist of
826 four (4) persons appointed by the Governor, and three (3) by the
827 Lieutenant Governor, with the advice and consent of the Senate,
828 each of whom shall be a qualified elector of the State of
829 Mississippi. The members of the board of directors appointed by
830 the Governor shall include the following:

831 (a) One (1) legally blind individual;

832 (b) One (1) educator with expertise in rehabilitation
833 or the field of blindness;

834 (c) One (1) individual with at least five (5) years'
835 actual experience in finance or a related field;

836 (d) One (1) individual with at least five (5) years'
837 actual experience in manufacturing or a related field.

838 The members of the board of directors appointed by the
839 Lieutenant Governor shall include the following:

840 (a) One (1) legally blind individual;

841 (b) One (1) individual with at least five (5) years'
842 actual experience in marketing or a related field; and

843 (c) One (1) individual who is a licensed practicing
844 attorney.

845 * * *



846 The MIB Board of Directors, created by former Section
847 43-3-103, is continued and reconstituted as follows: Effective
848 January 1, 2028, the board of directors shall be appointed by the
849 Governor and Lieutenant Governor, with the advice and consent of
850 the Senate, for a term of office of four (4) years, provided that
851 two (2) appointments by the Governor and two (2) appointments by
852 the Lieutenant Governor as designated by the Secretary of State
853 shall be appointed in 2028 to terms ending July 1, 2032, and the
854 remainder of the board of directors as designated by the Secretary
855 of State shall be appointed in 2030 to terms ending July 1, 2034.
856 All appointment procedures, vacancy provisions, interim
857 appointment provisions and removal provisions specifically
858 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
859 fully applicable to appointments to the MIB Board of Directors.

860 (2) The board of directors shall organize by selecting
861 annually from its members a chairman and a vice chairman, and may
862 do all things necessary and convenient for carrying into effect
863 the provisions of this chapter. Each member of the board shall
864 receive a per diem as provided in Section 25-3-69, Mississippi
865 Code of 1972, plus travel and reasonable and necessary expenses
866 incidental to the attendance at each meeting as provided in
867 Section 25-3-41, including mileage.

868 (3) The Lieutenant Governor may designate the Chairman of
869 the Senate Committee on Public Health and Welfare and another
870 member of the Senate and the Speaker of the House of



871 Representatives may designate the Chairman of the House Committee
872 on Public Health and Human Services and another member of the
873 House to attend any meeting of the Board of Directors of the MIB.
874 The appointing authorities may designate alternate members from
875 their respective houses to serve when the regular designees are
876 unable to attend such meetings of the board. Such legislative
877 designees shall have no jurisdiction or vote on any matter within
878 the jurisdiction of the board. For attending meetings of the
879 board, such legislators shall receive per diem and expenses which
880 shall be paid from the contingent expense funds of their
881 respective houses in the same amounts as provided for committee
882 meetings when the Legislature is not in session; however, no per
883 diem and expenses for attending meetings of the board will be paid
884 while the Legislature is in session. No per diem and expenses
885 will be paid except for attending meetings of the board without
886 prior approval of the proper committee in their respective houses.

887 (4) It shall be the duty of the Board of Directors of MIB
888 to:

889 (a) Appoint and employ an executive director who shall
890 be the executive and administrative head of MIB and who shall
891 serve at the pleasure of the board of directors. The Board of
892 Directors of MIB shall set the compensation of the executive
893 director.



894 (b) Make and publish policies, rules and regulations,
895 not inconsistent with the terms of this chapter, as may be
896 necessary for the efficient administration and operation of MIB.

897 (c) Adopt and publish rules and regulations, in its
898 discretion, to establish a policy of sick leave with pay and
899 personal leave with pay for MIB employees and to require that MIB
900 offices be opened and staffed on legal holidays as determined
901 necessary by the board of directors.

902 (5) There is created a revolving fund in the State Treasury,
903 which shall be used by the Mississippi Industries for the Blind
904 for the purpose of taking advantage of contractual opportunities
905 that would not be available to MIB without those funds and for the
906 purpose of meeting the obligations of those types of contracts.
907 The fund shall consist of monies that are specifically made
908 available by the Legislature for the purpose of the fund. MIB
909 shall not be authorized to expend any monies in the fund until it
910 has received the prior written approval of the Executive Director
911 of the Department of Finance and Administration and the State
912 Treasurer. MIB shall repay to the fund all monies that it expends
913 from the fund, which monies then may be used by MIB for future
914 contractual opportunities and obligations. Monies in the fund at
915 the end of a fiscal year shall not lapse into the State General
916 Fund, and all interest earned on monies in the fund shall be
917 credited to the fund.



918 **SECTION 16.** Section 39-27-1, Mississippi Code of 1972, is
919 amended as follows:

920 39-27-1. (1) There is created the Mississippi Blues
921 Commission, hereinafter referred to as the "commission." The
922 commission may accept and expend grants and private donations from
923 any source, including federal, state, public and private entities,
924 to assist it to carry out its functions.

925 (2) For purposes of this chapter, the term "blues" shall
926 mean African-American roots music and the culture that created it.

927 (3) The powers, functions and duties of the commission shall
928 include, but shall not be limited to, the following:

929 (a) To study, deliberate and report to the Governor and
930 the Legislature on the best method or plan to market and foster an
931 appreciation of the blues, to include tourism, academic study and
932 blues archives, blues historical preservation, blues cultural
933 education and the support of performing artists. The marketing
934 plan shall be designed to attract tourists, conferences, music
935 performances, filmmakers and others for the purpose of economic
936 development of all geographic areas of the state, through the
937 promotion of the blues and the heritage and culture that produced
938 the blues, and to analyze the tourism potential of the blues for
939 Mississippi.

940 (b) To make an inventory of blues "assets" that make up
941 the blues and blues culture that could be developed into a program



942 for domestic and international tourism, and opportunities for
943 investment.

944 (c) To establish a statewide Mississippi "Blues Trail"
945 infrastructure to offer to tourists and targeted groups a
946 structured tour of Mississippi blues historical sites and
947 performance venues.

948 (d) To coordinate with the Division of Tourism of the
949 Mississippi Development Authority, the Department of Archives and
950 History, the Mississippi Department of Transportation, the
951 Mississippi Educational Television Authority, the State
952 Institutions of Higher Learning, the Center for the Study of
953 Southern Culture at the University of Mississippi, the University
954 Center for Economic Development at Mississippi Valley State
955 University, the Delta Center for Culture and Learning at Delta
956 State University, the Delta Blues Museum, the Delta Music
957 Institute, the Mississippi Arts Commission and similar
958 organizations in the sharing of resources and information in order
959 to ensure a comprehensive approach to marketing the blues and
960 blues culture in Mississippi.

961 (e) To make recommendations regarding the establishment
962 of, and budgeting for, a permanent Mississippi Office of the Blues
963 as an agency of state government with an executive director and
964 appropriate staff to carry out the marketing plan developed by the
965 commission. To the extent practical, any office shall be located
966 at an existing public or private location which is appropriate to



967 the blues or blues culture in Mississippi, with minimal cost to
968 the state.

969 (f) To coordinate the blues marketing plan with any
970 existing state historic preservation programs, in order to:

971 (i) Identify and preserve blues historic
972 properties or sites;

973 (ii) Determine the eligibility of those properties
974 or sites for listing on the National Register;

975 (iii) Prepare nominations of those properties or
976 sites for inclusion on the National Register;

977 (iv) Maintain blues historical and archaeological
978 data bases; and

979 (v) Evaluate those properties and sites for
980 eligibility for state and federal preservation incentives.

981 (g) To raise and expend grant funds to provide
982 assistance to any blues musicians in need.

983 (4) The commission shall be composed of the following
984 members:

985 (a) The Director of the Division of Tourism of the
986 Mississippi Development Authority;

987 (b) The Executive Director of the Mississippi
988 Department of Archives and History, or his designee;

989 (c) The Executive Director of the Mississippi Arts
990 Commission, or his designee;



991 (d) The Executive Director of the Mississippi
992 Educational Television Authority, or his designee;

993 (e) The Director of the Center for the Study of
994 Southern Culture at the University of Mississippi;

995 (f) Until April 10, 2008, the Director of the
996 University Center for Economic Development at Mississippi Valley
997 State University, and after April 10, 2008, a person designated by
998 the President of Mississippi Valley State University;

999 (g) The Director of the Delta Center for Culture and
1000 Learning at Delta State University;

1001 (h) The President of the B.B. King Museum and Delta
1002 Interpretive Center;

1003 (i) The State Director of the USDA Rural Development
1004 Agency;

1005 (j) Two (2) members of the Mississippi Senate
1006 designated by the Lieutenant Governor, who shall serve on a
1007 nonvoting basis;

1008 (k) Two (2) members of the Mississippi House of
1009 Representatives designated by the Speaker of the House, who shall
1010 serve on a nonvoting basis;

1011 (l) Two (2) members appointed by the Governor, who
1012 shall have experience in cultural affairs or tourism development
1013 in the Mississippi Delta; and



1014 (m) Four (4) members appointed by the Governor from the
1015 state at large, who shall have demonstrated a commitment to the
1016 understanding and promotion of the blues.

1017 (5) The Mississippi Blues Commission, created by former
1018 Section 39-27-1, is continued and reconstituted as follows:
1019 Effective January 1, 2028, the commission members appointed by the
1020 Governor shall be appointed, with the advice and consent of the
1021 Senate, for a term of office of four (4) years, provided that four
1022 (4) such members shall be appointed in 2028 to a term ending July
1023 1, 2032, and two (2) such members shall be appointed in 2030 to a
1024 term ending July 1, 2034. All appointment procedures, vacancy
1025 provisions, interim appointment provisions and removal provisions
1026 specifically provided for in Section 7-1-35, Mississippi Code of
1027 1972, shall be fully applicable to gubernatorial appointments to
1028 the Mississippi Blues Commission.

1029 (* * *6) The Governor shall designate one (1) commission
1030 member to serve as chairman for a term concurrent with that of the
1031 Governor. The commission shall meet upon the call of the chairman
1032 not later than August 1, 2004, and shall organize for business by
1033 adopting internal organizational procedures necessary for
1034 efficient operation of the commission, including officers, quorum
1035 requirements and policies for any commission staff. Each member
1036 of the commission shall designate necessary staff of his or her
1037 respective agency, department, university or business entity, as
1038 the case may be, to provide administrative support to assist the



1039 commission in performing its duties and responsibilities. The
1040 commission shall meet and conduct business at least quarterly each
1041 year. Meetings of the commission shall be open to the public and
1042 opportunity for public comment shall be made available.

1043 (* * *7) Members of the commission shall receive no
1044 compensation for their services.

1045 (* * *8) The commission shall submit a report, including
1046 any proposed legislation, to the Governor and to the Legislature
1047 before the convening of the 2009 Regular Session. The report
1048 shall include a comprehensive state plan for marketing the blues
1049 as specifically provided above.

1050 (* * *9) All departments, boards, agencies, officers and
1051 institutions of the state, and all subdivisions thereof, shall
1052 cooperate with the commission in carrying out its purposes under
1053 this chapter.

1054 (* * *10) Any funds or donations received by the commission
1055 shall be deposited into a special fund which is created in the
1056 State Treasury. The fund shall be maintained by the State
1057 Treasurer as a special fund, separate and apart from the General
1058 Fund of the state. Unexpended amounts remaining in the special
1059 fund at the end of a fiscal year shall not lapse into the State
1060 General Fund, and any interest earned or investment earnings on
1061 amounts in the fund shall be deposited to the credit of the
1062 special fund.



1063 Monies in the fund shall be expended by the Department of
1064 Finance and Administration after receipt of requisitions submitted
1065 by the appropriate person designated by the commission. Monies in
1066 the special fund may be used by the commission in carrying out its
1067 responsibilities under this chapter.

1068 **SECTION 17.** Section 31-13-1, Mississippi Code of 1972, is
1069 amended as follows:

1070 31-13-1. The Governor, with the advice and consent of the
1071 Senate, shall appoint a qualified and practicing attorney at law,
1072 to be known as the State Bond Attorney, who shall possess the same
1073 qualifications for office as the Attorney General, * * * and whose
1074 duties shall be those hereinafter specified. Effective July 1,
1075 2024, the State Bond Attorney shall be appointed by the Governor,
1076 with the advice and consent of the Senate, for a term of office of
1077 four (4) years, commencing on the day of appointment or on July 1
1078 of the year in which the Governor is inaugurated, whichever comes
1079 first. All appointment procedures, vacancy provisions, interim
1080 appointment provisions and removal provisions specifically
1081 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
1082 fully applicable to appointments to the position of State Bond
1083 Attorney.

1084 **SECTION 18.** Section 57-10-167, Mississippi Code of 1972, is
1085 amended as follows:

1086 57-10-167. There is hereby established the Certified
1087 Development Company of Mississippi, a public corporation, which



1088 shall be an incorporated certified development company pursuant to
1089 Section 503 of the Small Business Investment Act of 1958, as
1090 amended.

1091 The Certified Development Company of Mississippi, Inc.,
1092 hereinafter referred to as the "committee" unless the context
1093 clearly indicates otherwise, shall be composed of twenty-five (25)
1094 members as follows:

1095 (a) The State Treasurer; the Executive Director of the
1096 University Research Center or his designee; the Executive Director
1097 of the Mississippi Development Authority; the Executive Director
1098 of the Small Business Development Center; six (6) persons
1099 associated with small business to be appointed by the
1100 Governor * * *; three (3) persons associated with small business
1101 to be appointed by the Lieutenant Governor * * *; five (5) persons
1102 involved in banking or small business to be appointed by the
1103 Governor * * *; and two (2) persons involved in banking or small
1104 business to be appointed by the Lieutenant Governor * * *.

1105 (b) * * * The Central Development Company of
1106 Mississippi, created by former Section 57-10-167, is continued and
1107 reconstituted as follows: Effective January 1, 2028, the members
1108 shall be appointed by the Governor and Lieutenant Governor, with
1109 the advice and consent of the Senate, for a term of office of four
1110 (4) years, provided that of the appointees of the Governor, six
1111 (6) shall be appointed in 2028 to a term ending July 1, 2032, and
1112 five (5) shall be appointed in 2030 to a term ending July 1, 2034,



1113 and of the appointees of the Lieutenant Governor, three (3) shall
1114 be appointed in 2028 to a term ending July 1, 2034, and two (2)
1115 shall be appointed in 2030 to a term ending July 1, 2034. All
1116 appointment procedures, vacancy provisions, interim appointment
1117 provisions and removal provisions specifically provided for in
1118 Section 7-1-35, Mississippi Code of 1972, shall be fully
1119 applicable to appointments by the Governor and Lieutenant Governor
1120 to the Central Development Company of Mississippi committee.

1121 Members serving by reason of their ex officio designation shall
1122 continue to serve as long as they occupy the position which
1123 entitles them to membership.

1124 Members who are officers or employees of the state shall
1125 receive no compensation for their services, and other committee
1126 members shall receive a per diem as provided in Section 25-3-69,
1127 Mississippi Code of 1972. All members shall receive reimbursement
1128 for actual traveling and subsistence expenses incurred in the
1129 performance of their duties under this article, such reimbursement
1130 to be as provided in Section 25-3-41, Mississippi Code of 1972.

1131 The Certified Development Company of Mississippi, Inc., shall
1132 have an executive director who shall be appointed by the board of
1133 directors.

1134 The Certified Development Company of Mississippi, Inc., shall
1135 elect from among its membership a nine-member board of directors,
1136 a majority of whom shall be a quorum, a president and vice
1137 president and may appoint a secretary and a treasurer.



1138 From and after July 1, 1989, the Certified Development
1139 Company of Mississippi, Inc., shall be known as the Mississippi
1140 Business Finance Corporation, and wherever the term "Certified
1141 Development Company of Mississippi, Inc.," appears in the laws of
1142 this state it shall mean the Mississippi Business Finance
1143 Corporation.

1144 **SECTION 19.** Section 29-5-213, Mississippi Code of 1972, is
1145 amended as follows:

1146 29-5-213. (1) Effective January 1, 2028, the Capitol
1147 Complex Improvement District Project Advisory Committee shall be
1148 continued and reconstituted as follows: There is created the
1149 Capitol Complex Improvement District Project Advisory Committee
1150 composed of the following nine (9) members:

1151 (a) The Mayor of the City of Jackson or his or her
1152 designee;

1153 (b) One (1) member appointed by the City Council of the
1154 City of Jackson with an initial term of one (1) year and
1155 subsequent regular terms of four (4) years;

1156 (c) Two (2) members appointed by the Governor, one (1)
1157 for an initial term of two (2) years and one (1) for an initial
1158 term of four (4) years, both with subsequent regular terms of four
1159 (4) years;

1160 (d) One (1) member appointed by the Lieutenant Governor
1161 for an initial term of four (4) years and subsequent regular terms
1162 of four (4) years;



1163 (e) One (1) member appointed by the Speaker of the
1164 House of Representatives for an initial term of two (2) years and
1165 subsequent regular terms of four (4) years;

1166 (f) One (1) member appointed by the President of
1167 Jackson State University;

1168 (g) One (1) member appointed by the Vice Chancellor for
1169 Health Affairs of University of Mississippi Medical Center; * * *

1170 (h) The Director of the City of Jackson Department of
1171 Public Works or his or her designee * * *; and

1172 (i) All appointment procedures, vacancy provisions,
1173 interim appointment provisions and removal provisions specifically
1174 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
1175 fully applicable to appointments to the Capitol Complex
1176 Improvement District Project Advisory Committee.

1177 The member appointed under paragraph (b) of this subsection
1178 (1) shall be a resident of the City of Jackson in Hinds County.

1179 (2) Members appointed to the committee shall not also serve
1180 as members of the commission established by the City of Jackson
1181 pursuant to Section 27-65-241. Appointed members shall serve
1182 without compensation at the will and pleasure of the appointing
1183 authority.

1184 (3) The committee shall elect a chairman and such other
1185 officers as it considers necessary from among its members.



1186 (4) A majority of the members of the committee shall
1187 constitute a quorum for the conduct of meetings and all actions of
1188 the committee shall be by a majority vote.

1189 (5) The committee shall consult with the Department of
1190 Finance and Administration and advise the department in the
1191 development of comprehensive plans for improvement projects in the
1192 city and any changes to such plans.

1193 (6) The committee shall meet, subject to call by the
1194 Executive Director of the Department of Finance and
1195 Administration, at least quarterly to conduct business.

1196 **SECTION 20.** Section 37-28-7, Mississippi Code of 1972, is
1197 amended as follows:

1198 37-28-7. (1) There is created the Mississippi Charter
1199 School Authorizer Board as a state agency with exclusive
1200 chartering jurisdiction in the State of Mississippi. Unless
1201 otherwise authorized by law, no other governmental agency or
1202 entity may assume any charter authorizing function or duty in any
1203 form.

1204 (2) (a) The mission of the Mississippi Charter School
1205 Authorizer Board is to authorize high-quality charter schools,
1206 particularly schools designed to expand opportunities for
1207 underserved students, consistent with the purposes of this
1208 chapter. Subject to the restrictions and conditions prescribed in
1209 this subsection, the Mississippi Charter School Authorizer Board



1210 may authorize charter schools within the geographical boundaries
1211 of any school district.

1212 (b) The Mississippi Charter School Authorizer Board may
1213 approve a maximum of fifteen (15) qualified charter applications
1214 during a fiscal year.

1215 (c) In any school district designated as an "A," "B" or
1216 "C" school district by the State Board of Education under the
1217 accreditation rating system at the time of application, the
1218 Mississippi Charter School Authorizer Board may authorize charter
1219 schools only if a majority of the members of the local school
1220 board votes at a public meeting to endorse the application or to
1221 initiate the application on its own initiative.

1222 (3) The Mississippi Charter School Authorizer Board shall
1223 consist of seven (7) members, to be appointed as follows:

1224 (a) Three (3) members appointed by the Governor, with
1225 one (1) member being from each of the Mississippi Supreme Court
1226 Districts.

1227 (b) Three (3) members appointed by the Lieutenant
1228 Governor, with one (1) member being from each of the Mississippi
1229 Supreme Court Districts.

1230 (c) One (1) member appointed by the State
1231 Superintendent of Public Education.

1232 All appointments must be made with the advice and consent of
1233 the Senate. In making the appointments, the appointing authority



1234 shall ensure diversity among members of the Mississippi Charter
1235 School Authorizer Board.

1236 (4) Members appointed to the Mississippi Charter School
1237 Authorizer Board collectively must possess strong experience and
1238 expertise in public and nonprofit governance, management and
1239 finance, public school leadership, assessment, curriculum and
1240 instruction, and public education law. Each member of the
1241 Mississippi Charter School Authorizer Board must have demonstrated
1242 an understanding of and commitment to charter schooling as a
1243 strategy for strengthening public education.

1244 (5) * * * The Mississippi Charter School Authorizer Board,
1245 created by former Section 37-28-7, is continued and reconstituted
1246 as follows: Effective January 1, 2028, the Mississippi Charter
1247 School Authorizer Board members shall be appointed by the
1248 prescribed appointing authority, with the advice and consent of
1249 the Senate, for a term of office of four (4) years, provided that
1250 four (4) such members shall be appointed in 2028 to a term ending
1251 July 1, 2032, and three (3) such members shall be appointed in
1252 2030 to a term ending July 1, 2034. All appointment procedures,
1253 vacancy provisions, interim appointment provisions and removal
1254 provisions specifically provided for in Section 7-1-35,
1255 Mississippi Code of 1972, shall be fully applicable to
1256 appointments to the Mississippi Charter School Authorizer Board.

1257 (6) The Mississippi Charter School Authorizer Board shall
1258 meet as soon as practical after September 1, 2013, upon the call



1259 of the Governor, and shall organize for business by selecting a
1260 chairman and adopting bylaws. Subsequent meetings shall be called
1261 by the chairman.

1262 * * *

1263 (* * *7) No member of the Mississippi Charter School
1264 Authorizer Board or employee, agent or representative of the board
1265 may serve simultaneously as an employee, trustee, agent,
1266 representative, vendor or contractor of a charter school
1267 authorized by the board.

1268 (* * *8) The Mississippi Charter School Authorizer Board
1269 shall appoint an individual to serve as the Executive Director of
1270 the Mississippi Charter School Authorizer Board, with the advice
1271 and consent of the Senate. The executive director shall possess
1272 the qualifications established by the board which are based on
1273 national best practices, and shall possess an understanding of
1274 state and federal education law. The executive director, who
1275 shall serve at the will and pleasure of the board, shall devote
1276 his full time to the proper administration of the board and the
1277 duties assigned to him by the board and shall be paid a salary
1278 established by the board, subject to the approval of the State
1279 Personnel Board. Subject to the availability of funding, the
1280 executive director may employ such administrative staff as may be
1281 necessary to assist the director and board in carrying out the
1282 duties and directives of the Mississippi Charter School Authorizer
1283 Board.



1284 (* * *9) The Mississippi Charter School Authorizer Board is
1285 authorized to obtain suitable office space for administrative
1286 purposes. In acquiring a facility or office space, the authorizer
1287 board shall adhere to all policies and procedures required by the
1288 Department of Finance and Administration and the Public
1289 Procurement Review Board.

1290 **SECTION 21.** Section 73-6-3, Mississippi Code of 1972, is
1291 amended as follows:

1292 73-6-3. There is hereby created a State Board of
1293 Chiropractic Examiners. This board shall consist of six (6)
1294 members; one (1) of whom shall be the executive officer of the
1295 State Board of Health, or his designee, and one (1) from
1296 each * * * Mississippi Supreme Court District as presently
1297 constituted and two (2) from the state at large, to be appointed
1298 by the Governor with the advice and consent of the Senate. Each
1299 member except the executive officer of the State Board of Health
1300 shall be a qualified elector of the State of Mississippi having
1301 been continuously engaged in the practice of chiropractic in
1302 Mississippi for at least five (5) years prior to appointment. No
1303 member shall be a stockholder in or member of the faculty or board
1304 of trustees of any school of chiropractic. * * * The State Board
1305 of Chiropractic Examiners, created by former Section 73-6-3, is
1306 continued and reconstituted as follows: Effective January 1,
1307 2028, the State Board of Chiropractic Examiners shall be appointed
1308 by the Governor, with the advice and consent of the Senate, for a



1309 term of office of four (4) years, provided that three (3) members
1310 shall be appointed in 2028 to a term ending July 1, 2032, and two
1311 (2) such members shall be appointed in 2030 to a term ending July
1312 1, 2034. All appointment procedures, vacancy provisions, interim
1313 appointment provisions, and removal provisions specifically
1314 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
1315 fully applicable to appointments to the State Board of
1316 Chiropractic Examiners.

1317 **SECTION 22.** Section 39-5-91, Mississippi Code of 1972, is
1318 amended as follows:

1319 39-5-91. (1) There is hereby created a Mississippi Civil
1320 War Battlefield Commission consisting of the following fifteen
1321 (15) members:

1322 (a) Nine (9) members appointed by the Governor with
1323 three (3) serving for an initial term concluding on March 1, 1998,
1324 three (3) serving for an initial term concluding on March 1, 2000,
1325 and three (3) serving for an initial term concluding on March 1,
1326 2002;

1327 (b) One (1) member appointed by the Lieutenant Governor
1328 for an initial term concluding on March 1, 2002;

1329 (c) One (1) member appointed by the Speaker of the
1330 Mississippi House of Representatives for an initial term
1331 concluding on March 1, 2002;

1332 (d) One (1) member appointed by the Jackson Civil War
1333 Roundtable for an initial term concluding on March 1, 2002; and



1334 (e) Three (3) members appointed by the Board of
1335 Trustees of the Department of Archives and History for an initial
1336 term concluding on March 1, 2002.

1337 * * *

1338 The Mississippi Civil War Battlefield Commission, created by
1339 former Section 39-5-91, is continued and reconstituted as follows:
1340 Effective January 1, 2028, the members of the Civil War
1341 Battlefield Commission shall be appointed by the prescribed
1342 appointing authority, with the advice and consent of the Senate,
1343 for a term of office of four (4) years, provided that eight (8) of
1344 such members designated by the Secretary of State shall be
1345 appointed in 2028 to a term ending July 1, 2032, and seven (7) of
1346 such members designated by the Secretary of State shall be
1347 appointed in 2030 to a term ending July 1, 2034. All appointment
1348 procedures, vacancy provisions, interim appointment provisions and
1349 removal provisions specifically provided for in Section 7-1-35,
1350 Mississippi Code of 1972, shall be fully applicable to
1351 appointments to the Mississippi Civil War Battlefield Commission.

1352 (2) The commission shall elect from its membership a
1353 chairman who shall preside over meetings and a vice chairman who
1354 shall preside in the absence of the chairman or when the chairman
1355 shall be excused.

1356 (3) The commission shall adopt rules and regulations
1357 governing times and places for meetings. A majority of members of
1358 the commission shall constitute a quorum for the transaction of



1359 any business. The commission shall meet at least quarterly. The
1360 commission may form subcommittees to address specific issues
1361 concerning preservation and enhancement of Civil War sites and
1362 structures. The commission may adopt other procedures necessary
1363 to ensure the orderly transaction of business.

1364 (4) The members of the commission shall receive no
1365 compensation for their services.

1366 (5) Principal staff support for the commission shall be
1367 provided by the Department of Archives and History. Other
1368 agencies shall assist when requested by the commission.

1369 (6) The commission shall have the following duties:

1370 (a) Identify and prioritize for protecting
1371 Mississippi's Civil War sites and structures;

1372 (b) Identify, analyze and enhance preservation
1373 opportunities for Mississippi's Civil War sites and structures;

1374 (c) Review existing local, state and federal plans,
1375 programs and policies related to Mississippi's Civil War sites and
1376 structures;

1377 (d) Develop relationships with federal and local
1378 officials and private conservation organizations which facilitate
1379 protection and enhancement of Civil War sites and structures;

1380 (e) Coordinate Mississippi's participation with the
1381 federal government and private foundations to secure support and
1382 financial resources for the protection and enhancement of Civil
1383 War sites and structures;



1384 (f) Advise state agencies on matters relating to Civil
1385 War sites and structures; and

1386 (g) Perform any other such duties or actions in an
1387 effort to advance Civil War history in Mississippi.

1388 (7) The commission shall submit to the Governor an annual
1389 report by December 1 of each year which shall include
1390 recommendations for any legislative, administrative or other
1391 changes the commission deems necessary to further Civil War
1392 history in Mississippi.

1393 (8) State agencies shall consider the impact of their
1394 actions on Civil War sites and structures as identified by the
1395 commission whenever permitting, planning, funding or undertaking
1396 any construction projects.

1397 **SECTION 23.** Section 37-155-7, Mississippi Code of 1972, is
1398 amended as follows:

1399 37-155-7. (1) The board of directors shall consist of
1400 thirteen (13) members as follows:

1401 (a) Nine (9) voting members as follows: the State
1402 Treasurer; the Commissioner of Higher Education, or his designee;
1403 the Executive Director of the Community and Junior College Board,
1404 or his designee; the Department of Finance and Administration
1405 Executive Director, or his designee; and one (1) member from
1406 each * * * Mississippi Supreme Court District and two (2) from the
1407 state at large to be appointed by the Governor with the advice and
1408 consent of the Senate. * * * The MPACT Board of Directors,



1409 created by former Section 37-155-7, is continued and reconstituted
1410 as follows: Effective January 1, 2028, the appointed MPACT Board
1411 members shall be appointed by the Governor, with the advice and
1412 consent of the Senate, for a term of office of four (4) years,
1413 provided that three (3) such members shall be appointed in 2028 to
1414 a term ending July 1, 2032, and two (2) such members shall be
1415 appointed in 2030 to a term ending July 1, 2034. All appointment
1416 procedures, vacancy provisions, interim appointment provisions and
1417 removal provisions specifically provided for in Section 7-1-35,
1418 Mississippi Code of 1972, shall be fully applicable to
1419 appointments to the MPACT Board of Directors. Ex officio members
1420 of the board may be represented at official meetings by their
1421 deputy, or other designee, and such designees shall have full
1422 voting privileges and shall be included in the determination of a
1423 quorum for conducting board business.

1424 (b) Two (2) nonvoting, advisory members of the board
1425 shall be appointed by each of the following officers: the
1426 Lieutenant Governor and the Speaker of the House of
1427 Representatives.

1428 * * *

1429 (* * *2) Each member appointed shall possess knowledge,
1430 skill and experience in business or financial matters commensurate
1431 with the duties and responsibilities of the trust fund.

1432 (* * *3) Members of the board of directors shall serve
1433 without compensation, but shall be reimbursed for each day's



1434 official duties of the board at the same per diem as established
1435 by Section 25-3-69 and actual travel and lodging expenses as
1436 established by Section 25-3-41.

1437 (* * *4) The board of directors shall annually elect one
1438 (1) member to serve as chairman of the board and one (1) member to
1439 serve as vice chairman. The vice chairman shall act as chairman
1440 in the absence of or upon the disability of the chairman or in the
1441 event of a vacancy of the office of chairman.

1442 (* * *5) A majority of the currently serving members of the
1443 board shall constitute a quorum for the purposes of conducting
1444 business and exercising its official powers and duties. Any
1445 action taken by the board shall be upon the vote of a majority of
1446 the members present.

1447 **SECTION 24.** Section 65-1-46, Mississippi Code of 1972, is
1448 amended as follows:

1449 65-1-46. (1) There is created an Appeals Board of the
1450 Mississippi Transportation Commission. If any person feels
1451 aggrieved by a penalty for excess weight assessed against him by
1452 an agent or employee of the Mississippi Department of
1453 Transportation pursuant to Section 27-19-89, he may apply to the
1454 appeals board. Beginning July 1, 2021, the Appeals Board shall be
1455 administratively located within the Commercial Transportation
1456 Enforcement Division of the Mississippi Department of Public
1457 Safety and shall receive appeals with respect to penalties for



1458 excess weight assessed by agents or employees of the Commercial
1459 Transportation Enforcement Division.

1460 (2) The members serving on the appeals board on April 7,
1461 1995, shall continue to serve until July 1, 1995. On July 1,
1462 1995, the appeals board shall be reconstituted to be composed of
1463 five (5) qualified people. The initial appointments to the
1464 reconstituted board shall be made no later than June 30, 1995, for
1465 terms to begin July 1, 1995, as follows: One (1) member shall be
1466 appointed by the Governor for a term ending on June 30, 1996, one
1467 (1) member shall be appointed by the Lieutenant Governor for a
1468 term ending on June 30, 1997, one (1) member shall be appointed by
1469 the Attorney General for a term ending on June 30, 1998, one (1)
1470 member shall be appointed by the Chairman of the State Tax
1471 Commission for a term ending on June 30, 1999, and one (1) member
1472 shall be appointed by the Executive Director of the Mississippi
1473 Department of Transportation for a term ending on June 30, 2000.
1474 After the expiration of the initial terms of the members of the
1475 reconstituted board, all subsequent appointments shall be made for
1476 terms of four (4) years from the expiration date of the previous
1477 term. Any member serving on the appeals board before July 1,
1478 1995, may be reappointed to the reconstituted appeals board.
1479 Appointments to the board shall be with the advice and consent of
1480 the Senate; however, the advice and consent of the Senate shall
1481 not be required for the appointment of a person to the
1482 reconstituted appeals board for a term beginning on July 1, 1995,



1483 if such person was serving as a member of the appeals board on
1484 June 30, 1995, and such person received the advice and consent of
1485 the Senate for that appointment. The term of the member appointed
1486 by the Executive Director of the Mississippi Department of
1487 Transportation shall end on June 30, 2021, and the vacancy shall
1488 be filled by a member appointed by the Commissioner of Public
1489 Safety for a term ending on June 30, 2024, after which the
1490 position shall be for a four-year term.

1491 (3) The Appeals Board of the Mississippi Transportation
1492 Commission, created by former Section 65-1-46, is continued and
1493 reconstituted as follows: Effective January 1, 2028, the Appeals
1494 Board of the Mississippi Transportation Commission shall consist
1495 of five (5) members, one (1) appointed by each of the following:
1496 the Governor, the Lieutenant Governor, the Attorney General, the
1497 Executive Director of the Department of Revenue and the
1498 Commissioner of Public Safety. Said members shall be appointed by
1499 the appointing authority, with the advice and consent of the
1500 Senate, for a term of office of four (4) years, provided that
1501 three (3) members designated by the Secretary of State shall be
1502 appointed in 2028 to a term ending July 1, 2032, and two (2) such
1503 members designated by the Secretary of State shall be appointed in
1504 2030 to a term ending July 1, 2034. All appointment procedures,
1505 vacancy provisions, interim appointment provisions and removal
1506 provisions specifically provided for in Section 7-1-35,
1507 Mississippi Code of 1972, shall be fully applicable to



1508 appointments to the Appeals Board of the Mississippi
1509 Transportation Commission.

1510 (* * *4) There shall be a chairman and vice chairman of the
1511 board who shall be elected by and from the membership of the
1512 board. Any member who fails to attend three (3) consecutive
1513 regular meetings of the board shall be subject to removal by a
1514 majority vote of the board. A majority of the members of the
1515 board shall constitute a quorum. The chairman, or a majority of
1516 the members of the board, may call meetings as may be required for
1517 the proper discharge of the board's duties. Members of the board,
1518 except a member who is an officer or employee of the Mississippi
1519 Department of Transportation or, beginning July 1, 2021, is an
1520 officer or employee of the Department of Public Safety, shall
1521 receive per diem in the amount authorized by Section 25-3-69, for
1522 each day spent in the actual discharge of their duties and shall
1523 be reimbursed for mileage and actual expenses incurred in the
1524 performance of their duties in accordance with the provisions of
1525 Section 25-3-41.

1526 Application shall be made by petition in writing, within
1527 thirty (30) days after assessment of the penalty, for a hearing
1528 and a review of the amount of the assessment. At the hearing the
1529 appeals board shall try the issues presented according to the law
1530 and the facts and within guidelines set by the Transportation
1531 Commission or, beginning July 1, 2021, by the Department of Public
1532 Safety. Upon due consideration of all the facts relating to the



1533 assessment of the penalty, the appeals board, except as otherwise
1534 provided under this section or under Section 27-19-89, may require
1535 payment of the full amount of the assessment, may reduce the
1536 amount of the assessment or may dismiss imposition of the penalty
1537 entirely. The appeals board shall dismiss in its entirety the
1538 imposition of any penalty imposed against the holder of a harvest
1539 permit if the permittee proves to the appeals board, by clear and
1540 convincing evidence, that the average load transported by the
1541 permittee during the permittee's last five (5) haul days
1542 immediately preceding the day upon which the penalty appealed from
1543 was assessed did not exceed eighty thousand (80,000) pounds. The
1544 appeals board shall reduce the penalty assessed against the holder
1545 of a harvest permit to a maximum of Two Cents (2¢) per pound of
1546 overweight if the permittee proves to the appeals board, by clear
1547 and convincing evidence, that the average load transported by the
1548 permittee during the permittee's last five (5) haul days
1549 immediately preceding the day upon which the penalty appealed from
1550 was assessed exceeded seventy-nine thousand nine hundred
1551 ninety-nine (79,999) pounds but did not exceed a gross vehicle
1552 weight tolerance of ten percent (10%), not to exceed eighty-eight
1553 thousand (88,000) pounds. The board shall make such orders in the
1554 matter as appear to it just and lawful and shall furnish copies
1555 thereof to the petitioner. If the appeals board orders the
1556 payment of the penalty, the petitioner shall pay the penalty,
1557 damages and interest, if any, within ten (10) days after the order



1558 is issued unless there is an application for appeal from the
1559 decision of the board as provided in the succeeding paragraph.
1560 Interest shall accrue on the penalty at the rate of one percent
1561 (1%) per month, or part of a month, beginning immediately after
1562 the expiration of the ten-day period.

1563 If any person feels aggrieved by the decision of the appeals
1564 board, he may appeal the decision to the Chancery Court of the
1565 First Judicial District of Hinds County.

1566 **SECTION 25.** Section 19-5-333, Mississippi Code of 1972, is
1567 amended as follows:

1568 19-5-333. (1) There is created a Commercial Mobile Radio
1569 Service (CMRS) Board, consisting of eight (8) members to be
1570 appointed by the Governor with the advice and consent of the
1571 Senate. The members of the board shall be appointed as follows:

1572 (a) One (1) member from the Northern Public Service
1573 Commission District selected from two (2) nominees submitted to
1574 the Governor by the Mississippi 911 Coordinators Association;

1575 (b) One (1) member from the Central Public Service
1576 Commission District selected from two (2) nominees submitted to
1577 the Governor by the Mississippi Chapter of the Association of
1578 Public Safety Communication Officers;

1579 (c) One (1) member from the Southern Public Service
1580 Commission District selected from two (2) nominees submitted to
1581 the Governor by the National Emergency Numbering Association;



1582 (d) Two (2) members who are wireless provider
1583 representatives;

1584 (e) One (1) member who is a consumer representing the
1585 state at large with no affiliation to the three (3) trade
1586 associations or the wireless providers;

1587 (f) One (1) member who is a member of the Mississippi
1588 Law Enforcement Officers Association selected from two (2)
1589 nominees submitted to the Governor by the association; and

1590 (g) One (1) member who is a member of the Mississippi
1591 Association of Supervisors selected from two (2) nominees
1592 submitted to the Governor by the association.

1593 * * *

1594 The CMRS Board, created by former Section 19-5-333, is
1595 continued and reconstituted as follows: Effective January 1,
1596 2028, the Governor shall make the prescribed appointments, with
1597 the advice and consent of the Senate, for a term of office of four
1598 (4) years, provided that five (5) such members shall be appointed
1599 in 2028 to a term ending July 1, 2032, and three (3) such members
1600 shall be appointed in 2030 to a term ending July 1, 2034. All
1601 appointment procedures, vacancy provisions, interim appointment
1602 provisions and removal provisions specifically provided for in
1603 Section 7-1-35, Mississippi Code of 1972, shall be fully
1604 applicable to appointments to the CMRS Board.

1605 (2) The board shall have the following powers and duties:



1606 (a) To collect and distribute a CMRS emergency
1607 telephone service charge on each CMRS customer whose place of
1608 primary use is within the state. The rate of such CMRS service
1609 charge shall be One Dollar (\$1.00) per month per CMRS connection.
1610 In the case of prepaid wireless service, the rate and methodology
1611 for collecting and remitting the 911 charge is governed by Section
1612 19-5-343. The CMRS service charge shall have uniform application
1613 and shall be imposed throughout the state. The board is
1614 authorized to receive all revenues derived from the CMRS service
1615 charge levied on CMRS connections in the state and collected
1616 pursuant to Section 19-5-335.

1617 (b) To establish and maintain the CMRS Fund as an
1618 insured, interest-bearing account into which the board shall
1619 deposit all revenues derived from the CMRS service charge levied
1620 on CMRS connections in the state and collected pursuant to Section
1621 19-5-335. The revenues which are deposited into the CMRS Fund
1622 shall not be monies or property of the state and shall not be
1623 subject to appropriation by the Legislature. Interest derived
1624 from the CMRS Fund shall be divided equally to pay reasonable
1625 costs incurred by providers in compliance with the requirements of
1626 Sections 19-5-331 through 19-5-341 and to compensate those
1627 persons, parties or firms employed by the CMRS Board as
1628 contemplated in paragraph (d) of this subsection. The interest
1629 income is not subject to the two percent (2%) cap on
1630 administrative spending established in Section 19-5-335(3).



1631 (c) To establish a distribution formula by which the
1632 board will make disbursements of the CMRS service charge in the
1633 following amounts and in the following manner:

1634 (i) Out of the funds collected by the board,
1635 thirty percent (30%) shall be deposited into the CMRS Fund, and
1636 shall be used to defray the administrative expenses of the board
1637 in accordance with Section 19-5-335(3) and to pay the actual costs
1638 incurred by such CMRS providers in complying with the wireless
1639 E911 service requirements established by the FCC Order and any
1640 rules and regulations which are or may be adopted by the FCC
1641 pursuant to the FCC Order, including, but not limited to, costs
1642 and expenses incurred for designing, upgrading, purchasing,
1643 leasing, programming, installing, testing or maintaining all
1644 necessary data, hardware and software required in order to provide
1645 such service as well as the incremental costs of operating such
1646 service. Sworn invoices must be presented to the board in
1647 connection with any request for payment and approved by a majority
1648 vote of the board prior to any such disbursement, which approval
1649 shall not be withheld or delayed unreasonably. In no event shall
1650 any invoice for payment be approved for the payment of costs that
1651 are not related to compliance with the wireless E911 service
1652 requirements established by the FCC Order and any rules and
1653 regulations which are or may be adopted by the FCC pursuant to the
1654 FCC Order, and any rules and regulations which may be adopted by
1655 the FCC with respect to implementation of wireless E911 services.



1656 (ii) The remainder of all funds collected by the
1657 board, which shall not be less than seventy percent (70%) of the
1658 total funds collected by the board, shall be distributed by the
1659 board monthly based on the number of CMRS connections in each ECD
1660 for use in providing wireless E911 service, including capital
1661 improvements, and in their normal operations. For purposes of
1662 distributing the funds to each ECD, every CMRS provider shall
1663 identify to the CMRS Board the ECD to which funds should be
1664 remitted based on zip code plus four (4) designation, as required
1665 by the federal Uniform Sourcing Act.

1666 An ECD board that has within its jurisdiction zip code
1667 designations that do not adhere to county lines shall assist CMRS
1668 providers in determining the appropriate county to which funds
1669 should be distributed.

1670 (d) To contract for the services of accountants,
1671 attorneys, consultants, engineers and any other persons, firms or
1672 parties the board deems necessary to effectuate the purposes of
1673 Sections 19-5-331 through 19-5-341.

1674 (e) To obtain from an independent, third-party auditor
1675 retained by the board annual reports to the board no later than
1676 sixty (60) days after the close of each fiscal year, which shall
1677 provide an accounting for all CMRS service charges deposited into
1678 the CMRS Fund during the preceding fiscal year and all
1679 disbursements to ECDs during the preceding fiscal year. The board
1680 shall provide a copy of the annual reports to the Chairmen of the



1681 Public Utilities Committees of the House of Representatives and
1682 Senate.

1683 (f) To retain an independent, third-party accountant
1684 who shall audit CMRS providers at the discretion of the CMRS Board
1685 to verify the accuracy of each CMRS providers' service charge
1686 collection. The information obtained by the audits shall be used
1687 solely for the purpose of verifying that CMRS providers accurately
1688 are collecting and remitting the CMRS service charge and may be
1689 used for any legal action initiated by the board against CMRS
1690 providers.

1691 (g) To levy interest charges at the legal rate of
1692 interest established in Section 75-17-1 on any amount due and
1693 outstanding from any CMRS provider who fails to remit service
1694 charges in accordance with Section 19-5-335(1).

1695 (h) To promulgate such rules and regulations as may be
1696 necessary to effect the provisions of Sections 19-5-331 through
1697 19-5-341.

1698 (i) To make the determinations and disbursements as
1699 provided by Section 19-5-333(2)(c).

1700 (j) To maintain a registration database of all CMRS
1701 providers and to impose an administrative fine on any provider
1702 that fails to comply with the registration requirements in Section
1703 19-5-335.

1704 (3) The CMRS service charge provided in subsection (2)(a) of
1705 this section and the service charge provided in Section 19-5-357



1706 to fund the training of public safety telecommunicators shall be
1707 the only charges assessed to CMRS customers relating to emergency
1708 telephone services.

1709 (4) The board shall serve without compensation; however,
1710 members of the board shall be entitled to be reimbursed for actual
1711 expenses and travel costs associated with their service in an
1712 amount not to exceed the reimbursement authorized for state
1713 officers and employees in Section 25-3-41, Mississippi Code of
1714 1972.

1715 (5) It is the Legislature's intent to ensure that the State
1716 of Mississippi shall be Phase I compliant by July 1, 2005. For
1717 purposes of this subsection, Phase I compliant means the mandate
1718 by the FCC that requires any carrier when responding to a PSAP to
1719 define and deliver data related to the cell site location and the
1720 caller's call-back number.

1721 **SECTION 26.** Section 37-4-3, Mississippi Code of 1972, is
1722 amended as follows:

1723 37-4-3. (1) From and after July 1, 1986, there shall be a
1724 Mississippi Community College Board which shall receive and
1725 distribute funds appropriated by the Legislature for the use of
1726 the public community and junior colleges and funds from federal
1727 and other sources that are transmitted through the state
1728 governmental organization for use by said colleges. This board
1729 shall provide general coordination of the public community and



1730 junior colleges, assemble reports and such other duties as may be
1731 prescribed by law.

1732 (2) The board shall consist of ten (10) members of which
1733 none shall be an elected official. Until January 1, 2028, the
1734 Governor shall appoint two (2) members from the First Mississippi
1735 Congressional District, one (1) who shall serve an initial term of
1736 two (2) years and one (1) who shall serve an initial term of five
1737 (5) years; two (2) members from the Second Mississippi
1738 Congressional District, one (1) who shall serve an initial term of
1739 five (5) years and one (1) who shall serve an initial term of
1740 three (3) years; and two (2) members from the Third Mississippi
1741 Congressional District, one (1) who shall serve an initial term of
1742 four (4) years and one (1) who shall serve an initial term of two
1743 (2) years; two (2) members from the Fourth Mississippi
1744 Congressional District, one (1) who shall serve an initial term of
1745 three (3) years and one (1) who shall serve an initial term of
1746 four (4) years; and two (2) members from the Fifth Mississippi
1747 Congressional District, one (1) who shall serve an initial term of
1748 five (5) years and one (1) who shall serve an initial term of two
1749 (2) years. All subsequent appointments shall be for a term of six
1750 (6) years and continue until their successors are appointed and
1751 qualify. An appointment to fill a vacancy which arises for
1752 reasons other than by expiration of a term of office shall be for
1753 the unexpired term only. All members shall be appointed with the
1754 advice and consent of the Senate.



1755 The Mississippi Community College Board, created by former
1756 Section 37-4-3, is continued and reconstituted as follows:
1757 Effective January 1, 2028, the Governor shall appoint three (3)
1758 members from each Mississippi Supreme Court District and one (1)
1759 from the state at large. The members shall be appointed by the
1760 Governor, with the advice and consent of the Senate, for a term of
1761 office of four (4) years, provided that six (6) members shall be
1762 appointed in 2028 to a term ending July 1, 2032, and four (4)
1763 members shall be appointed in 2030 to a term ending July 1, 2034.
1764 All appointment procedures, vacancy provisions, interim
1765 appointment provisions and removal provisions specifically
1766 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
1767 fully applicable to appointments to the Mississippi Community
1768 College Board.

1769 (3) There shall be a chairman and vice chairman of the
1770 board, elected by and from the membership of the board; and the
1771 chairman shall be the presiding officer of the board. The board
1772 shall adopt rules and regulations governing times and places for
1773 meetings and governing the manner of conducting its business.

1774 (4) The members of the board shall receive no annual salary,
1775 but shall receive per diem compensation as authorized by Section
1776 25-3-69, Mississippi Code of 1972, for each day devoted to the
1777 discharge of official board duties and shall be entitled to
1778 reimbursement for all actual and necessary expenses incurred in



1779 the discharge of their duties, including mileage as authorized by
1780 Section 25-3-41, Mississippi Code of 1972.

1781 (5) Effective July 1, 2025, the board shall name a director
1782 for the state system of public junior and community colleges, with
1783 the advice and consent of the Senate, who shall serve at the
1784 pleasure of the board. Such director shall be the chief executive
1785 officer of the board, give direction to the board staff, carry out
1786 the policies set forth by the board, and work with the presidents
1787 of the several community and junior colleges to assist them in
1788 carrying out the mandates of the several boards of trustees and in
1789 functioning within the state system and policies established by
1790 the Mississippi Community College Board. The Mississippi
1791 Community College Board shall set the salary of the director of
1792 the board. The Legislature shall provide adequate funds for the
1793 Mississippi Community College Board, its activities and its staff.

1794 (6) The powers and duties of the Mississippi Community
1795 College Board shall be:

1796 (a) To authorize disbursements of state-appropriated
1797 funds to community and junior colleges through orders in the
1798 minutes of the board.

1799 (b) To make studies of the needs of the state as they
1800 relate to the mission of the community and junior colleges.

1801 (c) To approve new, changes to and deletions of
1802 vocational and technical programs to the various colleges.



1803 (d) To require community and junior colleges to supply
1804 such information as the board may request and compile, publish and
1805 make available such reports based thereon as the board may deem
1806 advisable.

1807 (e) To approve proposed new attendance centers (campus
1808 locations) as the local boards of trustees should determine to be
1809 in the best interest of the district. Provided, however, that no
1810 new community/junior college branch campus shall be approved
1811 without an authorizing act of the Legislature.

1812 (f) To serve as the state approving agency for federal
1813 funds for proposed contracts to borrow money for the purpose of
1814 acquiring land, erecting, repairing, etc., dormitories, dwellings
1815 or apartments for students and/or faculty, such loans to be paid
1816 from revenue produced by such facilities as requested by local
1817 boards of trustees.

1818 (g) To approve applications from community and junior
1819 colleges for state funds for vocational-technical education
1820 facilities.

1821 (h) To approve any university branch campus offering
1822 lower undergraduate level courses for credit.

1823 (i) To appoint members to the Post-Secondary
1824 Educational Assistance Board.

1825 (j) To appoint members to the Authority for Educational
1826 Television.



1827 (k) To contract with other boards, commissions,
1828 governmental entities, foundations, corporations or individuals
1829 for programs, services, grants and awards when such are needed for
1830 the operation and development of the state public community and
1831 junior college system.

1832 (l) To fix standards for community and junior colleges
1833 to qualify for appropriations, and qualifications for community
1834 and junior college teachers.

1835 (m) To have sign-off approval on the State Plan for
1836 Vocational Education which is developed in cooperation with
1837 appropriate units of the State Department of Education.

1838 (n) To approve or disapprove of any proposed inclusion
1839 within municipal corporate limits of state-owned buildings and
1840 grounds of any community college or junior college and to approve
1841 or disapprove of land use development, zoning requirements,
1842 building codes and delivery of governmental services applicable to
1843 state-owned buildings and grounds of any community college or
1844 junior college. Any agreement by a local board of trustees of a
1845 community college or junior college to annexation of state-owned
1846 property or other conditions described in this paragraph shall be
1847 void unless approved by the board and by the board of supervisors
1848 of the county in which the state-owned property is located.

1849 **SECTION 27.** Section 31-3-3, Mississippi Code of 1972, is
1850 amended as follows:



1851 31-3-3. There is hereby created the State Board of
1852 Contractors of the State of Mississippi, which shall consist of
1853 ten (10) members who shall be appointed by the Governor. All
1854 appointments to the board shall be made with the advice and
1855 consent of the Senate. Two (2) road contractors; two (2) building
1856 contractors; two (2) residential builders as defined in Section
1857 73-59-1; one (1) plumbing or heating and air-conditioning
1858 contractor; one (1) electrical contractor; and one (1) water and
1859 sewer contractor shall compose the board. The Governor shall
1860 appoint one (1) additional member who shall be a roofing
1861 contractor and whose term of office shall be five (5) years. Each
1862 member shall be an actual resident of the State of Mississippi and
1863 must have been actually engaged in the contracting business for a
1864 period of not less than ten (10) years before appointment. The
1865 initial terms of the two (2) residential builders shall be for two
1866 (2) and four (4) years, respectively.

1867 * * * The State Board of Contractors, created by former
1868 Section 31-3-3, is continued and reconstituted as follows:
1869 Effective January 1, 2028, the Governor shall appoint ten (10)
1870 members, three (3) from each Mississippi Supreme Court District
1871 and one (1) from the state at large, so as to maintain on the
1872 board two (2) building contractors; two (2) road contractors; two
1873 (2) residential builders; one (1) plumbing or heating and
1874 air-conditioning contractor; one (1) electrical contractor; and
1875 one (1) water and sewer contractor; and one (1) roofing



1876 contractor. * * * Each board member shall be appointed by the
1877 Governor, with the advice and consent of the Senate, for a term of
1878 office of four (4) years, provided that six (6) members shall be
1879 appointed in 2028 to a term ending July 1, 2030, and four (4)
1880 members shall be appointed in 2030 to a term ending July 1, 2032.

1881 **SECTION 28.** Section 69-44-3, Mississippi Code of 1972, is
1882 amended as follows:

1883 69-44-3. (1) The Mississippi Corn Promotion Board is
1884 hereby * * * continued and reconstituted, to be composed of twelve
1885 (12) members to be appointed by the Governor * * *, four (4) to be
1886 appointed from each Mississippi Supreme Court District. All of
1887 the twelve (12) members of the board shall be producers of corn in
1888 the State of Mississippi. * * * The Mississippi Farm Bureau
1889 Federation, Inc., the Mississippi Feed and Grains Association, the
1890 Mississippi Corn Growers Association and the Delta Council shall
1891 each submit the names of six (6) corn producers to the Governor,
1892 and he shall appoint three (3) members from the nominees of each
1893 organization to serve on the board * * *. * * * Effective January
1894 1, 2028, each board member shall be appointed by the Governor,
1895 with the advice and consent of the Senate, for a term of office of
1896 four (4) years, provided that seven (7) members shall be appointed
1897 in 2028 to a term ending July 1, 2032, and five (5) members shall
1898 be appointed in 2030 to a term ending July 1, 2034. All
1899 appointment procedures, vacancy provisions, interim appointment
1900 provisions and removal provisions specifically provided for in



1901 Section 7-1-35, Mississippi Code of 1972, shall be fully
1902 applicable to appointments to the Mississippi Corn Promotion
1903 Board.

1904 (2) The members of the board shall meet and organize
1905 immediately after their appointment, and shall elect a chairman,
1906 vice chairman and secretary-treasurer from the membership of the
1907 board, whose duties shall be those customarily exercised by such
1908 officers or specifically designated by the board. The chairman,
1909 vice chairman and secretary-treasurer shall be bonded in an amount
1910 not less than Twenty Thousand Dollars (\$20,000.00). The cost of
1911 the bonds shall be paid from the funds received under this
1912 chapter. The bond shall be a security for any illegal act of such
1913 member of the board and recovery thereon may be had by the state
1914 for any injury by the illegal act of the member. The board may
1915 establish rules and regulations for its own government and the
1916 administration of the affairs of the board.

1917 **SECTION 29.** Section 47-5-8, Mississippi Code of 1972, is
1918 amended as follows:

1919 47-5-8. (1) There is created the Mississippi Department of
1920 Corrections, which shall be under the policy direction of the
1921 Governor. The chief administrative officer of the department
1922 shall be the Commissioner of Corrections. Effective July 1, 2025,
1923 the commissioner shall be appointed by the Governor, with the
1924 advice and consent of the Senate, for a four-year term of office
1925 in the manner provided in Section 47-5-24. All appointment



1926 procedures specifically provided for in Section 7-1-35,
1927 Mississippi Code of 1972, shall be fully applicable to
1928 appointments to the position of Commissioner of Corrections.

1929 (2) (a) There shall be an Executive Deputy Commissioner who
1930 shall be directly responsible to the Commissioner of Corrections
1931 within the department who shall serve as the Commissioner of
1932 Corrections in the absence of the commissioner and shall assume
1933 any and all duties that the Commissioner of Corrections assigns,
1934 including, but not limited to, supervising all other deputy
1935 commissioners. The salary of the Executive Deputy Commissioner
1936 shall not exceed the salary of the Commissioner of Corrections.

1937 (b) There shall be a Division of Administration and
1938 Finance within the department, which shall have as its chief
1939 administrative officer a Deputy Commissioner for Administration
1940 and Finance who shall be appointed by the commissioner, and shall
1941 be directly responsible to the commissioner.

1942 (c) There shall be a Division of Community Corrections
1943 within the department, which shall have as its chief
1944 administrative officer a Deputy Commissioner for Community
1945 Corrections, who shall be appointed by the commissioner, and shall
1946 be directly responsible to the commissioner. The Probation and
1947 Parole Board shall continue to exercise the authority as provided
1948 by law, but after July 1, 1976, the Division of Community
1949 Corrections shall serve as the administrative agency for the
1950 Probation and Parole Board.



1951 (d) There shall be a Division of Workforce Development
1952 within the department, which shall have as its chief
1953 administrative officer a Deputy Commissioner for Workforce
1954 Development, who shall be appointed by the commissioner, and shall
1955 be directly responsible to the commissioner.

1956 (3) The department shall succeed to the exclusive control of
1957 all records, books, papers, equipment and supplies, and all lands,
1958 buildings and other real and personal property now or hereafter
1959 belonging to or assigned to the use and benefit or under the
1960 control of the Mississippi State Penitentiary and the Mississippi
1961 Probation and Parole Board, except the records of parole process
1962 and revocation and legal matters related thereto, and shall have
1963 the exercise and control of the use, distribution and disbursement
1964 of all funds, appropriations and taxes now or hereafter in
1965 possession, levied, collected or received or appropriated for the
1966 use, benefit, support and maintenance of these two (2) agencies
1967 except as otherwise provided by law, and the department shall have
1968 general supervision of all the affairs of the two (2) agencies
1969 herein named except as otherwise provided by law, and the care and
1970 conduct of all buildings and grounds, business methods and
1971 arrangements of accounts and records, the organization of the
1972 administrative plans of each institution, and all other matters
1973 incident to the proper functioning of the two (2) agencies.

1974 (4) The commissioner may lease the lands for oil, gas,
1975 mineral exploration and other purposes, and contract with other



1976 state agencies for the proper management of lands under such
1977 leases or for the provision of other services, and the proceeds
1978 thereof shall be paid into the General Fund of the state.

1979 **SECTION 30.** Section 73-7-1, Mississippi Code of 1972, is
1980 amended as follows:

1981 73-7-1. Effective January 1, 2028, there is hereby continued
1982 and reconstituted a State Board of Cosmetology, composed of five
1983 (5) members to be appointed by the Governor, with the advice and
1984 consent of the Senate, and whose term of office shall be four (4)
1985 years from the date of appointment except as otherwise provided
1986 herein. However, no more than two (2) members shall be appointed
1987 from each Supreme Court District. Provided, however, that three
1988 (3) members shall be appointed in 2028 to a term ending July 1,
1989 2032, and two (2) members shall be appointed in 2030 to a term
1990 ending July 1, 2034. All appointment procedures, vacancy
1991 provisions, interim appointment provisions and removal provisions
1992 specifically provided for in Section 7-1-35, Mississippi Code of
1993 1972, shall be fully applicable to appointments to the State Board
1994 of Cosmetology.

1995 There shall be a president of the board and such other
1996 officers as deemed necessary by the board elected by and from its
1997 membership, provided that the member elected as president shall
1998 have at least one (1) year of experience on the board. Any member
1999 appointed by the Governor and confirmed by the Senate for a term
2000 to begin on or after July 1, 1997, who was designated by the



2001 Governor to serve as president of the board, shall be fully
2002 qualified to serve on the board for a full term of office, but
2003 shall not serve as president of the board unless elected by the
2004 membership of the board as provided under this paragraph.

2005 To be eligible for appointment as a member of the State Board
2006 of Cosmetology, the person applying shall have been a citizen of
2007 this state for a minimum of five (5) years immediately prior to
2008 appointment. Such person shall be at least thirty (30) years of
2009 age, possess a high school education or its equivalent, and shall
2010 have been a licensed cosmetologist with not less than ten (10)
2011 years' active practice in cosmetology. No member of the board
2012 shall be connected in any way with any school wherein cosmetology
2013 is taught, nor shall any two (2) members of the board be graduates
2014 of the same school of cosmetology.

2015 However, in the event of vacancy by death or resignation of
2016 any member of the board, the Governor shall, within thirty (30)
2017 days, appoint a person possessing all qualifications required to
2018 serve the remainder of the term. Any member who shall not attend
2019 two (2) consecutive meetings of the board for reasons other than
2020 illness of such member shall be subject to removal by the
2021 Governor. The president of the board shall notify the Governor in
2022 writing when any such member has failed to attend two (2)
2023 consecutive regular meetings.

2024 The salaries of all paid employees of the board shall be paid
2025 out of funds in the board's special fund in the State Treasury.



2026 Each member of the board, excepting the inspectors provided for
2027 herein, shall receive per diem as authorized by Section 25-3-69,
2028 and shall be reimbursed for such other expenses at the same rate
2029 and under the same conditions as other state employees as provided
2030 for in Section 25-3-41.

2031 The board shall give reasonable public notice of all board
2032 meetings not less than ten (10) days prior to such meetings.

2033 **SECTION 31.** Section 73-30-5, Mississippi Code of 1972, is
2034 amended as follows:

2035 73-30-5. (1) There is hereby established the Mississippi
2036 State Board of Examiners for Licensed Professional Counselors
2037 which shall consist of five (5) members. * * * From and after
2038 January 1, * * * 2028, the board shall be continued and
2039 reconstituted to consist of five (5) members, one (1) member from
2040 each of the * * * three (3) Mississippi Supreme Court
2041 Districts, * * * and * * * two (2) members to be selected from the
2042 state at large, who shall be appointed by the Governor for a term
2043 of office of four (4) years, with the advice and consent of the
2044 Senate, provided that three (3) members shall be appointed in 2028
2045 to a term ending July 1, 2032, and two (2) members shall be
2046 appointed in 2030 to a term ending July 1, 2034. All appointment
2047 procedures, vacancy provisions, interim appointment provisions and
2048 removal provisions specifically provided for in Section 7-1-35,
2049 Mississippi Code of 1972, shall be fully applicable to
2050 appointments to the Mississippi State Board of Examiners for



2051 Licensed Professional Counselors. A list shall be provided to the
2052 Governor by the Mississippi Counseling Association from which the
2053 Governor may choose board members. * * *

2054 (2) * * * Of the five (5) licensed counselors, three (3) of
2055 whom * * * shall be primarily engaged as licensed counselors in
2056 private or institutional practice and two (2) who are primarily
2057 engaged in teaching, training or research in counseling at the
2058 corporate or university level. All members shall be qualified
2059 electors of the State of Mississippi.

2060 * * *

2061 (* * *3) There shall be appointed to the board no more than
2062 one (1) person who is employed by, or receives compensation from,
2063 any one (1) institution, organization or partnership at the time
2064 of appointment.

2065 (* * *4) Board members shall be reimbursed for necessary
2066 and ordinary expenses and mileage incurred while performing their
2067 duties as members of the board, at the rate authorized for public
2068 employees, from fees collected for license and privilege to
2069 practice applications and renewals.

2070 **SECTION 32.** Section 45-39-3, Mississippi Code of 1972, is
2071 amended as follows:

2072 45-39-3. There is hereby created within the Department of
2073 Public Safety the Crime Stoppers Advisory Council. The council
2074 shall be composed of five (5) persons appointed by the Governor,
2075 with the advice and consent of the Senate, one (1) from each



2076 Mississippi Supreme Court District and two (2) from the state at
2077 large. At least three (3) of the foregoing appointees shall be
2078 persons who have participated in a local crime stoppers
2079 program. * * * The Crime Stoppers Advisory Council, created by
2080 former Section 45-39-3, is continued and reconstituted as follows:
2081 Effective January 1, 2028, each member shall be appointed by the
2082 Governor, with the advice and consent of the Senate, for a term of
2083 office of four (4) years, provided that three (3) members shall
2084 be appointed in 2028 to a term ending July 1, 2032, and two
2085 members shall be appointed in 2030 to a term ending July 1, 2034.
2086 All appointment procedures, vacancy provisions, interim
2087 appointment provisions and removal provisions specifically
2088 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
2089 fully applicable to appointments to the Crime Stoppers Advisory
2090 Council. At the first meeting of the council, which shall be
2091 called by the Governor, and at the first meeting after the
2092 beginning of each new state fiscal year, the council shall elect
2093 from among its members a chairman and such other officers as the
2094 council deems necessary. Each member of the council shall receive
2095 per diem in the amount established in Section 25-3-69, Mississippi
2096 Code of 1972, for each day or portion thereof spent discharging
2097 his duties under this chapter and shall receive mileage and
2098 expenses as provided in Section 25-3-41, Mississippi Code of 1972.



2099 Expenses of the council shall be paid by the Department of
2100 Public Safety out of the State Crime Stoppers Fund, created in
2101 Section 45-39-5(4).

2102 **SECTION 33.** Section 73-9-7, Mississippi Code of 1972, is
2103 amended as follows:

2104 73-9-7. (1) The duties of the Mississippi State Board of
2105 Dental Examiners, or "the board," shall be to carry out the
2106 purposes and provisions of the laws pertaining to the practice of
2107 dentistry and dental hygiene. Effective January 1, 2028, the
2108 Mississippi State Board of Dental Examiners is continued and * * *
2109 reconstituted as follows: The board shall consist of seven (7)
2110 licensed and actively practicing dentists and one (1) licensed and
2111 actively practicing dental hygienist, each a graduate of an
2112 accredited college of dentistry or dental hygiene, as appropriate,
2113 and practicing within the State of Mississippi for a period of
2114 five (5) or more years next preceding his or her appointment. No
2115 dentist or dental hygienist shall be eligible for appointment who
2116 can be construed to be in violation of current state ethics laws
2117 and regulations.

2118 (2) The State Board of Dental Examiners, created under
2119 former Section 73-9-7, is continued and reconstituted as follows:
2120 The members of the board appointed and serving * * * on January 1,
2121 2028, shall * * * stand for reappointment by the Governor, with
2122 the advice and consent of the Senate, for a term of four (4)
2123 years.



2124 (3) The Governor shall appoint one (1) dentist member of the
2125 board from the state at large for a term of four (4) years. * * *
2126 The Governor shall appoint * * * six (6) members from a list of
2127 names to be submitted from districts as set out in this
2128 subsection. All appointments to the board shall be made with the
2129 advice and consent of the Senate.

2130 The board shall poll all licensed dentists in the state by
2131 dental district as follows:

2132 Dental District One: Alcorn, Benton, Calhoun, Chickasaw,
2133 Choctaw, Clay, Itawamba, Lafayette, Lee, Lowndes, Marshall,
2134 Monroe, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union,
2135 Webster;

2136 Dental District Two: Bolivar, Carroll, Coahoma, DeSoto,
2137 Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery,
2138 Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tate, Tunica,
2139 Washington, Yalobusha, Yazoo;

2140 Dental District Three: Attala, Clarke, Covington, Forrest,
2141 Jasper, Jones, Kemper, Lamar, Lauderdale, Leake, Neshoba, Newton,
2142 Noxubee, Perry, Scott, Smith, Wayne, Winston;

2143 Dental District Four: Hinds, Madison, Rankin, Warren;

2144 Dental District Five: George, Greene, Hancock, Harrison,
2145 Jackson, Pearl River, Stone;

2146 Dental District Six: Adams, Amite, Claiborne, Copiah,
2147 Franklin, Jefferson Davis, Jefferson, Lawrence, Lincoln, Marion,
2148 Pike, Simpson, Walthall, Wilkinson;



2149 and request the submission from each such dental district of three
2150 (3) nominations for appointment as members of the board from the
2151 six (6) districts. * * * On January 1, 2028, and every four (4)
2152 years thereafter, the board shall list all nominations by district
2153 according to the number of votes each received. The top three (3)
2154 names from each district shall then be considered as a list of
2155 names to be submitted to the Governor * * * for the six (6)
2156 positions appointed from districts * * *. * * * On January 1,
2157 2028, and every four (4) years thereafter, the board shall take
2158 like polls of all licensed dentists practicing in each dental
2159 district, and shall prepare new lists therefrom to be submitted to
2160 the Governor, which shall be used in the appointment of the six
2161 (6) members appointed from districts.

2162 It is the purpose of this section that no more than one (1)
2163 appointee of the six (6) members appointed from districts shall
2164 serve from any district at any one time. The names on the lists
2165 shall be given priority in accordance with the votes for each
2166 nominee. In case of a tie, the persons receiving tie votes shall
2167 have their names placed on the list even though it results in more
2168 than three (3) names on the list from that district.

2169 (4) The one (1) dental hygienist member shall be appointed
2170 by the Governor from the state at large from a list of six (6)
2171 dental hygienists, each of whom being the dental hygienist
2172 receiving the highest number of votes in his or her individual
2173 district from a poll conducted and compiled by the board. The



2174 poll shall consist of a blank ballot with three (3) spaces for
2175 nomination provided to all licensed dental hygienists in the
2176 state. * * * On January 1, 2028, and every four (4) years
2177 thereafter, the board shall take like polls of all licensed dental
2178 hygienists practicing in the state, and shall prepare a new list
2179 of six (6) dental hygienists, the list to consist of the dental
2180 hygienists receiving the highest number of votes in each district,
2181 to be submitted to the Governor, which shall be used in the
2182 appointment of the dental hygienist member from the state at
2183 large. In case of a tie, the persons receiving tie votes shall
2184 have their names placed on the list even though it results in more
2185 than six (6) names on the list. The board shall poll all licensed
2186 dental hygienists in the state by dental district as that
2187 enumerated in subsection (3) of this section.

2188 (5) * * * The members of the State Board of Dental Examiners
2189 shall be selected in the manner prescribed in this section for a
2190 term of office of four (4) years, provided that four (4) of such
2191 members shall be selected in 2028 to a term ending July 1, 2032,
2192 and two (2) such members shall be selected in 2030 to a term
2193 ending July 1, 2034. All vacancy provisions, and removal
2194 provisions specifically provided for in Section 7-1-35,
2195 Mississippi Code of 1972, shall be applicable to selections for
2196 the State Board of Dental Examiners.



2197 (6) A vote for an individual dentist or dental hygienist in
2198 all polls may be counted only once for each ballot no matter how
2199 many times the name is listed on the ballot.

2200 (7) The Secretary of State shall, at his discretion, at any
2201 time there is sufficient cause, investigate the method and
2202 procedure of taking those polls and establishing those lists, and
2203 the board shall make available to him all records involved
2204 therein; and if the Secretary of State should find cause therefor
2205 he may, upon specifying the cause, declare the list invalid,
2206 whereupon the board shall follow the procedure set out above to
2207 establish a new list. If a vacancy exists and no list is
2208 available, the * * * Governor is to follow the above-described
2209 procedure in establishing a new list for the appropriate * * *
2210 appointment.

2211 **SECTION 34.** Section 43-26-1, Mississippi Code of 1972, is
2212 amended as follows:

2213 43-26-1. (1) There is created a Mississippi Department of
2214 Child Protection Services.

2215 (2) Effective July 1, 2025, the Chief Administrative Officer
2216 of the Department of Child Protection Services shall be the
2217 Commissioner of Child Protection Services who shall be appointed
2218 by the Governor for a term of four (4) years, with the advice and
2219 consent of the Senate. The commissioner shall possess the
2220 following qualifications:



2221 (a) A bachelor's degree from an accredited institution
2222 of higher learning and ten (10) years' experience in management,
2223 public administration, finance or accounting; or

2224 (b) A master's or doctoral degree from an accredited
2225 institution of higher learning and five (5) years' experience in
2226 management, public administration, finance, law or accounting.

2227 (3) The Department of Child Protection Services shall
2228 provide the services authorized by law to every individual
2229 determined to be eligible therefor, and in carrying out the
2230 purposes of the department, the commissioner is authorized:

2231 (a) To formulate the policy of the department regarding
2232 child welfare services within the jurisdiction of the department;

2233 (b) To adopt, modify, repeal and promulgate, after due
2234 notice and hearing, and where not otherwise prohibited by federal
2235 or state law, to make exceptions to and grant exemptions and
2236 variances from, and to enforce rules and regulations implementing
2237 or effectuating the powers and duties of the department under any
2238 and all statutes within the department's jurisdiction;

2239 (c) To apply for, receive and expend any federal or
2240 state funds or contributions, gifts, devises, bequests or funds
2241 from any other source;

2242 (d) To enter into and execute contracts, grants and
2243 cooperative agreements with any federal or state agency or
2244 subdivision thereof, or any public or private institution located
2245 inside or outside the State of Mississippi, or any person,



2246 corporation or association in connection with carrying out the
2247 programs of the department; and

2248 (e) To discharge such other duties, responsibilities,
2249 and powers as are necessary to implement the programs of the
2250 department.

2251 (4) The commissioner shall establish the organizational
2252 structure of the Department of Child Protection Services, which
2253 shall include the creation of any units necessary to implement the
2254 duties assigned to the department and consistent with specific
2255 requirements of law.

2256 (5) The commissioner shall appoint heads of offices,
2257 bureaus, and divisions, as defined in Section 7-17-11, who shall
2258 serve at the pleasure of the commissioner. The salary and
2259 compensation of such office, bureau and division heads shall be
2260 subject to the rules and regulations adopted and promulgated by
2261 the State Personnel Board. The commissioner shall have the
2262 authority to organize offices as deemed appropriate to carry out
2263 the responsibilities of the department.

2264 (6) The Department of Child Protection Services shall be
2265 responsible for the development, execution, and provision of
2266 services in the following areas:

- 2267 (a) Protective services for children;
- 2268 (b) Foster care;
- 2269 (c) Adoption services;
- 2270 (d) Special services;



2271 (e) Interstate compact;
2272 (f) Licensure;
2273 (g) Prevention services; and
2274 (h) Such other services as may be designated. Services
2275 enumerated under Section 43-15-13 et seq., for the foster care
2276 program shall be provided by qualified staff with appropriate case
2277 loads.

2278 (7) The Department of Child Protection Services shall have
2279 the following powers and duties:

2280 (a) To provide basic services and assistance statewide
2281 to needy and disadvantaged individuals and families;

2282 (b) To promote integration of the many services and
2283 programs within its jurisdiction at the client level thus
2284 improving the efficiency and effectiveness of service delivery and
2285 providing easier access to clients;

2286 (c) To employ personnel and expend funds appropriated
2287 to the department to carry out the duties and responsibilities
2288 assigned to the department by law;

2289 (d) To fingerprint and conduct a background
2290 investigation on every employee, contractor, subcontractor and
2291 volunteer:

2292 (i) Who has direct access to clients of the
2293 department who are children or vulnerable adults;

2294 (ii) Who is in a position of fiduciary
2295 responsibility;



2296 (iii) Who is in a position with access to Federal
2297 Tax Information (FTI); or

2298 (iv) Who is otherwise required by federal law or
2299 regulations to undergo a background investigation.

2300 Every such employee, contractor, subcontractor and volunteer
2301 shall provide a valid current social security number and/or
2302 driver's license number, which shall be furnished to conduct the
2303 background investigation for determination as to good moral
2304 character and to ensure that no person placed in any position
2305 referenced in this paragraph (d) has a felony conviction that
2306 would prevent employment or access to Federal Tax Information
2307 according to department policy. If no disqualifying record is
2308 identified at the state level, the fingerprints shall be forwarded
2309 to the Federal Bureau of Investigation for a fingerprint-based
2310 national criminal history record check. The department shall be
2311 the recipient of the results of any background investigation
2312 and/or criminal history record check performed in accordance with
2313 this paragraph;

2314 (e) To establish and maintain programs not inconsistent
2315 with the terms of this chapter and the rules, regulations and
2316 policies of the Department of Child Protection Services, and
2317 publish the rules and regulations of the department pertaining to
2318 such programs;



2319 (f) To provide all other child welfare programs and
2320 services previously provided by the Department of Human Services
2321 or a division thereof; and

2322 (g) Make such reports in such form and containing such
2323 information as the federal government may, from time to time,
2324 require, and comply with such provisions as the federal government
2325 may, from time to time, find necessary to assure the correctness
2326 and verification of such reports.

2327 (8) The Mississippi Department of Child Protection Services
2328 shall submit a copy of the federal Annual Progress and Services
2329 Report (APSR) to the Chair of the Senate Public Health and Welfare
2330 Committee, the Chair of the Senate Appropriations Committee, the
2331 Chair of the House Public Health and Human Services Committee, the
2332 Chair of the House Appropriations Committee, the Lieutenant
2333 Governor, the Speaker of the House of Representatives, and the
2334 Governor by December 1 of each year.

2335 (9) (a) The Commissioner of Child Protection Services shall
2336 hire a Coordinator of Services for Victims of Human Trafficking
2337 and Commercial Sexual Exploitation within the Department of Child
2338 Protection Services whose duties shall include, but not be limited
2339 to, the following:

2340 (i) To form specialized human trafficking and
2341 commercial sexual exploitation assessment teams to respond on an
2342 as-needed basis to act as an emergency, separate and specialized
2343 response and assessment team to rapidly respond to the needs of



2344 children who are victims of human trafficking and commercial
2345 sexual exploitation;

2346 (ii) To identify victims of human trafficking and
2347 commercial sexual exploitation;

2348 (iii) To monitor, record and distribute federal
2349 human trafficking funds received by the Department of Child
2350 Protection Services;

2351 (iv) To employ staff to investigate allegations of
2352 human trafficking and commercial sexual exploitation; and

2353 (v) To develop and coordinate services within the
2354 Department of Child Protection Services and with outside service
2355 providers for victims of human trafficking and commercial sexual
2356 exploitation.

2357 (b) The Commissioner of Child Protection Services shall
2358 develop standard operating procedures for the investigation,
2359 custody and services provided to alleged victims of human
2360 trafficking and commercial sexual exploitation.

2361 (c) The Commissioner shall require two (2) hours of
2362 training regarding the subject of identifying, assessing, and
2363 providing comprehensive services to a child who has experienced or
2364 is alleged to have experienced commercial sexual exploitation or
2365 human trafficking. The training must be incorporated into the
2366 pre-service training requirements of all Mississippi Department of
2367 Child Protection Services family specialists, adoption
2368 specialists, licensure specialists, direct supervisors of family



2369 protection specialists, direct supervisors of adoption
2370 specialists, and direct supervisors of licensure specialists.

2371 (10) This section shall stand repealed on July 1, 2028.

2372 **SECTION 35.** Section 57-1-5, Mississippi Code of 1972, is
2373 amended as follows:

2374 57-1-5. (1) Effective July 1, 2025, the Governor shall,
2375 with the advice and consent of the Senate, appoint an executive
2376 director who shall serve at the will and pleasure of the Governor,
2377 who:

2378 (a) Shall have at least a bachelor's degree, and

2379 (b) Shall be an experienced administrator and have at
2380 least five (5) years' experience in at least one (1) of the
2381 following areas:

2382 (i) Industrial development, or

2383 (ii) Economic development.

2384 (2) The executive director shall be the executive officer of
2385 the department in the execution of any and all provisions of this
2386 chapter, and his salary shall be fixed by the Governor.

2387 (3) The executive director shall have the following powers
2388 and duties:

2389 (a) To formulate the policy of the department regarding
2390 the economic and tourist development of the state.

2391 (b) To use and expend any funds from state, federal or
2392 private sources coming into the department for the purposes herein
2393 provided. State funds appropriated for the department shall be



2394 expended in accordance with the regulations governing the
2395 expenditures of other state funds.

2396 (c) To implement the duties assigned to the department
2397 and consistent with specific requirements of law, including, but
2398 not limited to:

2399 (i) Support services to include legal, finance,
2400 data processing, personnel, communications and advertising,
2401 purchasing and accounting;

2402 (ii) Research and planning;

2403 (iii) Outreach, agency liaison and community
2404 development;

2405 (iv) Tourism, business travel, and film;

2406 (v) Programs and assistance for existing state
2407 business and industry;

2408 (vi) Recruiting new business and industry into the
2409 state;

2410 (vii) Fostering and promoting of entrepreneurship
2411 and the creation of new business in the state;

2412 (viii) Programs aimed at competing effectively in
2413 the international economy by increasing exports of state products
2414 and services and by promoting, developing and creating the
2415 conditions and programs that will bring about significant
2416 increases in investment in the state from other countries;

2417 (ix) Programs relating to the development of
2418 ports;



2419 (x) Such other areas as are within the
2420 jurisdiction and authority of the department and will foster and
2421 promote the economic development of this state;

2422 (xi) The positions of associate directors, deputy
2423 directors and bureau directors shall not be state service
2424 positions.

2425 **SECTION 36.** Section 43-13-107, Mississippi Code of 1972, is
2426 amended as follows:

2427 43-13-107. (1) The Division of Medicaid is created in the
2428 Office of the Governor and established to administer this article
2429 and perform such other duties as are prescribed by law.

2430 (2) (a) The Governor shall appoint a full-time executive
2431 director, with the advice and consent of the Senate, who shall be
2432 either (i) a physician with administrative experience in a medical
2433 care or health program, or (ii) a person holding a graduate degree
2434 in medical care administration, public health, hospital
2435 administration, or the equivalent, or (iii) a person holding a
2436 bachelor's degree with at least three (3) years' experience in
2437 management-level administration of, or policy development for,
2438 Medicaid programs. Provided, however, no one who has been a
2439 member of the Mississippi Legislature during the previous three
2440 (3) years may be executive director. The executive director shall
2441 be the official secretary and legal custodian of the records of
2442 the division; shall be the agent of the division for the purpose
2443 of receiving all service of process, summons and notices directed



2444 to the division; shall perform such other duties as the Governor
2445 may prescribe from time to time; and shall perform all other
2446 duties that are now or may be imposed upon him or her by law.

2447 (b) The executive director shall serve at the will and
2448 pleasure of the Governor.

2449 (c) The executive director shall, before entering upon
2450 the discharge of the duties of the office, take and subscribe to
2451 the oath of office prescribed by the Mississippi Constitution and
2452 shall file the same in the Office of the Secretary of State, and
2453 shall execute a bond in some surety company authorized to do
2454 business in the state in the penal sum of One Hundred Thousand
2455 Dollars (\$100,000.00), conditioned for the faithful and impartial
2456 discharge of the duties of the office. The premium on the bond
2457 shall be paid as provided by law out of funds appropriated to the
2458 Division of Medicaid for contractual services.

2459 (d) The executive director, with the approval of the
2460 Governor and subject to the rules and regulations of the State
2461 Personnel Board, shall employ such professional, administrative,
2462 stenographic, secretarial, clerical and technical assistance as
2463 may be necessary to perform the duties required in administering
2464 this article and fix the compensation for those persons, all in
2465 accordance with a state merit system meeting federal requirements.
2466 When the salary of the executive director is not set by law, that
2467 salary shall be set by the State Personnel Board. No employees of
2468 the Division of Medicaid shall be considered to be staff members



2469 of the immediate Office of the Governor; however, Section
2470 25-9-107(c) (xv) shall apply to the executive director and other
2471 administrative heads of the division.

2472 (3) (a) There is established a Medical Care Advisory
2473 Committee, which shall be the committee that is required by
2474 federal regulation to advise the Division of Medicaid about health
2475 and medical care services.

2476 (b) The advisory committee shall consist of not less
2477 than eleven (11) members, as follows:

2478 (i) The Governor shall appoint five (5) members,
2479 one (1) from each congressional district and one (1) from the
2480 state at large;

2481 (ii) The Lieutenant Governor shall appoint three
2482 (3) members, one (1) from each Supreme Court district;

2483 (iii) The Speaker of the House of Representatives
2484 shall appoint three (3) members, one (1) from each Supreme Court
2485 district.

2486 All members appointed under this paragraph shall either be
2487 health care providers or consumers of health care services. One
2488 (1) member appointed by each of the appointing authorities shall
2489 be a board-certified physician.

2490 Effective July 1, 2025, all members appointed under this
2491 paragraph shall be appointed with the advice and consent of the
2492 Senate.



2493 (c) The respective Chairmen of the House Medicaid
2494 Committee, the House Public Health and Human Services Committee,
2495 the House Appropriations Committee, the Senate Medicaid Committee,
2496 the Senate Public Health and Welfare Committee and the Senate
2497 Appropriations Committee, or their designees, one (1) member of
2498 the State Senate appointed by the Lieutenant Governor and one (1)
2499 member of the House of Representatives appointed by the Speaker of
2500 the House, shall serve as ex officio nonvoting members of the
2501 advisory committee.

2502 (d) In addition to the committee members required by
2503 paragraph (b), the advisory committee shall consist of such other
2504 members as are necessary to meet the requirements of the federal
2505 regulation applicable to the advisory committee, who shall be
2506 appointed as provided in the federal regulation.

2507 (e) The chairmanship of the advisory committee shall be
2508 elected by the voting members of the committee annually and shall
2509 not serve more than two (2) consecutive years as chairman.

2510 (f) The members of the advisory committee specified in
2511 paragraph (b) shall serve for terms that are concurrent with the
2512 terms of members of the Legislature, and any member appointed
2513 under paragraph (b) may be reappointed to the advisory committee.
2514 The members of the advisory committee specified in paragraph (b)
2515 shall serve without compensation, but shall receive reimbursement
2516 to defray actual expenses incurred in the performance of committee
2517 business as authorized by law. Legislators shall receive per diem



2518 and expenses, which may be paid from the contingent expense funds
2519 of their respective houses in the same amounts as provided for
2520 committee meetings when the Legislature is not in session.

2521 (g) The advisory committee shall meet not less than
2522 quarterly, and advisory committee members shall be furnished
2523 written notice of the meetings at least ten (10) days before the
2524 date of the meeting.

2525 (h) The executive director shall submit to the advisory
2526 committee all amendments, modifications and changes to the state
2527 plan for the operation of the Medicaid program, for review by the
2528 advisory committee before the amendments, modifications or changes
2529 may be implemented by the division.

2530 (i) The advisory committee, among its duties and
2531 responsibilities, shall:

2532 (i) Advise the division with respect to
2533 amendments, modifications and changes to the state plan for the
2534 operation of the Medicaid program;

2535 (ii) Advise the division with respect to issues
2536 concerning receipt and disbursement of funds and eligibility for
2537 Medicaid;

2538 (iii) Advise the division with respect to
2539 determining the quantity, quality and extent of medical care
2540 provided under this article;



2541 (iv) Communicate the views of the medical care
2542 professions to the division and communicate the views of the
2543 division to the medical care professions;

2544 (v) Gather information on reasons that medical
2545 care providers do not participate in the Medicaid program and
2546 changes that could be made in the program to encourage more
2547 providers to participate in the Medicaid program, and advise the
2548 division with respect to encouraging physicians and other medical
2549 care providers to participate in the Medicaid program;

2550 (vi) Provide a written report on or before
2551 November 30 of each year to the Governor, Lieutenant Governor and
2552 Speaker of the House of Representatives.

2553 (4) (a) There is established a Drug Use Review Board, which
2554 shall be the board that is required by federal law to:

2555 (i) Review and initiate retrospective drug use,
2556 review including ongoing periodic examination of claims data and
2557 other records in order to identify patterns of fraud, abuse, gross
2558 overuse, or inappropriate or medically unnecessary care, among
2559 physicians, pharmacists and individuals receiving Medicaid
2560 benefits or associated with specific drugs or groups of drugs.

2561 (ii) Review and initiate ongoing interventions for
2562 physicians and pharmacists, targeted toward therapy problems or
2563 individuals identified in the course of retrospective drug use
2564 reviews.



2565 (iii) On an ongoing basis, assess data on drug use
2566 against explicit predetermined standards using the compendia and
2567 literature set forth in federal law and regulations.

2568 (b) Effective July 1, 2025, the board shall consist of
2569 not less than twelve (12) members appointed by the Governor, or
2570 his designee, subject to the advice and consent of the Senate.

2571 (c) The board shall meet at least quarterly, and board
2572 members shall be furnished written notice of the meetings at least
2573 ten (10) days before the date of the meeting.

2574 (d) The board meetings shall be open to the public,
2575 members of the press, legislators and consumers. Additionally,
2576 all documents provided to board members shall be available to
2577 members of the Legislature in the same manner, and shall be made
2578 available to others for a reasonable fee for copying. However,
2579 patient confidentiality and provider confidentiality shall be
2580 protected by blinding patient names and provider names with
2581 numerical or other anonymous identifiers. The board meetings
2582 shall be subject to the Open Meetings Act (Sections 25-41-1
2583 through 25-41-17). Board meetings conducted in violation of this
2584 section shall be deemed unlawful.

2585 (5) (a) There is established a Pharmacy and Therapeutics
2586 Committee, which shall be appointed by the Governor, or his
2587 designee, subject to the advice and consent of the Senate.

2588 (b) The committee shall meet as often as needed to
2589 fulfill its responsibilities and obligations as set forth in this



2590 section, and committee members shall be furnished written notice
2591 of the meetings at least ten (10) days before the date of the
2592 meeting.

2593 (c) The committee meetings shall be open to the public,
2594 members of the press, legislators and consumers. Additionally,
2595 all documents provided to committee members shall be available to
2596 members of the Legislature in the same manner, and shall be made
2597 available to others for a reasonable fee for copying. However,
2598 patient confidentiality and provider confidentiality shall be
2599 protected by blinding patient names and provider names with
2600 numerical or other anonymous identifiers. The committee meetings
2601 shall be subject to the Open Meetings Act (Sections 25-41-1
2602 through 25-41-17). Committee meetings conducted in violation of
2603 this section shall be deemed unlawful.

2604 (d) After a thirty-day public notice, the executive
2605 director, or his or her designee, shall present the division's
2606 recommendation regarding prior approval for a therapeutic class of
2607 drugs to the committee. However, in circumstances where the
2608 division deems it necessary for the health and safety of Medicaid
2609 beneficiaries, the division may present to the committee its
2610 recommendations regarding a particular drug without a thirty-day
2611 public notice. In making that presentation, the division shall
2612 state to the committee the circumstances that precipitate the need
2613 for the committee to review the status of a particular drug
2614 without a thirty-day public notice. The committee may determine



2615 whether or not to review the particular drug under the
2616 circumstances stated by the division without a thirty-day public
2617 notice. If the committee determines to review the status of the
2618 particular drug, it shall make its recommendations to the
2619 division, after which the division shall file those
2620 recommendations for a thirty-day public comment under Section
2621 25-43-7(1).

2622 (e) Upon reviewing the information and recommendations,
2623 the committee shall forward a written recommendation approved by a
2624 majority of the committee to the executive director, or his or her
2625 designee. The decisions of the committee regarding any
2626 limitations to be imposed on any drug or its use for a specified
2627 indication shall be based on sound clinical evidence found in
2628 labeling, drug compendia, and peer-reviewed clinical literature
2629 pertaining to use of the drug in the relevant population.

2630 (f) Upon reviewing and considering all recommendations
2631 including recommendations of the committee, comments, and data,
2632 the executive director shall make a final determination whether to
2633 require prior approval of a therapeutic class of drugs, or modify
2634 existing prior approval requirements for a therapeutic class of
2635 drugs.

2636 (g) At least thirty (30) days before the executive
2637 director implements new or amended prior authorization decisions,
2638 written notice of the executive director's decision shall be
2639 provided to all prescribing Medicaid providers, all Medicaid



2640 enrolled pharmacies, and any other party who has requested the
2641 notification. However, notice given under Section 25-43-7(1) will
2642 substitute for and meet the requirement for notice under this
2643 subsection.

2644 (h) Members of the committee shall dispose of matters
2645 before the committee in an unbiased and professional manner. If a
2646 matter being considered by the committee presents a real or
2647 apparent conflict of interest for any member of the committee,
2648 that member shall disclose the conflict in writing to the
2649 committee chair and recuse himself or herself from any discussions
2650 and/or actions on the matter.

2651 **SECTION 37.** Section 37-1-1, Mississippi Code of 1972, is
2652 amended as follows:

2653 37-1-1. From and after July 1, 1984, there shall be a state
2654 board of education which shall manage and invest school funds
2655 according to law, formulate policies according to law for
2656 implementation by the State Department of Education and perform
2657 such other duties as may be prescribed by law. The board shall
2658 consist of nine (9) members of whom none shall be an elected
2659 official. The Governor shall appoint one (1) member who shall be
2660 a resident of the Third Supreme Court District and who shall serve
2661 an initial term of one (1) year, one (1) member who shall be a
2662 resident of the First Supreme Court District and who shall serve
2663 an initial term of five (5) years, one (1) member who shall be a
2664 resident of the Second Supreme Court District and who shall serve



2665 an initial term of nine (9) years, one (1) member who shall be
2666 employed on an active and full-time basis as a school
2667 administrator and who shall serve an initial term of three (3)
2668 years, and one (1) member who shall be employed on an active and
2669 full-time basis as a schoolteacher and who shall serve an initial
2670 term of seven (7) years. The Lieutenant Governor shall appoint
2671 two (2) members from the state at large, one (1) of whom shall
2672 serve an initial term of four (4) years and one (1) of whom shall
2673 serve an initial term of eight (8) years. The Speaker of the
2674 House of Representatives shall appoint two (2) members from the
2675 state at large, one (1) of whom shall serve an initial term of two
2676 (2) years and one (1) of whom shall serve an initial term of six
2677 (6) years. The initial terms of appointees shall begin on July 1,
2678 1984, and all subsequent appointments shall begin on the first day
2679 of July for a term of nine (9) years and continue until their
2680 successors are appointed and qualify; however, to ensure an
2681 orderly process of transition, the initial appointments shall be
2682 made not later than March 1, 1984. An appointment to fill a
2683 vacancy which arises for reasons other than by expiration of a
2684 term of office shall be for the unexpired term only. All members
2685 shall be appointed with the advice and consent of the Senate, and
2686 no member shall be actively engaged in the educational profession
2687 except as stated above.

2688 All appointments shall be forwarded to the Secretary of State
2689 who will keep a repository of all current appointments to the



2690 State Board of Education, pending appointments and those positions
2691 lacking appointments, in the commission registry.

2692 The first official meeting of the original board members
2693 shall be called by the Governor as soon after July 1, 1984, as
2694 practical. The board shall elect a chairman from its membership
2695 at the first meeting of the original board members and every year
2696 thereafter. A majority of the membership of the board shall
2697 constitute a quorum for the transaction of any business. The
2698 board shall meet regularly once a month at such time as shall be
2699 designated by an order entered upon the minutes thereof. Special
2700 meetings of the board shall be held upon call of the chairman or
2701 upon the call of a majority of the members thereof. The State
2702 Superintendent of Public Education shall be the secretary of the
2703 board. The board shall hold its sessions at the seat of
2704 government, or at such location in the State of Mississippi as
2705 shall be designated by an order entered upon the minutes thereof.

2706 Members of the board shall be reimbursed for expenses in the
2707 manner and amount specified in Section 25-3-41 and shall be
2708 entitled to receive per diem compensation as authorized in Section
2709 25-3-69.

2710 **SECTION 38.** Section 37-63-3, Mississippi Code of 1972, is
2711 amended as follows:

2712 37-63-3. The Authority for Educational Television shall
2713 consist of the State Superintendent of Public Education, or his
2714 designee, and six (6) members appointed, with the advice and



2715 consent of the Senate. The Governor shall appoint four (4)
2716 members, one (1) of whom shall be actively engaged as a teacher or
2717 principal in a secondary school system in the State of Mississippi
2718 and one (1) of whom shall be actively engaged as a teacher or
2719 principal in an elementary school system in the State of
2720 Mississippi. Beginning July 1, 1994, the appointee actively
2721 engaged as a teacher or principal in a secondary school shall be
2722 appointed for an initial term of three (3) years. The member
2723 actively engaged as a teacher or principal in an elementary school
2724 shall be appointed for an initial term of four (4) years. The
2725 remaining two (2) gubernatorial appointees shall serve until July
2726 1, 1996. Beginning July 1, 1996, the Governor shall appoint two
2727 (2) members for initial terms of three (3) and four (4) years,
2728 with the Governor specifically designating which member shall be
2729 appointed for three (3) years and which shall be appointed for
2730 four (4) years. The Mississippi Community College Board shall
2731 appoint one (1) member, and the Board of Trustees of State
2732 Institutions of Higher Learning shall appoint one (1) member.
2733 After the expiration of the initial terms, all members shall serve
2734 for terms of four (4) years. An appointment to fill a vacancy
2735 among the gubernatorial appointees, other than by expiration of a
2736 term of office, shall be made by the Governor for the balance of
2737 the unexpired term.

2738 The Mississippi Authority for Educational Television, created
2739 by former Section 37-63-3, is continued and reconstituted as



2740 follows: Effective January 1, 2028, each member shall be
2741 appointed by the prescribed appointing authority, with the advice
2742 and consent of the Senate, for a term of office of four (4) years,
2743 provided that four (4) members shall be appointed in 2028 to a
2744 term ending July 1, 2032, and two (2) members shall be appointed
2745 in 2030 to a term ending July 1, 2034. All appointment
2746 procedures, vacancy provisions, interim appointment provisions and
2747 removal provisions specifically provided for in Section 7-1-35,
2748 Mississippi Code of 1972, shall be fully applicable to
2749 appointments to the Mississippi Authority for Educational
2750 Television.

2751 **SECTION 39.** Section 69-7-253, Mississippi Code of 1972, is
2752 amended as follows:

2753 69-7-253. There is hereby continued the Mississippi Egg
2754 Marketing Board with domicile at the capital city of the state.
2755 The board shall be composed of five (5) members: one (1) member
2756 shall be the Commissioner of Agriculture and Commerce as ex
2757 officio member. One (1) member shall be an egg producer as
2758 defined in this article. Three (3) members shall be employed by
2759 or associated with egg industry related businesses, or disciplines
2760 which include poultry support, marketing, promotion, home
2761 economist, extension poultry science agencies and the Mississippi
2762 Department of Agriculture and Commerce. No more than one (1)
2763 industry-related business or discipline member shall be employed



2764 by, associated with or have a financial interest in the same
2765 company or subsidiary.

2766 The Governor shall appoint the members from a list provided
2767 by the board based upon a poll of its members. * * *

2768 * * *

2769 The Mississippi Egg Marketing Board, created by former
2770 Section 69-7-253, is continued and reconstituted as follows:
2771 Effective January 1, 2028, the members shall be appointed by the
2772 Governor, with the advice and consent of the Senate, for a term of
2773 office of four (4) years, provided that two (2) members shall be
2774 appointed in 2028 to a term ending July 1, 2032, and two (2)
2775 members shall be appointed in 2030 to a term ending July 1, 2034.
2776 All appointment procedures, vacancy provisions, interim
2777 appointment provisions and removal provisions specifically
2778 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
2779 fully applicable to appointments to the Mississippi Egg Marketing
2780 Board.

2781 **SECTION 40.** Section 73-69-21, Mississippi Code of 1972, is
2782 amended as follows:

2783 73-69-21. (1) The Electronic Protection Licensing Advisory
2784 Board is hereby created within the Department of Insurance. The
2785 board shall be composed of seven (7) members, as follows:

2786 (a) Three (3) members shall be appointed by the
2787 Governor, one (1) member from each State Supreme Court District.
2788 Each member shall possess a valid Class A or Class B license and



2789 may be appointed from a list submitted by the Mississippi Alarm
2790 Association. Each of these appointments initially will have
2791 staggered terms. One (1) appointment will serve for two (2)
2792 years, one (1) appointment will serve for three (3) years, and the
2793 last appointment will serve for four (4) years. After the initial
2794 appointment terms, each appointee will serve for four (4) years.

2795 (b) One (1) member shall be appointed by the State Fire
2796 Marshal from a list of nominees submitted to the State Fire
2797 Marshal by the Mississippi Alarm Association as a representative
2798 from the Alarm Manufacturing Industry. This appointment will
2799 serve for four (4) years.

2800 (c) Two (2) members shall be appointed by the Governor
2801 at his discretion, one (1) of which shall be a law enforcement
2802 officer and one (1) shall be from the private sector. Each of
2803 these appointments will serve for four (4) years, concurrent with
2804 the term of the Governor.

2805 (d) One (1) member shall be an employee of the Office
2806 of the State Fire Marshal designated by the State Fire Marshal.
2807 Such member shall serve as the chairman of the advisory board.

2808 (2) (a) * * * The Electronic Protection Licensing Advisory
2809 Board, created by former Section 73-69-21, is continued and
2810 reconstituted as follows: Effective January 1, 2028, the members
2811 of the board appointed by the Governor or other appointing
2812 authority shall be appointed, with the advice and consent of the
2813 Senate, for a term of office of four (4) years, provided that four



2814 (4) such members shall be appointed in 2028 to a term ending July
2815 1, 2032, and three (3) members shall be appointed in 2030 to a
2816 term ending July 1, 2034. All appointment procedures, vacancy
2817 provisions, interim appointment provisions and removal provisions
2818 specifically provided for in Section 7-1-35, Mississippi Code of
2819 1972, shall be fully applicable to appointments to the Electronic
2820 Protection Licensing Advisory Board.

2821 (b) The member designated by the State Fire Marshal
2822 shall serve a term concurrent with the term of the State Fire
2823 Marshal making such designation.

2824 * * *

2825 (3) The board shall meet at every quarter, or upon the call
2826 of the chairman or upon the written request of any three (3)
2827 members of the board. Notice of any such meeting shall be given
2828 to board members and the public at least fourteen (14) days in
2829 advance.

2830 (4) Four (4) members of the board shall constitute a quorum
2831 for the transaction of business. The board may take action by
2832 majority vote of its members present and voting.

2833 (5) Each appointed member of the board shall be reimbursed
2834 for travel and related expenses incurred, not to exceed those
2835 expenses authorized for reimbursement by the Department of
2836 Insurance, for each day that the member engages in board business.



2837 (6) No member of the board shall be liable to civil action
2838 for any act performed in good faith in the execution of his duties
2839 as a board member.

2840 **SECTION 41.** Section 33-15-7, Mississippi Code of 1972, is
2841 amended as follows:

2842 33-15-7. (a) Effective July 1, 2025, there is hereby
2843 created within the executive branch of the state government a
2844 department called the Mississippi Emergency Management Agency with
2845 a director of emergency management who shall be appointed by the
2846 Governor, with the advice and consent of the Senate; he shall hold
2847 office during the pleasure of the Governor and shall be
2848 compensated as determined by any appropriation that may be made by
2849 the Legislature for such purposes.

2850 (b) The director, with the approval of the Governor, may
2851 employ such technical, clerical, stenographic and other personnel,
2852 to be compensated as provided in any appropriation that may be
2853 made for such purpose, and may make such expenditures within the
2854 appropriation therefor, or from other funds made available to him
2855 for purposes of emergency management, as may be necessary to carry
2856 out the purposes of this article.

2857 (c) The director and other personnel of the emergency
2858 management agency shall be provided with appropriate office space,
2859 furniture, equipment, supplies, stationery and printing in the
2860 same manner as provided for other state agencies.



2861 (d) The director, subject to the direction and control of
2862 the Governor, shall be the executive head of the emergency
2863 management agency and shall be responsible to the Governor for
2864 carrying out the program for emergency management of this state.
2865 He shall coordinate the activities of all organizations for
2866 emergency management within the state, and shall maintain liaison
2867 with and cooperate with emergency management agencies and
2868 organizations of other states and of the federal government, and
2869 shall have such additional authority, duties, and responsibilities
2870 authorized by this article as may be prescribed by the Governor.

2871 **SECTION 42.** Section 41-59-7, Mississippi Code of 1972, is
2872 amended as follows:

2873 41-59-7. (1) There is created an Emergency Medical Services
2874 Advisory Council to consist of the following members who shall be
2875 appointed by the Governor:

2876 (a) One (1) licensed physician to be appointed from a
2877 list of nominees presented by the Mississippi Trauma Committee,
2878 American College of Surgeons;

2879 (b) One (1) licensed physician to be appointed from a
2880 list of nominees who are actively engaged in rendering emergency
2881 medical services presented by the Mississippi State Medical
2882 Association;

2883 (c) One (1) registered nurse whose employer renders
2884 emergency medical services, to be appointed from a list of
2885 nominees presented by the Mississippi Nurses Association;



2886 (d) Two (2) hospital administrators who are employees
2887 of hospitals which provide emergency medical services, to be
2888 appointed from a list of nominees presented by the Mississippi
2889 Hospital Association;

2890 (e) Two (2) operators of ambulance services;

2891 (f) Three (3) officials of county or municipal
2892 government;

2893 (g) One (1) licensed physician to be appointed from a
2894 list of nominees presented by the Mississippi Chapter of the
2895 American College of Emergency Physicians;

2896 (h) One (1) representative from each designated trauma
2897 care region, to be appointed from a list of nominees submitted by
2898 each region;

2899 (i) One (1) registered nurse to be appointed from a
2900 list of nominees submitted by the Mississippi Emergency Nurses
2901 Association;

2902 (j) One (1) EMT-Paramedic whose employer renders
2903 emergency medical services in a designated trauma care region;

2904 (k) One (1) representative from the Mississippi
2905 Department of Rehabilitation Services;

2906 (l) One (1) member who shall be a person who has been a
2907 recipient of trauma care in Mississippi or who has an immediate
2908 family member who has been a recipient of trauma care in
2909 Mississippi;



2910 (m) One (1) licensed neurosurgeon to be appointed from
2911 a list of nominees presented by the Mississippi State Medical
2912 Association;

2913 (n) One (1) licensed physician with certification or
2914 experience in trauma care to be appointed from a list of nominees
2915 presented by the Mississippi Medical and Surgical Association;

2916 (o) One (1) representative from the Mississippi
2917 Firefighters Memorial Burn Association, to be appointed by the
2918 association's governing body; and

2919 (p) One (1) representative from the Mississippians for
2920 Emergency Medical Services, to be appointed by the association's
2921 governing body.

2922 * * * The EMT Advisory Council, created by former Section
2923 41-59-7, is continued and reconstituted as follows: Effective
2924 January 1, 2028, the members shall be appointed by the Governor,
2925 with the advice and consent of the Senate, for a term of office of
2926 four (4) years, provided that eleven (11) of the members shall be
2927 appointed in 2028 for a term ending July 1, 2032, nine (9) members
2928 shall be appointed in 2030 to a term ending July 1, 2034. All
2929 appointment procedures, vacancy provisions, interim appointment
2930 provisions and removal provisions specifically provided for in
2931 Section 7-1-35, Mississippi Code of 1972, shall be fully
2932 applicable to appointments to the EMT Advisory Council. The
2933 executive officer or his designated representative shall serve as
2934 ex officio chairman of the advisory council. * * *



2935 The advisory council shall meet at the call of the chairman
2936 at least annually. For attendance at such meetings, the members
2937 of the advisory council shall be reimbursed for their actual and
2938 necessary expenses including food, lodging and mileage as
2939 authorized by law, and they shall be paid per diem compensation
2940 authorized under Section 25-3-69.

2941 The advisory council shall advise and make recommendations to
2942 the board regarding rules and regulations promulgated pursuant to
2943 this chapter.

2944 (2) There is created a committee of the Emergency Medical
2945 Services Advisory Council to be named the Mississippi Trauma
2946 Advisory Committee (hereinafter "MTAC"). This committee shall act
2947 as the advisory body for trauma care system development and
2948 provide technical support to the department in all areas of trauma
2949 care system design, trauma standards, data collection and
2950 evaluation, continuous quality improvement, trauma care system
2951 funding, and evaluation of the trauma care system and trauma care
2952 programs. The membership of the Mississippi Trauma Advisory
2953 Committee shall be comprised of Emergency Medical Services
2954 Advisory Council members appointed by the chairman.

2955 **SECTION 43.** Section 71-5-107, Mississippi Code of 1972, is
2956 amended as follows:

2957 71-5-107. The department shall administer this chapter
2958 through a full-time salaried executive director, to be appointed
2959 by the Governor, with the advice and consent of the Senate, and



2960 shall serve at the will and pleasure of the Governor. * * * All
2961 appointments to the office of executive director shall be
2962 forwarded to the Secretary of State who shall keep a repository of
2963 all current and pending appointments. The executive director
2964 shall be responsible for the administration of this chapter under
2965 authority delegated to him by the Governor.

2966 **SECTION 44.** Section 73-13-5, Mississippi Code of 1972, is
2967 amended as follows:

2968 73-13-5. A Board of Licensure for Professional Engineers and
2969 Surveyors is hereby created whose duty it shall be to administer
2970 the provisions of Sections 73-13-1 through 73-13-105. The board
2971 shall consist of six (6) licensed professional engineers, who
2972 shall be appointed by the Governor from eighteen (18) nominees
2973 recommended by the Mississippi Engineering Society, and shall have
2974 the qualifications required by Section 73-13-7, and three (3)
2975 licensed professional surveyors who are not licensed professional
2976 engineers, who shall be appointed by the Governor from nine (9)
2977 nominees recommended by the Mississippi Association of
2978 Professional Surveyors and who shall have the qualifications
2979 required by Section 73-13-77. The members of the board shall be
2980 appointed from the above nominees. The board so appointed shall
2981 have two (2) engineer members from each of the three (3) state
2982 Supreme Court districts, designated by district, Post 1 and Post
2983 2, and shall serve for four (4) years, or until their successors
2984 are duly appointed and qualified.



2985 The members recommended by the Mississippi Association of
2986 Professional Surveyors shall be appointed from each of the three
2987 (3) state Supreme Court districts and serve for four (4) years, or
2988 until their successors are duly appointed and qualified. Each
2989 member of the board shall receive a certificate of appointment
2990 from the Governor, and before beginning his term of office he
2991 shall file with the Secretary of State the constitutional oath of
2992 office. On the expiration of the term of any member, the Governor
2993 shall in the manner herein provided appoint for a term of four (4)
2994 years a licensed professional engineer having the qualifications
2995 required by Section 73-13-7, or a licensed professional surveyor
2996 having the qualifications required by Section 73-13-77 to take the
2997 place of the member of the board whose term is about to expire.
2998 Each member shall hold office until the expiration of the term for
2999 which such member is appointed or until a successor shall have
3000 been duly appointed and shall have qualified.

3001 The initial members of the reconstituted board shall serve
3002 terms of office as follows:

3003 (a) The term of the engineer member presently serving
3004 at large, which term was set to expire on April 8, 2004, shall
3005 expire on July 1, 2004; and from and after July 1, 2004, this
3006 appointment shall be designated as Post 1.

3007 (b) The term of the engineer member presently serving
3008 at large, which term was set to expire on April 8, 2004, shall



3009 expire on July 1, 2005; and from and after July 1, 2004, this
3010 appointment shall be designated as Post 2.

3011 (c) An appointment of an engineer member serving at
3012 large shall be made on July 1, 2004, and shall expire on July 1,
3013 2006; and from and after July 1, 2004, this appointment shall be
3014 designated as Post 3.

3015 (d) The term of the engineer member presently serving
3016 from the First Supreme Court District, which term was set to
3017 expire on April 8, 2006, shall expire on July 1, 2007; and from
3018 and after July 1, 2004, this appointment shall be designated as
3019 Post 4.

3020 (e) The term of the engineer member presently serving
3021 from the Second Supreme Court District, which term was set to
3022 expire on April 8, 2006, shall expire on July 1, 2008; and from
3023 and after July 1, 2004, this appointment shall be designated as
3024 Post 5.

3025 (f) The term of the engineer member presently serving
3026 from the Third Supreme Court District, which term was set to
3027 expire on April 8, 2006, shall expire on July 1, 2009; and from
3028 and after July 1, 2004, this appointment shall be designated as
3029 Post 6.

3030 (g) The term of the surveyor member presently serving
3031 at large, which term was set to expire on April 8, 2007, shall
3032 expire on July 1, 2004; subsequent appointments shall be made from



3033 the First Supreme Court District; from and after July 1, 2004,
3034 this appointment shall be designated as Post 7.

3035 (h) An appointment of a surveyor member shall be made
3036 from the Second Supreme Court District; the appointment shall be
3037 made on July 1, 2004, and shall expire on July 1, 2005; from and
3038 after July 1, 2004, this appointment shall be designated as Post
3039 8.

3040 (i) The term of the surveyor member presently serving
3041 at large, which term was set to expire on April 8, 2006, shall
3042 expire on July 1, 2006; subsequent appointments shall be made from
3043 the Third Supreme Court District; from and after July 1, 2004,
3044 this appointment shall be designated as Post 9.

3045 At the expiration of a term, members of the board shall be
3046 appointed in the manner prescribed in this section for terms of
3047 four (4) years from the expiration date of the previous terms.
3048 Any vacancy on the board prior to the expiration of a term for any
3049 reason, including resignation, removal, disqualification, death or
3050 disability, shall be filled by appointment of the Governor in the
3051 manner prescribed in this section for the balance of the unexpired
3052 term. The Mississippi Engineering Society and/or the Mississippi
3053 Association of Professional Surveyors shall submit a list of
3054 nominees no more than ninety (90) days after a vacancy occurs, and
3055 the Governor shall fill such vacancies within ninety (90) days
3056 after each such vacancy occurs.



3057 The Board of Licensure for Professional Engineers and
3058 Surveyors, created by former Section 73-13-5, is continued and
3059 reconstituted as follows: Effective January 1, 2028, the members
3060 of the board shall be appointed by the Governor, with the advice
3061 and consent of the Senate, for a term of office of four (4) years,
3062 provided that four (4) members shall be appointed in 2028 to a
3063 term ending July 1, 2032, and two (2) members shall be appointed
3064 in 2030 to a term ending July 1, 2034. All appointment
3065 procedures, vacancy provisions, interim appointment provisions and
3066 removal provisions specifically provided for in Section 7-1-35,
3067 Mississippi Code of 1972, shall be fully applicable to
3068 appointments to the Board of Licensure for Professional Engineers
3069 and Surveyors.

3070 It shall not be considered the duty of the State of
3071 Mississippi to provide office space and office equipment for the
3072 board herein created.

3073 No member of the board shall, during the term of his office
3074 or thereafter, be required to defend any action for damages in any
3075 of the courts of this state where it is shown that said damage
3076 followed or resulted from any of the official acts of said board
3077 in the performance of its powers, duties or authority as set forth
3078 in this chapter. Any such action filed shall upon motion be
3079 dismissed, at the cost of the plaintiff, with prejudice.

3080 **SECTION 45.** Section 49-2-5, Mississippi Code of 1972, is
3081 amended as follows:



3082 49-2-5. (1) There is hereby created the Mississippi
3083 Commission on Environmental Quality, to be composed of seven (7)
3084 persons appointed by the Governor, with the advice and consent of
3085 the Senate, for a term of * * * four (4) years. * * * Two (2)
3086 persons shall be appointed from each * * * Mississippi Supreme
3087 Court District, and * * * one (1) member shall be appointed from
3088 the state at large. * * * The Mississippi Commission on
3089 Environmental Quality, created by former Section 49-2-5, is
3090 continued and reconstituted as follows: Effective January 1,
3091 2028, each member shall be appointed by the Governor, with the
3092 advice and consent of the Senate, for a term of office of four (4)
3093 years, provided that four (4) members shall be appointed in 2028
3094 to a term ending July 1, 2032, and three (3) members shall be
3095 appointed in 2030 to a term ending July 1, 2034. All appointment
3096 procedures, vacancy provisions, interim appointment provisions and
3097 removal provisions specifically provided for in Section 7-1-35,
3098 Mississippi Code of 1972, shall be fully applicable to
3099 appointments to the Mississippi Commission on Environmental
3100 Quality.

3101 (2) The commission shall elect from its membership a
3102 chairman who shall preside over meetings and a vice chairman who
3103 shall preside in the absence of the chairman or when the chairman
3104 shall be excused.

3105 (3) The commission shall adopt rules and regulations
3106 governing times and places for meetings, and governing the manner



3107 of conducting its business. Each member of the commission shall
3108 take the oath prescribed by Section 268 of the Constitution and
3109 shall enter into bond in the amount of Thirty Thousand Dollars
3110 (\$30,000.00) to be approved by the Secretary of State, conditioned
3111 according to law and payable to the State of Mississippi before
3112 assuming the duties of office. * * *

3113 (4) The members of the commission shall receive no annual
3114 salary, but shall receive per diem compensation as authorized by
3115 law for each day devoted to the discharge of official duties, and
3116 shall be entitled to reimbursement for all actual and necessary
3117 expenses incurred in the discharge of their duties, including
3118 mileage as authorized by law.

3119 The commission shall be composed of persons with extensive
3120 knowledge of or practical experience in at least one (1) of the
3121 matters of jurisdiction of the commission.

3122 (5) The commission is authorized and empowered to use and
3123 expend any funds received by it from any source for the purposes
3124 of this chapter. Such funds shall be expended in accordance with
3125 the statutes governing the expenditure of state funds.

3126 (6) At least a majority of the members of the commission
3127 shall represent the public interest and shall not derive any
3128 significant portion of their income from persons subject to
3129 permits under the federal Clean Air Act or enforcement order under
3130 the federal Clean Air Act. In the event of any potential conflict
3131 of interest by a member of the commission, such member shall



3132 disclose the potential conflict to the other members of the
3133 commission and shall recuse himself or herself from participating
3134 in or voting on any matter related to such conflict of interest.

3135 **SECTION 46.** Section 25-4-5, Mississippi Code of 1972, is
3136 amended as follows:

3137 25-4-5. (1) There is hereby created the Mississippi Ethics
3138 Commission which shall be composed of eight (8) members, each of
3139 whom shall be a qualified elector of the State of Mississippi, of
3140 good moral character and integrity.

3141 (2) Two (2) members of the commission shall be appointed by
3142 each of the following officers in strict accordance with the above
3143 standards: the Governor, the Lieutenant Governor, the Speaker of
3144 the House of Representatives and the Chief Justice of the
3145 Mississippi Supreme Court. Not more than one (1) person appointed
3146 by each appointing authority shall be an elected official.

3147 (3) * * * The Mississippi Ethics Commission, created by
3148 former Section 25-4-5, is continued and reconstituted as follows:
3149 Effective January 1, 2028, the members of the Mississippi Ethics
3150 Commission shall be appointed by the prescribed appointing
3151 authority, with the advice and consent of the Senate, for a term
3152 of office of four (4) years, provided that five (5) members shall
3153 be appointed in 2028 to a term ending July 1, 2032, and three (3)
3154 members shall be appointed in 2030 to a term ending July 1, 2034.
3155 All appointment procedures, vacancy provisions, interim
3156 appointment provisions and removal provisions specifically



3157 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3158 fully applicable to appointments to the Mississippi Ethics
3159 Commission.

3160 * * *

3161 (* * *4) Any member of the commission who is indicted for
3162 any felony may be suspended by the commission from service on the
3163 commission. A commission member who is convicted of a misdemeanor
3164 involving moral turpitude or convicted of any felony shall be
3165 ineligible to serve and the member's position on the commission
3166 shall be vacant and subject to reappointment as for other
3167 vacancies.

3168 **SECTION 47.** Section 69-5-1, Mississippi Code of 1972, is
3169 amended as follows:

3170 69-5-1. (1) The Mississippi Fair Commission is hereby
3171 abolished, and all of the powers, duties, property, contractual
3172 rights and obligations and unexpended funds of that commission
3173 shall be transferred to the Department of Agriculture and Commerce
3174 on July 1, 2020. Wherever the term "Mississippi Fair Commission"
3175 appears in any law or regulation, the same shall mean the
3176 Department of Agriculture and Commerce. The transfer of personnel
3177 shall be commensurate with the number and classification of
3178 positions allocated to the commission.

3179 (2) In order to promote agricultural and industrial
3180 development in Mississippi and to encourage the farmers to grow
3181 better livestock and agricultural products, there is hereby



3182 created an advisory council to be hereafter known as the
3183 "Mississippi Fair Advisory Council." The department shall receive
3184 input and guidance from the advisory council, which shall be
3185 composed of the following: The Commissioner of Agriculture and
3186 Commerce, chairman, the Director of the Mississippi State
3187 University Extension Service, President of the Mississippi
3188 Livestock Association, the Director of Mississippi Vocational
3189 Education, the Director of the Mississippi Development Authority,
3190 the Mayor of the City of Jackson, Mississippi, the Dean and
3191 Director of Alcorn State University School of Agriculture and
3192 Applied Sciences, and an appointee of the Governor, with the
3193 advice and consent of the Senate, all to serve without salary
3194 compensation.

3195 **SECTION 48.** Section 27-104-101, Mississippi Code of 1972, is
3196 amended as follows:

3197 27-104-101. (1) There is hereby created the Mississippi
3198 Department of Finance and Administration, whose offices shall be
3199 located in Jackson, Mississippi.

3200 (2) The department shall be headed by an executive director,
3201 who shall be appointed by and serve at the pleasure of the
3202 Governor. The appointment of the executive director shall be made
3203 with the advice and consent of the Senate. All such appointments
3204 shall be forwarded to the Secretary of State who will keep a
3205 repository of all current and pending appointments in the
3206 commission register. The executive director may assign to deputy



3207 directors such powers and duties as deemed appropriate to carry
3208 out the department's lawful functions.

3209 (3) The executive director of the department shall appoint
3210 officers, who shall serve at the pleasure of the executive
3211 director. The executive director shall have the authority to
3212 organize the department as deemed appropriate to carry out the
3213 responsibilities of the department. The organization charts of
3214 the department shall be presented annually with the budget request
3215 of the Governor for review by the Legislature.

3216 **SECTION 49.** Section 73-36-9, Mississippi Code of 1972, is
3217 amended as follows:

3218 73-36-9. There is hereby created the State Board of
3219 Registration for Foresters of the State of Mississippi for the
3220 purposes of safeguarding forests by regulating the practice of
3221 forestry and requiring that persons practicing or offering to
3222 practice forestry to be registered. The board shall be composed
3223 of seven (7) members appointed by the Governor with the advice and
3224 consent of the Senate. One (1) member shall be appointed from
3225 each of the six (6) Forestry Commission districts as constituted
3226 on January 1, 1999, and one (1) member shall be appointed at
3227 large. The State Forester of Mississippi shall serve as an ex
3228 officio member of the board. Each of the members shall be a
3229 forester within the meaning of this chapter with at least three
3230 (3) years' experience in such field, and a resident and citizen of
3231 the State of Mississippi at the time of his appointment. * * *



3232 The State Board of Registration for Foresters, created by former
3233 Section 73-36-9, is continued and reconstituted as follows:
3234 Effective January 1, 2028, the members of the State Board of
3235 Registration for Foresters shall be appointed by the Governor,
3236 with the advice and consent of the Senate, for a term of office of
3237 four (4) years, provided that four (4) of the members shall be
3238 appointed in 2028 to a term ending July 1, 2032, and three (3)
3239 members shall be appointed in 2030 to a term ending July 1, 2034.
3240 All appointment procedures, vacancy provisions, interim
3241 appointment provisions and removal provisions specifically
3242 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3243 fully applicable to appointments to the State Board of
3244 Registration for Foresters.

3245 **SECTION 50.** Section 49-19-1, Mississippi Code of 1972, is
3246 amended as follows:

3247 49-19-1. (1) There shall be a State Forestry Commission
3248 composed of ten (10) members, who shall be qualified electors of
3249 the state. The Dean of the School of Forest Resources at
3250 Mississippi State University shall be an ex officio member of the
3251 commission, with full voting authority. The Governor shall
3252 appoint eight (8) members, with the advice and consent of the
3253 Senate * * *. The Governor shall appoint * * * two (2) members
3254 from each * * * Mississippi Supreme Court District as constituted
3255 at the time the appointments are made and shall appoint the
3256 remainder of the members from the state at large. * * * An



3257 appointed member from a * * * Supreme Court District must be a
3258 certified tree farmer who owns eighty (80) or more acres of forest
3259 land or a person who derives a major portion of his or her
3260 personal income from forest-related business, industry or other
3261 related activities. Members of the commission from the state at
3262 large may or may not possess the same qualifications as members
3263 appointed from the * * * Supreme Court Districts.

3264 (2) The members of the commission shall receive no annual
3265 salary but each member of the commission shall receive a per diem
3266 plus expenses and mileage as authorized by law for each day
3267 devoted to the discharge of official duties. No member of the
3268 commission shall receive total per diem in excess of twenty-four
3269 (24) days' compensation per annum.

3270 (3) * * * The State Forestry Commission, created by former
3271 Section 49-19-1, is continued and reconstituted as follows:
3272 Effective January 1, 2028, the members of the commission shall be
3273 appointed by the Governor, with the advice and consent of the
3274 Senate, for a term of office of four (4) years, provided that five
3275 (5) members shall be appointed in 2028 to a term ending July 1,
3276 2032, and three (3) members shall be appointed in 2030 to a term
3277 ending July 1, 2034. All appointment procedures, vacancy
3278 provisions, interim appointment provisions and removal provisions
3279 specifically provided for in Section 7-1-35, Mississippi Code of
3280 1972, shall be fully applicable to appointments to the State
3281 Forestry Commission.



3282 (4) The commission shall elect from its membership a chair,
3283 who shall preside over meetings, and a vice chair, who shall
3284 preside in the absence of the chair or when the chair is excused.

3285 (5) The commission shall adopt rules and regulations
3286 governing times and places for meetings, and governing the manner
3287 of conducting its business. Each member of the commission shall
3288 take the oath prescribed by Section 268 of the Mississippi
3289 Constitution of 1890 and shall enter into a bond in the amount of
3290 Thirty Thousand Dollars (\$30,000.00) to be approved by the
3291 Secretary of State, conditioned according to law and payable to
3292 the State of Mississippi before assuming the duties of office.

3293 (6) Any appointment made to the commission contrary to this
3294 section shall be void, and it is unlawful for the State Fiscal
3295 Officer to pay any per diem or authorize the expenses of the
3296 appointee.

3297 **SECTION 51.** Section 73-11-43, Mississippi Code of 1972, is
3298 amended as follows:

3299 73-11-43. There is created the State Board of Funeral
3300 Service which shall consist of seven (7) members, one (1) funeral
3301 service licensee and one (1) funeral director licensee to be
3302 appointed from each Mississippi Supreme Court district. Three (3)
3303 members shall have been licensed for the practice of funeral
3304 service under this chapter for five (5) consecutive years and/or
3305 have had at least five (5) consecutive years' experience as a
3306 funeral director and embalmer in this state immediately preceding



3307 his appointment. Three (3) members shall have been licensed for
3308 the practice of funeral directing under this chapter for five (5)
3309 consecutive years and/or have had at least five (5) consecutive
3310 years' experience as a funeral director immediately preceding his
3311 appointment. One (1) member shall be a public member and be
3312 appointed from the public at large. The members of the board
3313 shall be appointed by the Governor with the advice and consent of
3314 the Senate. All appointments shall be for terms of four (4) years
3315 from the expiration date of the previous term, provided that
3316 effective January 1, 2028, four (4) members shall be appointed in
3317 2028 to a term ending July 1, 2032, and three (3) members shall be
3318 appointed in 2030 to a term ending July 1, 2034. * * * All
3319 appointment procedures, vacancy provisions, interim appointment
3320 provisions and removal provisions specifically provided for in
3321 Section 7-1-35, Mississippi Code of 1972, shall be fully
3322 applicable to appointments to the State Board of Funeral Service.
3323 No board member shall serve more than two (2) consecutive full
3324 terms. * * * Appointments for vacancies in office, except those
3325 from the public at large, may be made from a joint list of four
3326 (4) qualified persons, two (2) each submitted by the Mississippi
3327 Funeral Directors Association and the Mississippi Funeral
3328 Directors and Morticians Association. Nothing in this chapter or
3329 any other statute shall preclude the members of the State
3330 Embalming Board from serving as members of the State Board of
3331 Funeral Service.



3332 **SECTION 52.** Section 75-76-9, Mississippi Code of 1972, is
3333 amended as follows:

3334 75-76-9. (1) * * * The Mississippi Gaming Commission,
3335 created by former Sections 75-76-7 and 75-76-9, is continued and
3336 reconstituted as follows: Effective January 1, 2028, the three
3337 (3) members of the Mississippi Gaming Commission shall be
3338 appointed by the Governor, one (1) from each Mississippi Supreme
3339 Court District, with the advice and consent of the Senate, for a
3340 term of office of four (4) years, provided that two (2) members
3341 shall be appointed in 2028 to a term ending July 1, 2032, and one
3342 (1) member shall be appointed in 2030 to a term ending July 1,
3343 2034. All appointment procedures, vacancy provisions, interim
3344 appointment provisions and removal provisions specifically
3345 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3346 fully applicable to appointments to the Mississippi Gaming
3347 Commission.

3348 * * *

3349 (* * *2) Appointments to the commission and designation of
3350 the chairman shall be made by the Governor with the advice and
3351 consent of the Senate. Prior to the nomination, the PEER
3352 Committee shall conduct an inquiry into the nominee's background,
3353 with particular regard to the nominee's financial stability,
3354 integrity and responsibility and his reputation for good
3355 character, honesty and integrity.



3356 (* * *3) The member designated by the Governor to serve as
3357 chairman shall serve in such capacity throughout such member's
3358 entire term and until his successor shall have been duly appointed
3359 and qualified. No such member, however, shall serve in such
3360 capacity for more than ten (10) years.

3361 * * *

3362 (* * *4) Members of the commission shall not have any
3363 direct or indirect interest in an undertaking that puts their
3364 personal interest in conflict with that of the commission and
3365 shall be governed by the provisions of Section 109 of the
3366 Mississippi Constitution and Section 25-4-105. In addition,
3367 members of the commission shall not receive anything of value
3368 from, or on behalf of, any person holding or applying for a gaming
3369 license under this chapter.

3370 * * *

3371 (* * *5) Each member of the commission is entitled to per
3372 diem as provided by Section 25-3-69.

3373 **SECTION 53.** Section 73-63-9, Mississippi Code of 1972, is
3374 amended as follows:

3375 73-63-9. (1) There is created the Board of Registered
3376 Professional Geologists to administer this chapter. The board
3377 shall consist of five (5) registered professional geologists
3378 appointed by the Governor from nominees recommended by the
3379 committee created in subsection (3) of this section, but
3380 geologists initially appointed to the board shall be qualified for



3381 registration under this chapter and shall register within the
3382 first year of their term. Three (3) appointments shall be made
3383 from Mississippi Supreme Court Districts and two (2) from the
3384 state at large. The Governor shall require adequate disclosure of
3385 potential conflicts of interest by appointees to the board. The
3386 board shall, to the extent practicable, consist of one (1) member
3387 appointed from the governmental sector, one (1) member appointed
3388 from academia, one (1) member appointed from the
3389 geotechnical/environmental industrial sector, one (1) member
3390 appointed from the mining/mineral extraction industrial sector,
3391 and one (1) member appointed at large. * * * The Board of
3392 Registered Professional Geologists, created by former Section
3393 73-63-9, is continued and reconstituted as follows: Effective
3394 January 1, 2028, members of the board shall be appointed by the
3395 Governor, with the advice and consent of the Senate, for a term of
3396 office of four (4) years, provided that three (3) such members
3397 shall be appointed in 2028 to a term ending July 1, 2032, and two
3398 (2) such members shall be appointed in 2030 to a term ending July
3399 1, 2034. All appointment procedures, vacancy provisions, interim
3400 appointment provisions and removal provisions specifically
3401 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3402 fully applicable to appointments to the Board of Professional
3403 Registered Geologists.

3404 (2) Each member of the board shall be a citizen of the
3405 United States, a resident of this state for at least five (5)



3406 years immediately preceding that person's appointment, and at
3407 least thirty (30) years of age.

3408 (3) * * * Except as provided in paragraph (b) of this
3409 subsection, the board annually shall appoint a nominating
3410 committee. No board member shall participate on the nominating
3411 committee during the year in which that member's term expires.
3412 The nominating committee shall compile a list of the nominees and
3413 submit that list to the registered professional geologists on the
3414 roster. Each geologist shall have one (1) vote and shall submit
3415 that vote in writing within fifteen (15) days following the
3416 mailing of the list of nominees. The executive director, or the
3417 president in the absence of an executive director, shall calculate
3418 the results and recommend to the Governor the three (3) nominees
3419 from the sector in which the vacancy occurs receiving the largest
3420 number of votes.

3421 * * *

3422 **SECTION 54.** Section 55-15-21, Mississippi Code of 1972, is
3423 amended as follows:

3424 55-15-21. There is hereby created and established the Grand
3425 Gulf Military Monument Commission, to be composed of five (5)
3426 members, all to be resident citizens of Claiborne County,
3427 Mississippi. * * * The Grand Gulf Military Monument Commission,
3428 created by former Section 55-15-21, is continued and reconstituted
3429 as follows: Effective January 1, 2028, the commissioners shall be
3430 appointed by the Governor, with the advice and consent of the



3431 Senate, for a term of office of four (4) years, provided that
3432 three (3) members shall be appointed in 2028 to a term ending July
3433 1, 2032, and two (2) members shall be appointed in 2030 to a term
3434 ending July 1, 2034. All appointment procedures, vacancy
3435 provisions, interim appointment provisions and removal provisions
3436 specifically provided for in Section 7-1-35, Mississippi Code of
3437 1972, shall be fully applicable to appointments to the Grand Gulf
3438 Military Monument Commission.

3439 **SECTION 55.** Section 59-7-407, Mississippi Code of 1972, is
3440 amended as follows:

3441 59-7-407. A port commission created under this article shall
3442 consist of six (6) members who shall be qualified electors of the
3443 municipality operating under this article, and shall be appointed
3444 as follows: two (2) shall be appointed by the Governor, with the
3445 advice and consent of the Senate; two (2) shall be appointed by
3446 the governing authorities of the municipality, with the advice and
3447 consent of the Senate; and two (2) shall be appointed by the board
3448 of supervisors of the county, with the advice and consent of the
3449 Senate. The commission shall have jurisdiction over the port,
3450 terminals, harbors and passes leading thereto, and all vessels,
3451 boats and wharves, common carriers and public utilities using the
3452 port. Commissioners shall be paid the uniform per diem
3453 compensation authorized in Section 25-3-69 for the discharge of
3454 official duties at meetings called in accordance with Section
3455 59-7-409.



3456 * * * Any port commission, created by former Section
3457 59-7-407, is continued and reconstituted as follows: Effective
3458 January 1, 2028, the members of the port authorities shall be
3459 appointed by the Governor or appropriate local official, with the
3460 advice and consent of the Senate, for a term of office of four (4)
3461 years, provided that one (1) member shall be appointed by the
3462 Governor and the other local officials in 2028 to a term ending
3463 July 1, 2032, and one (1) member shall be appointed by the
3464 Governor and the other local officials in 2030 to a term ending
3465 July 1, 2034. All appointment procedures, vacancy provisions,
3466 interim appointment provisions and removal provisions specifically
3467 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3468 fully applicable to appointments to a port commission under this
3469 section.

3470 The commission shall, upon appointment, organize as provided
3471 in Section 59-7-409.

3472 A port commission created under this article may be dissolved
3473 by the governing authorities of the municipality as provided under
3474 Section 59-7-408.

3475 **SECTION 56.** Section 59-5-21, Mississippi Code of 1972, is
3476 amended as follows:

3477 59-5-21. Any port or harbor, or any part thereof, and all
3478 facilities, structures, lands or other improvements, acquired by
3479 or conveyed to the state, shall be operated by the board acting
3480 through a state port authority for such port or harbor, except as



3481 may be otherwise provided in this chapter. Such state port
3482 authority shall be an agency of the state and shall be vested, in
3483 addition to the rights, powers and duties conferred hereunder,
3484 with the same jurisdiction and the same rights, powers and duties
3485 vested by law in the port commission or port authority or other
3486 authorized port or harbor agency having jurisdiction of such port
3487 or harbor under statutes in effect on the date of the conveyance
3488 of such port or harbor, or any part thereof, to the state. Such
3489 state port authority shall consist of five (5) qualified electors
3490 of the city or county in which such port or harbor is
3491 located. * * * One (1) member thereof * * * shall be appointed by
3492 the governing authorities of the municipality in which such port
3493 or harbor is located or adjacent to * * *, one (1) member
3494 thereof * * * shall be appointed by the board of supervisors of
3495 the county in which such port or harbor is located * * *, and
3496 three (3) members thereof * * * shall be appointed by the
3497 Governor * * *. Any State Port Authority, created by former
3498 Section 59-5-21, is continued and reconstituted as follows:
3499 Effective January 1, 2028, the members of the State Port Authority
3500 shall be appointed by the Governor or prescribed local official,
3501 with the advice and consent of the Senate, for a term of office of
3502 four (4) years, provided that two (2) members shall be appointed
3503 by the Governor in 2028 to a term ending July 1, 2032, and one (1)
3504 such member shall be appointed by the Governor in 2030 to a term
3505 ending July 1, 2034. All appointment procedures, vacancy



3506 provisions, interim appointment provisions and removal provisions
3507 specifically provided for in Section 7-1-35, Mississippi Code of
3508 1972, shall be fully applicable to appointments to the State Port
3509 Authority. The members of the state port authority shall organize
3510 in the same manner authorized by law for the port commission or
3511 port authority formerly having jurisdiction over such port or
3512 harbor, or any part thereof. Members of the state port authority
3513 shall be entitled to compensation pursuant to Section 25-3-69 and
3514 travel expenses pursuant to Section 25-3-41. In its operation of
3515 such port or harbor, or any part thereof, such state port
3516 authority shall not be responsible to the city or county, or other
3517 authorized port or harbor agency, in which such port or harbor, or
3518 any part thereof, may be located, but shall be responsible solely
3519 to the board, and the board shall have the same rights and duties
3520 and the same relationship toward such state port authority as is
3521 vested by law in the county, city or other authorized port or
3522 harbor agency in its relation to the port commission or port
3523 authority formerly having jurisdiction of such port or harbor, or
3524 part thereof. Before entering upon the duties of the office, each
3525 of said members shall take and subscribe to the oath of office
3526 required by Section 268 of the Constitution of the State of
3527 Mississippi, and shall file same with the Secretary of State, and
3528 shall give bond in the sum of Ten Thousand Dollars (\$10,000.00),
3529 with a surety company or companies, authorized to do business in
3530 this state, conditioned according to law, and to be delivered to



3531 and approved by the Treasurer of the State of Mississippi; the
3532 premiums on said bonds shall be paid from port funds.

3533 **SECTION 57.** Section 59-11-3, Mississippi Code of 1972, is
3534 amended as follows:

3535 59-11-3. (1) Any county port and harbor commission created
3536 pursuant to Section 59-11-1 shall be appointed as follows: three
3537 (3) members shall be appointed by the Governor, one (1) from each
3538 of the three (3) municipalities of the county, which appointments
3539 shall be made from those persons recommended and nominated by the
3540 governing authorities of the municipalities, and shall be
3541 qualified electors of the county; and five (5) members shall be
3542 appointed by the board of supervisors of such county, each
3543 supervisor to recommend the appointment of one (1) member
3544 thereof. * * * Any port and harbor commission, created by former
3545 Section 59-11-3, is continued and reconstituted as follows:
3546 Effective January 1, 2028, the members of the port and harbor
3547 commission shall be appointed by the Governor or prescribed local
3548 official, with the advice and consent of the Senate, for a term of
3549 office of four (4) years, provided that of the eight (8) members
3550 five (5) such members shall be appointed in 2028 to a term ending
3551 July 1, 2032, and three (3) such members shall be appointed in
3552 2030 to a term ending July 1, 2034, with the phased-in terms of
3553 office to be designated by the appropriate appointing official.
3554 All appointment procedures, vacancy provisions, interim
3555 appointment provisions and removal provisions specifically



3556 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3557 fully applicable to appointments to the port and harbor
3558 commission.

3559 (2) Each member of the county port and harbor commission
3560 shall receive per diem compensation in an amount up to Eighty-four
3561 Dollars (\$84.00) for each day engaged in attendance of meetings of
3562 the county port and harbor commission or when engaged in other
3563 duties of the county port and harbor commission, and shall be
3564 reimbursed for mileage and actual travel expenses at the rate
3565 authorized for county employees under Section 25-3-41.

3566 **SECTION 58.** Section 61-3-7, Mississippi Code of 1972, is
3567 amended as follows:

3568 61-3-7. (1) Two (2) or more municipalities or two (2) or
3569 more municipalities and any state-supported institution of higher
3570 learning or a public community or junior college, by resolution of
3571 each, may create a public body, corporate and politic, to be known
3572 as a regional airport authority which shall be authorized to
3573 exercise its functions upon the issuance by the Secretary of State
3574 of a certificate of incorporation. The governing body of each
3575 municipality, the institution of higher learning or the public
3576 community or junior college, pursuant to its resolution, shall
3577 appoint one (1) person as a commissioner of the authority.
3578 However, if the regional airport authority consists of an even
3579 number of participants, which include two (2) or more
3580 municipalities or two (2) or more municipalities and a state



3581 institution of higher learning or a public community or junior
3582 college, an additional commissioner shall be appointed by the
3583 Governor, with the advice and consent of the Senate. Such
3584 additional commissioner shall be a resident of a county other than
3585 the counties of the participating municipalities but contiguous to
3586 at least one (1) of such counties.

3587 (2) A regional airport authority may be increased from time
3588 to time to serve one or more additional municipalities if each
3589 additional municipality and each of the municipalities and the
3590 institution of higher learning or the public community or junior
3591 college then included in the regional authority and the
3592 commissioners of the regional authority, respectively, adopt a
3593 resolution consenting thereto. If a municipal airport authority
3594 for any municipality seeking to be included in the regional
3595 authority is then in existence, the commissioners of the municipal
3596 authority shall consent to the inclusion of the municipality,
3597 institution of higher learning or the public community or junior
3598 college in the regional authority, and if the municipal authority
3599 has any bonds outstanding, unless the holders of fifty-one percent
3600 (51%) or more in amount of the bonds consent, in writing, to the
3601 inclusion of the municipality in the regional authority, no such
3602 inclusion shall be effected. Upon the inclusion of any
3603 municipality, institution of higher learning or the public
3604 community or junior college in the regional authority, all rights,
3605 contracts, obligations and property, real and personal, of the



3606 municipal authority shall be in the name of and vest in the
3607 regional authority.

3608 (3) A regional airport authority may be decreased if each of
3609 the municipalities and the institution of higher learning or the
3610 public community or junior college then included in the regional
3611 authority and the commissioners of the regional authority consent
3612 to the decrease and make provision for the retention or
3613 disposition of its assets and liabilities. However, if the
3614 regional authority has any bonds outstanding, no decrease shall be
3615 effected unless seventy-five percent (75%) or more of the holders
3616 of the bonds consent thereto in writing.

3617 (4) If a municipality so elects, it may share its
3618 commissioner position with another municipality that is not then a
3619 participant in the regional authority. In order to do so, the
3620 initiating and participating municipalities, and the joining
3621 municipality, all other municipalities participating at that time,
3622 and the commissioners of the regional authority, must adopt
3623 resolutions consenting to the sharing of the position. The
3624 initiating municipality and the joining municipality must reach an
3625 agreement to jointly determine the method for the appointment of
3626 their joint commissioner. Upon the adoption of the resolutions of
3627 authorization and the execution of the agreement between the
3628 participating and joining municipalities, the joint commissioner
3629 shall have the same powers, authority, duties and obligations
3630 otherwise vested in commissioners of the regional authority.



3631 (5) A municipality, institution of higher learning or public
3632 community or junior college shall not adopt any resolution
3633 authorized by this section without a public hearing thereon.
3634 Notice thereof shall be given at least ten (10) days before the
3635 hearing in a newspaper published in the municipality, in the
3636 institution of higher learning or in the public community or
3637 junior college, or if there is no newspaper published therein,
3638 then in a newspaper having general circulation in the
3639 municipality, in the institution of higher learning or in the
3640 public community or junior college.

3641 (6) At the expiration of the term of all commissioners
3642 serving as of January 1, 1978, the airport authority shall effect
3643 staggered terms by the drawing of lots and reporting thereon to
3644 appointing authorities. The commissioners shall be designated to
3645 serve for terms of one (1) year, two (2) years, three (3) years,
3646 four (4) years and so forth depending upon the number of
3647 participating appointing authorities. Thereafter, each
3648 commissioner shall be appointed for a term of five (5) years
3649 except that vacancies occurring otherwise than by expiration of
3650 terms shall be filled for the unexpired term in the same manner as
3651 the original appointment.

3652 **SECTION 59.** Section 25-15-303, Mississippi Code of 1972, is
3653 amended as follows:

3654 25-15-303. (1) There is created the State and School
3655 Employees Health Insurance Management Board, which shall



3656 administer the State and School Employees Life and Health
3657 Insurance Plan provided for under Section 25-15-3 et seq. The
3658 State and School Employees Health Insurance Management Board,
3659 hereafter referred to as the "board," shall also be responsible
3660 for administering all procedures for selecting third-party
3661 administrators provided for in Section 25-15-301.

3662 (2) The board shall consist of the following:

3663 (a) The Chairman of the Workers' Compensation
3664 Commission or his or her designee;

3665 (b) The State Personnel Director, or his or her
3666 designee;

3667 (c) The Commissioner of Insurance, or his or her
3668 designee;

3669 (d) The Commissioner of Higher Education, or his or her
3670 designee;

3671 (e) The State Superintendent of Public Education, or
3672 his or her designee;

3673 (f) The Executive Director of the Department of Finance
3674 and Administration, or his or her designee;

3675 (g) The Executive Director of the Mississippi Community
3676 College Board, or his or her designee;

3677 (h) The Executive Director of the Public Employees'
3678 Retirement System, or his or her designee;

3679 (i) Two (2) appointees of the Governor, with the advice
3680 and consent of the Senate, whose terms shall be concurrent with



3681 that of the Governor, one (1) of whom shall have experience in
3682 providing actuarial advice to companies that provide health
3683 insurance to large groups and one (1) of whom shall have
3684 experience in the day-to-day management and administration of a
3685 large self-funded health insurance group;

3686 (j) The Chairman of the Senate Insurance Committee, or
3687 his or her designee;

3688 (k) The Chairman of the House of Representatives
3689 Insurance Committee, or his or her designee;

3690 (l) The Chairman of the Senate Appropriations
3691 Committee, or his or her designee; and

3692 (m) The Chairman of the House of Representatives
3693 Appropriations Committee, or his or her designee.

3694 The legislators, or their designees, shall serve as ex
3695 officio, nonvoting members of the board.

3696 The Executive Director of the Department of Finance and
3697 Administration shall be the chairman of the board.

3698 (3) The board shall meet at least monthly and maintain
3699 minutes of the meetings. A quorum shall consist of a majority of
3700 the authorized voting membership of the board. The board shall
3701 have the sole authority to promulgate rules and regulations
3702 governing the operations of the insurance plans and shall be
3703 vested with all legal authority necessary and proper to perform
3704 this function including, but not limited to:



3705 (a) Defining the scope and coverages provided by the
3706 insurance plan;

3707 (b) Seeking proposals for services or insurance through
3708 competitive processes where required by law and selecting service
3709 providers or insurers under procedures provided for by law; and

3710 (c) Developing and adopting strategic plans and budgets
3711 for the insurance plan.

3712 The department shall employ a State Insurance Administrator,
3713 who shall be responsible for the day-to-day management and
3714 administration of the insurance plan. The Department of Finance
3715 and Administration shall provide to the board on a full-time basis
3716 personnel and technical support necessary and sufficient to
3717 effectively and efficiently carry out the requirements of this
3718 section.

3719 (4) Members of the board shall not receive any compensation
3720 or per diem, but may receive travel reimbursement provided for
3721 under Section 25-3-41 except that the legislators shall receive
3722 per diem and expenses, which shall be paid from the contingent
3723 expense funds of their respective houses in the same amounts as
3724 provided for committee meetings when the Legislature is not in
3725 session; however, no per diem and expenses for attending meetings
3726 of the board shall be paid while the Legislature is in session.

3727 **SECTION 60.** Section 41-3-1.1, Mississippi Code of 1972, is
3728 amended as follows:



3729 41-3-1.1. (1) The State Board of Health is continued and
3730 reconstituted as follows:

3731 There is created the State Board of Health which, from and
3732 after March 30, 2007, shall consist of eleven (11) members
3733 appointed with the advice and consent of the Senate, as follows:

3734 (a) Five (5) members of the board shall be currently
3735 licensed physicians of good professional standing who have had at
3736 least seven (7) years' experience in the practice of medicine in
3737 this state. Three (3) members shall be appointed by the Governor,
3738 one (1) member shall be appointed by the Lieutenant Governor, and
3739 one (1) member shall be appointed by the Attorney General, in the
3740 manner provided in paragraph (d) of this subsection (1).

3741 (b) Six (6) members of the board shall be individuals
3742 who have a background in public health or an interest in public
3743 health who are not currently or formerly licensed physicians.
3744 Four (4) of those members shall be appointed by the Governor, one
3745 (1) of those members shall be appointed by the Lieutenant
3746 Governor, and one (1) of those members shall be appointed by the
3747 Attorney General, in the manner provided in paragraph (d) of this
3748 subsection (1).

3749 (c) The Governor, Lieutenant Governor and Attorney
3750 General shall give due regard to geographic distribution, race and
3751 gender in making their appointments to the board. It is the
3752 intent of the Legislature that the membership of the board reflect
3753 the population of the State of Mississippi. Of the Governor's



3754 appointments, * * * three (3) members of the board shall be
3755 appointed from each of the three (3) Supreme Court Districts as
3756 constituted on June 30, 2007, and two (2) from the state at
3757 large. * * *

3758 (d) * * * All appointments to the board shall be made
3759 by the prescribed appointing authority, with the advice and
3760 consent of the Senate.

3761 (2) * * * The State Board of Health, created by former
3762 Section 41-3-1.1, is continued and reconstituted as follows:
3763 Effective January 1, 2028, the members of the State Board of
3764 Health shall be appointed by the Governor, Lieutenant Governor or
3765 Attorney General as prescribed in this section, with the advice
3766 and consent of the Senate, for a term of office of four (4) years,
3767 provided that of the Governor's appointments, three (3) members
3768 shall be appointed in 2028 to a term ending July 1, 2032, and two
3769 (2) shall be appointed in 2030 to a term ending July 1, 2034. All
3770 appointment procedures, vacancy provisions, interim appointment
3771 provisions and removal provisions specifically provided for in
3772 Section 7-1-35, Mississippi Code of 1972, shall be fully
3773 applicable to appointments to the State Board of Health.

3774 (3) The Lieutenant Governor may designate one (1) Senator
3775 and the Speaker of the House of Representatives may designate one
3776 (1) Representative to attend any meeting of the State Board of
3777 Health. The appointing authorities may designate alternate
3778 members from their respective houses to serve when the regular



3779 designees are unable to attend the meetings of the board. Those
3780 legislative designees shall have no jurisdiction or vote on any
3781 matter within the jurisdiction of the board. For attending
3782 meetings of the board, the legislators shall receive per diem and
3783 expenses, which shall be paid from the contingent expense funds of
3784 their respective houses in the same amounts as provided for
3785 committee meetings when the Legislature is not in session;
3786 however, no per diem and expenses for attending meetings of the
3787 board will be paid while the Legislature is in session. No per
3788 diem and expenses will be paid except for attending meetings of
3789 the board without prior approval of the proper committee in their
3790 respective houses.

3791 (4) (a) All members of the State Board of Health shall file
3792 with the Mississippi Ethics Commission, before the first day of
3793 May each year, the statement of economic interest as required by
3794 Sections 25-4-25 through 25-4-29.

3795 (b) No member of the board shall participate in any
3796 action by the board or department if that action could have any
3797 monetary effect on any business with which that member is
3798 associated, as defined in Section 25-4-103.

3799 (c) When any matter in which a member may not
3800 participate comes before the board or department, that member must
3801 fully recuse himself or herself from the entire matter. The
3802 member shall avoid debating, discussing or taking action on the
3803 subject matter during official meetings or deliberations by



3804 leaving the meeting room before the matter comes before the board
3805 and by returning only after the discussion, vote or other action
3806 is completed. The member shall not discuss the matter with other
3807 members, department staff or any other person. Any minutes or
3808 other record of the meeting shall accurately reflect the recusal.
3809 If a member is uncertain whether recusal is required, the member
3810 shall follow the determination of the Mississippi Ethics
3811 Commission. The commission may delegate that determination to its
3812 executive director.

3813 (d) Upon a determination by the board or by any court
3814 of competent jurisdiction that a member of the board has violated
3815 the provisions of this subsection (4) regarding recusal, the
3816 member shall be removed from office. Any member of the board who
3817 violates the provisions of this section regarding recusal also
3818 shall be subject to the penalties set forth in Sections 25-4-109
3819 through 25-4-117. After removal from office, the member shall not
3820 be eligible for appointment to any agency, board or commission of
3821 the state for a period of two (2) years. Nothing in this section
3822 shall be construed to limit the restrictions codified in Section
3823 25-4-105.

3824 **SECTION 61.** Section 43-33-704, Mississippi Code of 1972, is
3825 amended as follows:

3826 43-33-704. (1) There is created by this article the
3827 Mississippi Home Corporation, which shall be a continuation of the
3828 corporate existence of the Mississippi Housing Finance Corporation



3829 and (a) all property, rights and powers of the Mississippi Housing
3830 Finance Corporation are vested in, and shall be exercised by, the
3831 corporation, subject, however, to all pledges, covenants,
3832 agreements, undertakings and trusts made or created by the
3833 Mississippi Housing Finance Corporation; (b) all references to the
3834 Mississippi Housing Finance Corporation in any other law or
3835 regulation shall be deemed to refer to and apply to the
3836 corporation; and (c) all regulations of the Mississippi Housing
3837 Finance Corporation shall continue to be in effect as the
3838 regulations of the corporation until amended, supplemented or
3839 rescinded by the corporation in accordance with law.

3840 (2) The corporation is created with power to: raise funds
3841 from private investors in order to make such private funds
3842 available to finance the acquisition, construction, rehabilitation
3843 and improvement of residential and rental housing for persons of
3844 low or moderate income within the state; provide financing to
3845 qualified sponsors or individuals for a wide range of loans
3846 including, but not limited to, housing development, mortgage,
3847 rehabilitation or energy conservation loans; make loans to private
3848 lenders to finance any of these loans; purchase any of these loans
3849 from private lenders; refinance, insure or guarantee any of these
3850 loans; provide for temporary or partial financing for any of these
3851 purposes; develop, operate and administer housing programs which
3852 further its stated goals of improving the availability,
3853 affordability and quality of low- and moderate-income housing in



3854 the state; and make grants or loans to private nonprofit
3855 developers, local governments or private persons in furtherance of
3856 these goals * * *.

3857 * * *

3858 (* * *3) (a) From and after the effective date of May 23,
3859 2000, the corporation shall be composed of nine (9) members. The
3860 Governor, with the advice and consent of the Senate, shall appoint
3861 six (6) members of the corporation, who shall be residents of the
3862 state. The Governor shall appoint two (2) members from each
3863 Supreme Court District. The Lieutenant Governor, with the advice
3864 and consent of the Senate, shall appoint three (3) members of the
3865 corporation, who shall be residents of the state. The Lieutenant
3866 Governor shall appoint one (1) member from each Supreme Court
3867 District. * * * In the appointment process, the Governor and
3868 Lieutenant Governor will attempt to see that all portions of
3869 society and its diversity are represented in the membership of the
3870 corporation. In the appointment process, the Governor and
3871 Lieutenant Governor will attempt to see that persons with
3872 substantial housing and financial experience are represented in
3873 the membership of the corporation.

3874 (b) The Mississippi Home Corporation, created by former
3875 Section 43-33-704, is continued and reconstituted as follows:
3876 Effective January 1, 2028, the members of the corporation shall be
3877 appointed by the appropriate appointing authority, with the advice
3878 and consent of the Senate, for a term of office of four (4) years,



3879 provided that four (4) members appointed by the Governor and two
3880 (2) members appointed by the Lieutenant Governor shall be
3881 appointed in 2028 to a term ending July 1, 2032, and two (2)
3882 members appointed by the Governor and one (1) member appointed by
3883 the Lieutenant Governor shall be appointed in 2030 to a term
3884 ending July 1, 2034. All appointment procedures, vacancy
3885 provisions, interim appointment provisions and removal provisions
3886 specifically provided for in Section 7-1-35, Mississippi Code of
3887 1972, shall be fully applicable to appointments to the State Board
3888 of Health.

3889 (5) * * * Any member of the corporation shall be eligible
3890 for reappointment. Any member of the corporation may be removed
3891 by the appointing authority for misfeasance, malfeasance or
3892 willful neglect of duty after reasonable notice and a public
3893 hearing, unless the same are expressly waived in writing. Each
3894 member of the corporation shall before entering upon his duty take
3895 an oath of office to administer the duties of his office
3896 faithfully and impartially, and a record of such oath shall be
3897 filed in the office of the Secretary of State. The corporation
3898 shall annually elect from its membership a chairman who shall be
3899 eligible for reelection. The corporation shall annually elect
3900 from its membership a vice chairman who shall be eligible for
3901 reelection. The corporation shall also elect or appoint, and
3902 prescribe the duties of, such other officers (who need not be
3903 members) as the corporation deems necessary or advisable, and the



3904 corporation shall fix the compensation of such officers. The
3905 corporation may delegate to one or more of its members, officers,
3906 employees or agents such powers and duties as it may deem proper,
3907 not inconsistent with this article or other provisions of law.

3908 (6) In accomplishing its purposes, the corporation is acting
3909 in all respects for the benefit of the people of the state and the
3910 performance of essential public functions and is serving a vital
3911 public purpose in approving and otherwise promoting their health,
3912 welfare and prosperity, and the enactment of the provisions
3913 hereinafter set forth is for a valid public purpose and is hereby
3914 so declared to be such as a matter of express legislative
3915 determination.

3916 **SECTION 62.** Section 41-73-7, Mississippi Code of 1972, is
3917 amended as follows:

3918 41-73-7. (1) There is hereby created, with such duties and
3919 powers as are set forth in this act, a body politic and corporate,
3920 not a state agency, but an independent instrumentality exercising
3921 essential public functions, to be known as the Mississippi
3922 Hospital Equipment and Facilities Authority.

3923 (2) The authority shall be governed by seven (7) members who
3924 shall be appointed by the Governor with the advice and consent of
3925 the Senate.

3926 (3) The members shall at all times include the following:

3927 (a) One (1) resident of each of the three (3) Supreme
3928 Court districts in the state;



3929 (b) One (1) certified public accountant experienced in
3930 hospital finance;

3931 (c) One (1) possessing not less than ten (10) years'
3932 experience in hospital management and finance;

3933 (d) One (1) banker with experience in commercial
3934 lending or one (1) investment banker with experience in municipal
3935 finance;

3936 (e) One (1) chosen at large.

3937 (4) All members shall be residents of the state.

3938 (5) The Mississippi Hospital Equipment and Facilities
3939 Authority, created by former Section 41-73-7, is continued and
3940 reconstituted as follows: Effective January 1, 2028, the members
3941 of the authority shall be appointed by the Governor or prescribed
3942 local official, with the advice and consent of the Senate, for a
3943 term of office of four (4) years, provided that four (4) members
3944 shall be appointed in 2028 to a term ending July 1, 2032, and
3945 three (3) members shall be appointed in 2030 to a term ending July
3946 1, 2034. All appointment procedures, vacancy provisions, interim
3947 appointment provisions and removal provisions specifically
3948 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3949 fully applicable to appointments to the authority.

3950 **SECTION 63.** Section 43-1-2, Mississippi Code of 1972, is
3951 amended as follows:

3952 43-1-2. (1) There is created the Mississippi Department of
3953 Human Services, whose offices shall be located in Jackson,



3954 Mississippi, and which shall be under the policy direction of the
3955 Governor.

3956 (2) The chief administrative officer of the department shall
3957 be the Executive Director of Human Services. The Governor shall
3958 appoint the Executive Director of Human Services with the advice
3959 and consent of the Senate, and he shall serve at the will and
3960 pleasure of the Governor, and until his successor is appointed and
3961 qualified. All appointments for the position of executive
3962 director shall be forwarded to the Secretary of State who will
3963 keep a repository of all current and pending appointments. The
3964 Executive Director of Human Services shall possess the following
3965 qualifications:

3966 (a) A bachelor's degree from an accredited institution
3967 of higher learning and ten (10) years' experience in management,
3968 public administration, finance or accounting; or

3969 (b) A master's or doctoral degree from an accredited
3970 institution of higher learning and five (5) years' experience in
3971 management, public administration, finance or accounting.

3972 Those qualifications shall be certified by the State
3973 Personnel Board.

3974 (3) There shall be a Joint Oversight Committee of the
3975 Department of Human Services composed of the respective Chairmen
3976 of the Senate Public Health and Welfare Committee, the Senate
3977 Appropriations Committee, the House Public Health and Human
3978 Services Committee and the House Appropriations Committee, three



3979 (3) members of the Senate appointed by the Lieutenant Governor to
3980 serve at the will and pleasure of the Lieutenant Governor, and
3981 three (3) members of the House of Representatives appointed by the
3982 Speaker of the House to serve at the will and pleasure of the
3983 Speaker. The chairmanship of the committee shall alternate for
3984 twelve-month periods between the Senate members and the House
3985 members, on May 1 of each year, with the Chairman of the Senate
3986 Public Health and Welfare Committee serving as chairman beginning
3987 in even-numbered years, and the Chairman of the House Public
3988 Health and Human Services Committee serving as chairman beginning
3989 in odd-numbered years. The committee shall meet once each
3990 quarter, or upon the call of the chairman at such times as he
3991 deems necessary or advisable, and may make recommendations to the
3992 Legislature pertaining to any matter within the jurisdiction of
3993 the Mississippi Department of Human Services. The appointing
3994 authorities may designate an alternate member from their
3995 respective houses to serve when the regular designee is unable to
3996 attend such meetings of the oversight committee. For attending
3997 meetings of the oversight committee, such legislators shall
3998 receive per diem and expenses which shall be paid from the
3999 contingent expense funds of their respective houses in the same
4000 amounts as provided for committee meetings when the Legislature is
4001 not in session; however, no per diem and expenses for attending
4002 meetings of the committee will be paid while the Legislature is in
4003 session. No per diem and expenses will be paid except for



4004 attending meetings of the oversight committee without prior
4005 approval of the proper committee in their respective houses.

4006 (4) The Department of Human Services shall provide the
4007 services authorized by law to every individual determined to be
4008 eligible therefor, and in carrying out the purposes of the
4009 department, the executive director is authorized:

4010 (a) To formulate the policy of the department regarding
4011 human services within the jurisdiction of the department;

4012 (b) To adopt, modify, repeal and promulgate, after due
4013 notice and hearing, and where not otherwise prohibited by federal
4014 or state law, to make exceptions to and grant exemptions and
4015 variances from, and to enforce rules and regulations implementing
4016 or effectuating the powers and duties of the department under any
4017 and all statutes within the department's jurisdiction, all of
4018 which shall be binding upon the county departments of human
4019 services;

4020 (c) To apply for, receive and expend any federal or
4021 state funds or contributions, gifts, devises, bequests or funds
4022 from any other source;

4023 (d) Except as limited by Section 43-1-3, to enter into
4024 and execute contracts, grants and cooperative agreements with any
4025 federal or state agency or subdivision thereof, or any public or
4026 private institution located inside or outside the State of
4027 Mississippi, or any person, corporation or association in
4028 connection with carrying out the programs of the department; and



4029 (e) To discharge such other duties, responsibilities
4030 and powers as are necessary to implement the programs of the
4031 department.

4032 (5) The executive director shall establish the
4033 organizational structure of the Mississippi Department of Human
4034 Services which shall include the creation of any units necessary
4035 to implement the duties assigned to the department and consistent
4036 with specific requirements of law, including, but not limited to:

- 4037 (a) Division of Youth Services;
- 4038 (b) Office of Economic Programs;
- 4039 (c) Office of Child Support Enforcement; or
- 4040 (d) Office of Field Operations to administer any state
4041 or county level programs under the purview of the Mississippi
4042 Department of Human Services, with the exception of programs that
4043 fall under paragraph (a) of this subsection.

4044 (6) The Executive Director of Human Services shall appoint
4045 heads of offices, bureaus and divisions, as defined in Section
4046 7-17-11, who shall serve at the pleasure of the executive
4047 director. The salary and compensation of such office, bureau and
4048 division heads shall be subject to the rules and regulations
4049 adopted and promulgated by the State Personnel Board as created
4050 under Section 25-9-101 et seq. The executive director shall have
4051 the authority to organize offices as deemed appropriate to carry
4052 out the responsibilities of the department. The organization



4053 charts of the department shall be presented annually with the
4054 budget request of the Governor for review by the Legislature.

4055 (7) This section shall stand repealed on July 1, 2026.

4056 **SECTION 64.** Section 25-53-7, Mississippi Code of 1972, is
4057 amended as follows:

4058 25-53-7. (1) The membership of the MDITS Authority shall be
4059 composed of five (5) members to be appointed by the Governor with
4060 the advice and consent of the Senate. * * * Each member of the
4061 authority shall have a minimum of four (4) years' experience in an
4062 information technology-related executive position or prior service
4063 as a member of the authority. The MDITS Authority, created by
4064 former Section 25-53-7, is continued and reconstituted as follows:
4065 Effective January 1, 2028, members of the MDITS Authority shall be
4066 appointed by the Governor, with the advice and consent of the
4067 Senate, for a term of office of four (4) years, provided that
4068 three (3) members shall be appointed in 2028 to a term ending July
4069 1, 2032, and two (2) members shall be appointed in 2030 to a term
4070 ending July 1, 2034. All appointment procedures, vacancy
4071 provisions, interim appointment provisions and removal provisions
4072 specifically provided for in Section 7-1-35, Mississippi Code of
4073 1972, shall be fully applicable to appointments to the MDITS
4074 Authority.

4075 (2) Each member of the authority shall be required to
4076 furnish a surety bond in the minimum amount of Fifty Thousand
4077 Dollars (\$50,000.00) to be approved by the Secretary of State,



4078 conditioned according to law and payable to the State of
4079 Mississippi, before entering upon his duties. The premiums on
4080 such bonds shall be paid from any funds available to the authority
4081 for such purpose.

4082 (3) No member of the authority, nor its executive director,
4083 shall, during his term as such member or director, have any
4084 substantial beneficial interest in any corporation or other
4085 organization engaged in the information technology business either
4086 as manufacturer, supplier, lessor, or otherwise. All members and
4087 the executive director shall fully disclose in writing any such
4088 beneficial interest, and such disclosure shall be entered on the
4089 minutes of the authority.

4090 (4) The Lieutenant Governor may designate one (1) Senator
4091 and the Speaker of the House of Representatives may designate one
4092 (1) Representative to attend any meeting of the authority. The
4093 appointing authorities may designate an alternate member from
4094 their respective houses to serve when the regular designee is
4095 unable to attend such meetings of the authority. Such legislative
4096 designees shall have no jurisdiction or vote on any matter within
4097 the jurisdiction of the authority. For attending meetings of the
4098 authority, such legislators shall receive per diem and expenses
4099 which shall be paid from the contingent expense funds of their
4100 respective houses in the same amounts as provided for committee
4101 meetings when the Legislature is not in session; however, no per
4102 diem and expenses for attending meetings of the authority will be



4103 paid while the Legislature is in session. No per diem and
4104 expenses will be paid except for attending meetings of the
4105 authority without prior approval of the proper committee in their
4106 respective houses.

4107 **SECTION 65.** Section 73-73-23, Mississippi Code of 1972, is
4108 amended as follows:

4109 73-73-23. (1) IDAC shall be comprised of five (5) members,
4110 each being a Mississippi Certified Interior Designer residing in
4111 this state who has been engaged in interior design not less than
4112 seven (7) years. It is the duty of IDAC to carry out the purposes
4113 of this chapter as herein provided.

4114 (2) The Governor shall appoint the members of IDAC, with the
4115 advice and consent of the Senate, from a list of names supplied by
4116 MCID, or its successor. * * * Each new appointee must be a
4117 Mississippi Certified Interior Designer. * * *

4118 (3) * * * The Interior Design Advisory Committee (IDAC),
4119 created by former Section 73-73-23, is continued and reconstituted
4120 as follows: Effective January 1, 2028, members of the IDAC shall
4121 be appointed by the Governor, with the advice and consent of the
4122 Senate, for a term of office of four (4) years, provided that
4123 three (3) members shall be appointed in 2028 to a term ending July
4124 1, 2032, and two (2) such members shall be appointed in 2030 to a
4125 term ending July 1, 2034. All appointment procedures, vacancy
4126 provisions, interim appointment provisions and removal provisions



4127 specifically provided for in Section 7-1-35, Mississippi Code of
4128 1972, shall be fully applicable to appointments to the IDAC.

4129 (4) At the first meeting of every calendar year, IDAC shall
4130 elect from among its members a chairman and a secretary to hold
4131 office for one (1) year.

4132 (5) The executive director of the board shall keep a true
4133 and correct record of all proceedings of IDAC.

4134 **SECTION 66.** Section 45-4-3, Mississippi Code of 1972, is
4135 amended as follows:

4136 45-4-3. (1) There is hereby created the Board on Jail
4137 Officer Standards and Training, which shall consist of nine (9)
4138 members.

4139 (2) The members shall be appointed as follows:

4140 (a) Two (2) members to be appointed by the Mississippi
4141 Association of Supervisors.

4142 (b) Three (3) members to be appointed by the
4143 Mississippi Association of Sheriffs.

4144 (c) One (1) member to be appointed by the Mississippi
4145 Community College Board.

4146 (d) One (1) member to be appointed by the Governor.

4147 (e) One (1) member to be appointed by the Mississippi
4148 Association of Chiefs of Police.

4149 (f) One (1) member to be appointed by the Mississippi
4150 Municipal League.

4151 * * *



4152 The Board on Jail Officer Standards and Training, created by
4153 former Section 45-4-3, is continued and reconstituted as follows:
4154 Effective January 1, 2028, members of the board shall be appointed
4155 by the prescribed appointing authority, with the advice and
4156 consent of the Senate, for a term of office of four (4) years.
4157 All appointment procedures, vacancy provisions, interim
4158 appointment provisions and removal provisions specifically
4159 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
4160 fully applicable to appointments to the Board on Jail Officer
4161 Standards and Training.

4162 (3) Members of the board shall serve without compensation,
4163 but shall be entitled to receive reimbursement for any actual and
4164 reasonable expenses incurred as a necessary incident to such
4165 service, including mileage, as provided in Section 25-3-41,
4166 Mississippi Code of 1972.

4167 (4) There shall be a chairman and a vice chairman of the
4168 board, elected by and from the membership of the board. The board
4169 shall adopt rules and regulations governing times and places for
4170 meetings and governing the manner of conducting its business, but
4171 the board shall meet at least every three (3) months. Any member
4172 who is absent for three (3) consecutive regular meetings of the
4173 board may be removed by a majority vote of the board.

4174 (5) The Governor shall call an organizational meeting of the
4175 board not later than thirty (30) days after July 1, 1999.



4176 (6) The board shall report annually to the Governor and the
4177 Legislature on its activities, and may make such other reports as
4178 it deems desirable.

4179 **SECTION 67.** Section 69-46-3, Mississippi Code of 1972, is
4180 amended as follows:

4181 69-46-3. (1) There is created the Mississippi Land, Water
4182 and Timber Resources Board, hereinafter referred to as "the
4183 board," for the purpose of assisting Mississippi agricultural
4184 industry in the development, marketing and distribution of
4185 agricultural products.

4186 (2) The board shall be composed of the following members:

4187 (a) The Chairman of the Senate Agriculture Committee,
4188 or a member of the Senate Agriculture Committee designated by the
4189 chairman, as a nonvoting member;

4190 (b) The Chairman of the House of Representatives
4191 Agriculture Committee or a member of the House of Representatives
4192 Agriculture Committee designated by the chairman, as a nonvoting
4193 member;

4194 (c) The Chairman of the Senate Forestry Committee, or a
4195 member of the Senate Forestry Committee designated by the
4196 chairman, as a nonvoting member;

4197 (d) The Executive Director of the Mississippi
4198 Development Authority, or his designee;

4199 (e) The Commissioner of the Mississippi Department of
4200 Agriculture and Commerce, or his designee;



4201 (f) The President of the Mississippi Farm Bureau
4202 Federation, or his designee;

4203 (g) The Director of the Cooperative Extension Service
4204 at Mississippi State University, or his designee;

4205 (h) The Executive Director of the Agribusiness and
4206 Natural Resource Development Center at Alcorn State University, or
4207 his designee;

4208 (i) The Director of the Agricultural Finance Division
4209 of the Mississippi Development Authority, or his designee;

4210 (j) The Director of the Agriculture Marketing Division
4211 of the Mississippi Department of Agriculture and Commerce, or his
4212 designee;

4213 (k) The Executive Director of the Mississippi Forestry
4214 Commission, or his designee; and

4215 (l) Three (3) individuals appointed by the Governor,
4216 with the advice and consent of the Senate, who are active
4217 producers of Mississippi land, water or timber commodities. The
4218 Governor shall appoint one (1) such person from each Supreme Court
4219 district. Effective January 1, 2028, the three (3) members
4220 appointed by the Governor shall be appointed for a term of office
4221 of four (4) years, provided that two (2) members shall be
4222 appointed in 2028 to a term ending July 1, 2032, and one (1)
4223 member shall be appointed in 2030 to a term ending July 1, 2034.
4224 All appointment procedures, vacancy provisions, interim
4225 appointment provisions and removal provisions specifically



4226 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
4227 fully applicable to appointments to the board.

4228 (3) The Executive Director of the Mississippi Development
4229 Authority and the Commissioner of the Mississippi Department of
4230 Agriculture and Commerce shall serve as cochairmen of the board.

4231 (4) The board shall meet at least once each calendar quarter
4232 at the call of the cochairmen. A majority of the members of the
4233 board shall constitute a quorum at all meetings. An affirmative
4234 vote of a majority of the members present and voting is required
4235 in the adoption of any actions taken by the board. All members
4236 must be notified, in writing, of all regular and special meetings
4237 of the board, which notices must be mailed at least ten (10) days
4238 before the dates of the meetings. All meetings shall take place
4239 at the State Capitol in Jackson, Mississippi, or at a location to
4240 be determined by the cochairmen. The board shall provide a copy
4241 of the minutes of each of its meetings to the Chairman of the
4242 Senate Agriculture Committee and the Chairman of the House of
4243 Representatives Agriculture Committee.

4244 (5) Members of the board shall not receive compensation.
4245 However, each member may be paid travel expenses and meals and
4246 lodging expenses as provided in Section 25-3-41, for such expenses
4247 incurred in furtherance of their duties. Travel expenses and
4248 meals and lodging expenses and other necessary expenses incurred
4249 by the board shall be paid out of funds appropriated to the
4250 Mississippi Development Authority.



4251 (6) In carrying out the provisions of the Mississippi Land,
4252 Water and Timber Resources Act, the board may utilize the
4253 services, facilities and personnel of all departments, agencies,
4254 offices and institutions of the state, and all such departments,
4255 agencies, offices and institutions shall cooperate with the board
4256 in carrying out the provisions of such act.

4257 **SECTION 68.** Section 73-2-13, Mississippi Code of 1972, is
4258 amended as follows:

4259 73-2-13. There shall be an advisory committee to the board
4260 to consist of five (5) members appointed by the Governor from a
4261 list of names supplied by Mississippi Chapter of the American
4262 Society of Landscape Architects, giving the names of no fewer than
4263 three (3) times the number of persons to be appointed, one (1) to
4264 be appointed from each Mississippi Supreme Court District and two
4265 (2) from the state at large. Each member of the initially
4266 appointed committee shall be qualified as described by Section
4267 73-2-7. Appointments shall be licensed landscape architects
4268 only * * *. The Landscape Architect Advisory Board, created by
4269 former Section 73-2-13, is continued and reconstituted as follows:
4270 Effective January 1, 2028, members shall be appointed by the
4271 Governor, with the advice and consent of the Senate, for a term of
4272 office of four (4) years, provided that three (3) members shall be
4273 appointed in 2028 to a term ending July 1,, 2032, and two (2)
4274 members shall be appointed in 2030 to a term ending July 1, 2034.
4275 All appointment procedures, vacancy provisions, interim



4276 appointment provisions and removal provisions specifically
4277 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
4278 fully applicable to appointments to the Landscape Architect
4279 Advisory Board.

4280 The committee shall review, approve or disapprove, and make
4281 recommendations on all applications for landscape architect's
4282 license. At the direction of the board, the committee shall also
4283 review and investigate any charges brought against any landscape
4284 architect as provided for in Section 73-2-16 and make findings of
4285 fact and recommendations to the board concerning any disciplinary
4286 action which the committee deems necessary and proper pursuant to
4287 Section 73-2-16.

4288 Each member of the committee shall be entitled to receive a
4289 per diem in such amounts as shall be set by the board, but not to
4290 exceed the amount provided for in Section 25-3-69, and shall be
4291 reimbursed for expenses that are incurred in the actual
4292 performance of his duties under the provisions of Section 25-3-41.

4293 Before entering upon the discharge of his duties, each member
4294 of the committee shall take and subscribe to the oath of office
4295 and file it with the Secretary of State. The committee shall
4296 elect at the first meeting of every calendar year from among its
4297 members, a chairman and a secretary to hold office for one (1)
4298 year.

4299 **SECTION 69.** Section 45-6-5, Mississippi Code of 1972, is
4300 amended as follows:



4301 45-6-5. (1) There is hereby created the Board on Law
4302 Enforcement Officer Standards and Training, which shall consist of
4303 thirteen (13) members.

4304 (2) (a) The Governor shall appoint six (6) members of the
4305 board, two (2) from each Mississippi Supreme Court District, from
4306 the following specified categories:

4307 (i) Two (2) members, each of whom is a chief of
4308 police of a municipality in this state, with one (1) of the
4309 appointees being appointed from a municipality having a population
4310 of less than five thousand (5,000) according to the latest federal
4311 decennial census.

4312 (ii) One (1) member who is a sheriff in this
4313 state.

4314 (iii) One (1) member who is a district attorney in
4315 this state.

4316 (iv) One (1) member who is a representative of
4317 higher education and who has a degree in one (1) of the following
4318 areas of study: corrections, criminal justice or public
4319 administration.

4320 (v) One (1) member who is a nonsupervisory
4321 rank-and-file law enforcement officer.

4322 (b) * * * The Board on Law Enforcement Officer
4323 Standards, created by former Section 45-6-5, is continued and
4324 reconstituted as follows: Effective January 1, 2028, the members
4325 shall be appointed by the Governor, with the advice and consent of



4326 the Senate, for a term of office of four (4) years, provided that
4327 four (4) members shall be appointed in 2028 to a term ending July
4328 1, 2032, and two (2) members shall be appointed in 2030 to a term
4329 ending July 1, 2034. All appointment procedures, vacancy
4330 provisions, interim appointment provisions and removal provisions
4331 specifically provided for in Section 7-1-35, Mississippi Code of
4332 1972, shall be fully applicable to appointments to the Board on
4333 Law Enforcement Officers Standards and Training.

4334 (3) The remaining seven (7) members of the board shall be the
4335 following:

4336 (a) The Attorney General, or his designee.

4337 (b) The Director of the Mississippi Highway Safety
4338 Patrol, or his designee.

4339 (c) The President of the Mississippi Municipal
4340 Association, or his designee who is a member of the association.

4341 (d) The President of the Mississippi Association of
4342 Supervisors, or his designee who is a member of the association.

4343 (e) The President of the Mississippi Constable
4344 Association, or his designee who is a member of the association.

4345 (f) The President of the Mississippi Campus Law
4346 Enforcement Officers Association, or his designee who is a member
4347 of the association.

4348 (g) The President of the Mississippi Sheriffs'
4349 Association, or his designee who is a member of the association.



4350 The Attorney General, the Director of the Mississippi Highway
4351 Safety Patrol and the respective presidents of the foregoing
4352 associations, or their designees, shall serve only for their
4353 respective terms of office.

4354 (4) Members of the board shall serve without compensation,
4355 but shall be entitled to receive reimbursement for any actual and
4356 reasonable expenses incurred as a necessary incident to such
4357 service, including mileage, as provided in Section 25-3-41.

4358 (5) There shall be a chairman and a vice chairman of the
4359 board, elected by and from the membership of the board. The board
4360 shall adopt rules and regulations governing times and places for
4361 meetings and governing the manner of conducting its business, but
4362 the board shall meet at least every three (3) months.

4363 (6) The Governor shall call an organizational meeting of the
4364 board not later than thirty (30) days after April 7, 1981.

4365 (7) If a person appointed to the board no longer occupies
4366 the status qualifying that person's appointment, that position on
4367 the board shall be immediately vacated and filled ex officio or by
4368 appointment of the Governor as otherwise provided in this section.

4369 (8) The board shall report annually to the Governor and the
4370 Legislature on its activities, and may make such other reports as
4371 it deems desirable.

4372 (9) The training officers of all police academies in the
4373 state whose curricula are approved by the board shall be advisors
4374 to the board. They shall be entitled to all privileges of the



4375 board members, including travel expenses and subsistence, but
4376 shall not be eligible to vote at board meetings.

4377 **SECTION 70.** Section 39-3-101, Mississippi Code of 1972, is
4378 amended as follows:

4379 39-3-101. There is hereby created a Board of Commissioners
4380 of the Mississippi Library Commission to be composed of five
4381 members appointed by the Governor * * *, with the advice and
4382 consent of the Senate, one (1) appointed from each Mississippi
4383 Supreme Court District and two (2) from the state at large. Two
4384 (2) members shall be appointed by the Governor from a list of not
4385 less than six (6) names submitted by the Mississippi Library
4386 Association, one (1) of whom shall be a librarian who is a
4387 graduate of a library school accredited by the American Library
4388 Association and actively engaged in full time library work at the
4389 time of the appointment and one (1) of whom shall be, at time of
4390 the appointment, a member of a legally organized board of trustees
4391 of a Mississippi free public library; and one (1) member shall be
4392 the president of the Mississippi Federation of Women's Clubs, or a
4393 member of said federation recommended by her; and which federation
4394 member shall, when appointed, serve a full term as herein provided
4395 for members to serve under a staggered term basis, and the
4396 successor to the federation member shall be the president of the
4397 federation then serving, or a member of the federation recommended
4398 by her, when the term of the federation member shall expire; and
4399 after the appointment of a federation member to the board, and



4400 when her term as a member thereof shall expire, each succeeding
4401 member of the federation who becomes a member of the board shall
4402 serve a full term under the provisions of this article. * * * The
4403 Board of Commissioners of the Mississippi Library Commission,
4404 created by former Section 39-3-101, is continued and reconstituted
4405 as follows: Effective January 1, 2028, each commissioner shall be
4406 appointed by the Governor, with the advice and consent of the
4407 Senate, for a term of office of four (4) years, provided that
4408 three (3) members shall be appointed in 2028 to a term ending July
4409 1, 2032, and two (2) members shall be appointed in 2030 to a term
4410 ending July 1, 2034. All appointment procedures, vacancy
4411 provisions, interim appointment provisions and removal provisions
4412 specifically provided for in Section 7-1-35, Mississippi Code of
4413 1972, shall be fully applicable to appointments to the board.

4414 **SECTION 71.** Section 27-115-9, Mississippi Code of 1972, is
4415 amended as follows:

4416 27-115-9. (1) The affairs of the corporation shall be
4417 administered by the Mississippi Lottery Corporation Board of
4418 Directors. The board shall be composed of five (5) members
4419 appointed by the Governor, with the advice and consent of the
4420 Senate, one (1) appointed from each Mississippi Supreme Court
4421 District and two (2) from the state at large. The Commissioner of
4422 Revenue and the State Treasurer shall serve as ex officio,
4423 nonvoting members. * * *



4424 (2) (a) Members of the board shall be residents of the
4425 State of Mississippi, and the Governor shall take into account the
4426 goals of geographic, racial, gender and other categories of
4427 diversity when nominating board members.

4428 (b) * * * The Mississippi Lottery Corporation Board of
4429 Directors, created by former Section 27-115-9, is continued and
4430 reconstituted as follows: Effective January 1, 2028, members of
4431 the board shall be appointed by the Governor, with the advice and
4432 consent of the Senate, for a term of office of four (4) years,
4433 provided that three (3) members shall be appointed in 2028 to a
4434 term ending July 1, 2032, and two (2) members shall be appointed
4435 in 2030 to a term ending July 1, 2034. All appointment
4436 procedures, vacancy provisions, interim appointment provisions and
4437 removal provisions specifically provided for in Section 7-1-35,
4438 Mississippi Code of 1972, shall be fully applicable to
4439 appointments to the Mississippi Lottery Corporation Board of
4440 Directors.

4441 (c) * * * The board shall annually elect a chairman from
4442 among its voting members.

4443 (3) Appointed members of the board shall be entitled to per
4444 diem compensation pursuant to Section 25-3-69 paid by the
4445 corporation and shall be reimbursed by the corporation for
4446 necessary travel and other reasonable expenses incurred in the
4447 performance of their official duties. No appointed member of the
4448 board shall be considered a public officer.



4449 (4) The board, upon the initial call of the Governor and the
4450 chairman thereafter, shall meet at least monthly for the first
4451 eighteen (18) months and at such other times as the chairman may
4452 determine. Three (3) voting members of the board shall constitute
4453 a quorum. The board shall also meet upon call of three (3) or
4454 more of the voting members of the board. The board shall keep
4455 accurate and complete records of all its meetings.

4456 (5) All meetings of the board shall be subject to the Open
4457 Meetings Act in Section 25-41-1 et seq.

4458 **SECTION 72.** Section 49-15-305, Mississippi Code of 1972, is
4459 amended as follows:

4460 49-15-305. (1) The Governor shall appoint the Executive
4461 Director of the Department of Marine Resources, with the advice
4462 and consent of the Senate, who shall serve at the will and
4463 pleasure of the Governor. The executive director shall be
4464 knowledgeable and experienced in marine resources management. All
4465 appointments shall be sent to the Secretary of State who will keep
4466 a repository of current and pending appointments.

4467 (2) The executive director of the department shall have the
4468 following powers and duties:

4469 (a) To supervise and direct all administrative,
4470 inspection and technical activities and personnel of the
4471 department;



4472 (b) To employ qualified professional personnel in the
4473 subject matter or fields, and any other technical and clerical
4474 staff as may be required for the operation of the department;

4475 (c) To coordinate all studies in the State of
4476 Mississippi concerned with the supply, development, use and
4477 conservation of marine resources;

4478 (d) To prepare and deliver to the Legislature and the
4479 Governor on or before January 1 of each year, and at any other
4480 times as may be required by the Legislature or Governor, a full
4481 report of the work of the department, including a detailed
4482 statement of expenditures of the department and any
4483 recommendations the department may have;

4484 (e) To enter into cooperative agreements with any
4485 federal or state agency or subdivision thereof, or any public or
4486 private institution located inside or outside the State of
4487 Mississippi, or any person, corporation or association in
4488 connection with studies and investigations pertaining to marine
4489 resources, provided the agreements do not have a financial cost in
4490 excess of the amounts appropriated for the purposes by the
4491 Legislature; and

4492 (f) To carry out all regulations and rules adopted by
4493 the department and enforce all licenses and permits issued by the
4494 department.

4495 **SECTION 73.** Section 73-67-9, Mississippi Code of 1972, is
4496 amended as follows:



4497 73-67-9. (1) There is created the State Board of Massage
4498 Therapy.

4499 (2) The board shall consist of five (5) members appointed by
4500 the Governor, with the advice and consent of the Senate, one (1)
4501 from each Mississippi Supreme Court District and two (2) from the
4502 state at large. At least three (3) members shall be appointed
4503 from a list submitted by state representatives of one or more
4504 nationally recognized professional massage therapy association(s),
4505 all of whom must be residents of Mississippi and must have engaged
4506 in the practice of massage therapy within the state for at least
4507 three (3) years, one (1) member shall be a licensed health
4508 professional in a health field other than massage therapy and one
4509 (1) member shall be a consumer at large who is not associated with
4510 or financially interested in the practice or business of massage
4511 therapy. No member of the board may be an owner or partner of a
4512 massage therapy school. * * * The State Board of Massage Therapy,
4513 created by former Section 73-62-9, is continued and reconstituted
4514 as follows: Effective January 1, 2028, each board member shall be
4515 appointed by the Governor, with the advice and consent of the
4516 Senate, for a term of office of four (4) years, provided that
4517 three (3) members shall be appointed in 2028 to a term ending July
4518 1, 2032, and two (2) members shall be appointed in 2030 to a term
4519 ending July 1, 2034. All appointment procedures, vacancy
4520 provisions, interim appointment provisions and removal provisions
4521 specifically provided for in Section 7-1-35, Mississippi Code of



4522 1972, shall be fully applicable to appointments to the State Board
4523 of Message Therapy.

4524 (3) * * * No person shall be appointed for more than two (2)
4525 consecutive terms. By approval of the majority of the board, the
4526 service of a member may be extended at the completion of a
4527 four-year term until a new member is appointed or the current
4528 member is reappointed. The board shall elect one (1) of the
4529 appointed massage therapists as the chairman of the board.

4530 (4) A majority of the board may appoint an executive
4531 director and other such individuals, including an attorney, as may
4532 be necessary to implement the provisions of this chapter. The
4533 board may hold additional meetings at such times and places as it
4534 deems necessary. A majority of the board shall constitute a
4535 quorum and a majority of the board shall be required to grant or
4536 revoke a license.

4537 **SECTION 74.** Section 73-43-3, Mississippi Code of 1972, is
4538 amended as follows:

4539 73-43-3. (1) The state board of medical licensure shall
4540 consist of nine (9) physicians, with three (3) appointed from each
4541 Mississippi Supreme Court District. Each of the physicians shall
4542 have graduated from a medical school which has been accredited by
4543 the liaison committee on medical education as sponsored by the
4544 American Medical Association and the Association of American
4545 Medical Colleges or from an osteopathic medical school which has
4546 been accredited by the Bureau of Professional Education of the



4547 American Osteopathic Association, and have at least six (6) years'
4548 experience in the practice of medicine. No more than two (2)
4549 members of the board shall be a member of the faculty of the
4550 University of Mississippi School of Medicine. No more than four
4551 (4) members of the board shall be from the same Mississippi
4552 Supreme Court district.

4553 (2) Three (3) physicians shall be nominated to the Governor
4554 for each appointive position by the Mississippi State Medical
4555 Association; and said nominations shall give due regard to
4556 geographic distribution, race and sex. The Governor shall appoint
4557 from said nominations the members of the board with the advice and
4558 consent of the Senate. * * * The State Board of Medical
4559 Licensure, created by former Section 73-43-3, is continued and
4560 reconstituted as follows: Effective January 1, 2028, the members
4561 shall be appointed by the Governor, with the advice and consent of
4562 the Senate, for a term of office of four (4) years, provided that
4563 five (5) members shall be appointed in 2028 to a term ending July
4564 1, 2032, and four (4) members shall be appointed in 2030 to a term
4565 ending July 1, 2034. All appointment procedures, vacancy
4566 provisions, interim appointment provisions and removal provisions
4567 specifically provided for in Section 7-1-35, Mississippi Code of
4568 1972, shall be fully applicable to appointments to the Board of
4569 Medical Licensure.

4570 **SECTION 75.** Section 41-4-3, Mississippi Code of 1972, is
4571 amended as follows:



4572 41-4-3. (1) There is created a State Board of Mental
4573 Health, referred to in this chapter as "board," consisting of nine
4574 (9) members, to be appointed by the Governor, with the advice and
4575 consent of the Senate, each of whom shall be a qualified
4576 elector. * * * Three (3) members shall be appointed from
4577 each * * * Mississippi Supreme Court District as presently
4578 constituted * * *. One (1) * * * appointee shall be a licensed
4579 medical doctor who is a psychiatrist, one (1) * * * shall hold a
4580 Ph.D. degree and be a licensed clinical psychologist, one
4581 (1) * * * shall be a licensed medical doctor, and one (1) of whom
4582 shall be a social worker with experience in the mental health
4583 field.

4584 * * *

4585 The State Board of Mental Health, created by former Section
4586 41-4-3, is continued and reconstituted as follows: Effective
4587 January 1, 2028, each member shall be appointed by the Governor,
4588 with the advice and consent of the Senate, for a term of office of
4589 four (4) years, provided that five (5) members shall be appointed
4590 in 2028 to a term ending July 1, 2032, and four (4) members shall
4591 be appointed in 2030 to a term ending July 1, 2034. All
4592 appointment procedures, vacancy provisions, interim appointment
4593 provisions and removal provisions specifically provided for in
4594 Section 7-1-35, Mississippi Code of 1972, shall be fully
4595 applicable to appointments to the State Board of Mental Health.



4596 The board shall elect a chairman whose term of office shall
4597 be one (1) year and until his successor shall be elected.

4598 (2) Each board member shall be entitled to a per diem as is
4599 authorized by law and all actual and necessary expenses, including
4600 mileage as provided by law, incurred in the discharge of official
4601 duties.

4602 (3) The board shall hold regular meetings quarterly and such
4603 special meetings deemed necessary, except that no action shall be
4604 taken unless there is present a quorum of at least five (5)
4605 members.

4606 (4) No board member may be appointed for more than two (2)
4607 consecutive terms. * * *

4608 **SECTION 76.** Section 63-17-57, Mississippi Code of 1972, is
4609 amended as follows:

4610 63-17-57. There is hereby created the Mississippi Motor
4611 Vehicle Commission to be composed of eight (8) members, one (1) of
4612 whom shall be appointed by the Attorney General from the state at
4613 large * * * and one (1) of whom shall be appointed by the
4614 Secretary of State from the state at large * * *, and six (6)
4615 licensees who shall be appointed by the Governor, * * * two (2)
4616 from each Supreme Court District. All appointments * * * shall be
4617 made with the advice and consent of the Senate.

4618 The Mississippi Motor Vehicle Commission, created by former
4619 Section 63-17-57, is continued and reconstituted as follows:
4620 Effective January 1, 2028, each commissioner shall be appointed by



4621 the appointing authority, with the advice and consent of the
4622 Senate, for a term of office of four (4) years, provided that four
4623 (4) commissioners shall be appointed in 2028 to a term ending July
4624 1, 2032, and two (2) commissioners shall be appointed in 2030 to a
4625 term ending July 1, 2034. All appointment procedures, vacancy
4626 provisions, interim appointment provisions and removal provisions
4627 specifically provided for in Section 7-1-35, Mississippi Code of
4628 1972, shall be fully applicable to appointments to the Mississippi
4629 Motor Vehicle Commission.

4630 **SECTION 77.** Section 73-17-7, Mississippi Code of 1972, is
4631 amended as follows:

4632 73-17-7. (1) There is hereby created the Mississippi State
4633 Board of Nursing Home Administrators. This board shall consist of
4634 seven (7) persons, two (2) appointed from each Mississippi Supreme
4635 Court District and one (1) from the state at large, in addition to
4636 the State Health Officer, or his designee, who shall be an ex
4637 officio member without voting privilege, to be appointed by the
4638 Governor with the advice and consent of the Senate, each of whom
4639 shall be a qualified elector of the State of Mississippi; the
4640 members of said board shall be selected from a list of names
4641 submitted to the Governor as provided for hereinafter. * * * The
4642 members of this board shall include the following:

4643 (a) One (1) educator with expertise in the field of
4644 health care and associated at the time of his appointment with an
4645 institution of higher learning within the State of Mississippi.



4646 (b) A registered nurse.

4647 (c) A licensed and practicing medical doctor or
4648 physician.

4649 (d) Three (3) licensed and practicing nursing home
4650 administrators, no more than one (1) of whom shall be from the
4651 same Supreme Court district, who shall have had at least five (5)
4652 years' actual experience as a nursing home administrator.

4653 (e) A hospital administrator.

4654 Only the board members who are nursing home administrators
4655 may have a direct financial interest in any nursing home.

4656 The Mississippi Nurses Association may submit a list of
4657 nominees for the appointment of the registered nurse member; the
4658 Mississippi State Medical Association may submit a list of
4659 nominees for the appointment of the medical doctor or physician
4660 member; the Mississippi Health Care Association and the
4661 Mississippi Health Facilities Association may submit lists of
4662 nominees for the appointment of the nursing home administrator
4663 members; and the Mississippi State Hospital Association may submit
4664 a list of nominees for the appointment of the hospital
4665 administrator member. Any such list of nominees shall be
4666 submitted at least thirty (30) days before the expiration of the
4667 term for each position.

4668 * * *

4669 The State Board of Nursing Home Administrators, created by
4670 former Section 73-17-7, is continued and reconstituted as follows:



4671 Effective January 1, 2028, appointed members shall be appointed by
4672 the Governor, with the advice and consent of the Senate, for a
4673 term of office of four (4) years, provided that four (4) members
4674 shall be appointed in 2028 to a term ending July 1, 2032, and
4675 three (3) members shall be appointed in 2030 to a term ending July
4676 1, 2034. All appointment procedures, vacancy provisions, interim
4677 appointment provisions and removal provisions specifically
4678 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
4679 fully applicable to appointments to the State Board of Nursing
4680 Home Administrators.

4681 (2) The board shall organize by selecting annually from its
4682 members a chairman and a vice chairman, and may do all things
4683 necessary and convenient for carrying into effect the provisions
4684 of this chapter and may from time to time promulgate rules and
4685 regulations. Each member of the board shall receive a per diem as
4686 provided in Section 25-3-69, plus travel and reasonable necessary
4687 expenses incidental to the attendance at each meeting as provided
4688 in Section 25-3-41. Any member who shall not attend two (2)
4689 consecutive meetings of the board shall be subject to removal by
4690 the Governor. The chairman of the board shall notify the Governor
4691 in writing when any such member has failed to attend two (2)
4692 consecutive regular meetings.

4693 (3) The board shall adopt a seal.

4694 (4) The board is hereby authorized to acquire office space
4695 and to employ such personnel as shall be necessary in the



4696 performance of its duties, including a secretary-treasurer, who
4697 shall be bonded in an amount to be fixed by the board, but in no
4698 event less than the amount of Five Thousand Dollars (\$5,000.00).

4699 (5) All fees and any other monies received by the board
4700 shall be deposited in a special fund that is created in the State
4701 Treasury. The monies in the special fund shall be subject to all
4702 provisions of the state budget laws that are applicable to special
4703 fund agencies. Any interest earned on this special fund shall be
4704 credited by the State Treasurer to the fund and shall not be paid
4705 into the State General Fund.

4706 **SECTION 78.** Section 73-15-9, Mississippi Code of 1972, is
4707 amended as follows:

4708 73-15-9. (1) There is hereby created a board to be known as
4709 the Mississippi Board of Nursing, composed of thirteen (13)
4710 members, two (2) of whom shall be nurse educators; three (3) of
4711 whom shall be registered nurses in clinical practice, two (2) to
4712 have as basic nursing preparation an associate degree or diploma
4713 and one (1) to have as basic nursing preparation a baccalaureate
4714 degree; one (1) of whom shall be a registered nurse at large; one
4715 (1) of whom shall be a registered nurse practitioner; four (4) of
4716 whom shall be licensed practical nurses; one (1) of whom shall be
4717 a licensed physician who shall always be a member of the State
4718 Board of Medical Licensure; and one (1) of whom shall represent
4719 consumers of health services. There shall be * * * four (4) board
4720 members from each * * * Mississippi Supreme Court District in the



4721 state and one (1) from the state at large; provided, however, that
4722 the physician member, the consumer representative member and one
4723 (1) registered nurse member shall be at large always.

4724 (2) Members of the Mississippi Board of Nursing, excepting
4725 the member of the State Board of Medical Licensure, shall be
4726 appointed by the Governor, with the advice and consent of the
4727 Senate, from lists of nominees submitted by any Mississippi
4728 registered nurse organization and/or association chartered by the
4729 State of Mississippi whose board of directors is elected by the
4730 membership and whose membership includes registered nurses
4731 statewide, for the nomination of registered nurses, and by the
4732 Mississippi Federation of Licensed Practical Nurses and the
4733 Mississippi Licensed Practical Nurses' Association for the
4734 nomination of a licensed practical nurse. Nominations submitted
4735 by any such registered nurse organization or association to fill
4736 vacancies on the board shall be made and voted on by registered
4737 nurses only. Each list of nominees shall contain a minimum of
4738 three (3) names for each vacancy to be filled. The list of names
4739 shall be submitted at least thirty (30) days before the expiration
4740 of the term for each position. If such list is not submitted, the
4741 Governor is authorized to make an appointment from the group
4742 affected and without nominations. * * *

4743 * * *

4744 The Mississippi Board of Nursing, created by former Section
4745 73-15-9, is continued and reconstituted as follows: Effective



4746 January 1, 2028, each member shall be appointed by the Governor,
4747 with the advice and consent of the Senate, for a term of office of
4748 four (4) years, provided that seven (7) members shall be appointed
4749 in 2028 to a term ending July 1, 2032, and six (6) members shall
4750 be appointed in 2030 to a term ending July 1, 2034. All
4751 appointment procedures, vacancy provisions, interim appointment
4752 provisions and removal provisions specifically provided for in
4753 Section 7-1-35, Mississippi Code of 1972, shall be fully
4754 applicable to appointments to the Mississippi Board of Nursing.

4755 **SECTION 79.** Section 53-1-5, Mississippi Code of 1972, is
4756 amended as follows:

4757 53-1-5. (1) There is hereby created and established a board
4758 to be known as the State Oil and Gas Board composed of five (5)
4759 members. One (1) member shall be appointed by the Lieutenant
4760 Governor * * * from the state at large; one (1) member shall be
4761 appointed by the Attorney General of the State of
4762 Mississippi * * * from the state at large; and three (3) members
4763 shall be appointed by the Governor, one (1) from each of the
4764 Supreme Court districts * * *.

4765 * * *

4766 * * * (2) All members shall be confirmed by the
4767 Senate. * * *

4768 (3) The State Oil and Gas Board, created by former Section
4769 53-1-5, is continued and reconstituted as follows: Effective
4770 January 1, 2028, the members of the State Oil and Gas Board shall



4771 be appointed by the appointing authority, with the advice and
4772 consent of the Senate, for a term of office of four (4) years,
4773 provided that of the three (3) appointments by the Governor two
4774 (2) shall be appointed in 2028 to a term ending July 1, 2032, and
4775 one (1) shall be appointed in 2030 to a term ending July 1, 2034.
4776 All appointment procedures, vacancy provisions, interim
4777 appointment provisions and removal provisions specifically
4778 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
4779 fully applicable to appointments to the State Oil and Gas Board.

4780 (4) The board shall elect from its number a chairman and a
4781 vice chairman. Each member of the board shall be a citizen of the
4782 United States, and a resident of the State of Mississippi, and a
4783 qualified elector therein, of integrity and sound and nonpartisan
4784 judgment. Each member shall qualify by taking the oath of office
4785 and shall hold office until his successor is appointed and
4786 qualified. The board shall establish its principal office at
4787 Jackson, Mississippi, at which the records of the board shall be
4788 kept.

4789 Each member of the board shall receive as compensation for
4790 his services an annual salary of Seven Thousand Two Hundred
4791 Dollars (\$7,200.00), except the chairman of the board who shall
4792 receive as compensation for his services an annual salary of Nine
4793 Thousand Six Hundred Dollars (\$9,600.00). The receipt of said
4794 compensation shall not entitle members of the board to receive or



4795 be eligible for any state employee group insurance or retirement
4796 benefits.

4797 (* * *5) The board shall meet and hold hearings at such
4798 times and places as may be found by the board, or a majority
4799 thereof, to be necessary to carry out its duties. A majority of
4800 the board shall constitute a quorum, and three (3) affirmative
4801 votes shall be necessary for adoption or promulgation of any rule,
4802 regulation or order. * * *

4803 (* * *6) Where a question which has been presented or has
4804 arisen to be acted upon by the board directly affects the interest
4805 of a member or members of the board, such member or members shall
4806 recuse himself or themselves from acting upon such question.

4807 (* * *7) The board shall adopt an official seal, and may
4808 sue and be sued.

4809 **SECTION 80.** Section 73-19-7, Mississippi Code of 1972, is
4810 amended as follows:

4811 73-19-7. The Governor, with the advice and consent of the
4812 Senate, shall appoint a State Board of Optometry, consisting of
4813 five (5) persons, citizens of Mississippi, each of whom shall be a
4814 nonmedical man or woman actually engaged in the practice of
4815 optometry for five (5) years next preceding his appointment. * * *
4816 The appointments to the board shall be made with one (1) member to
4817 be appointed from each of the * * * Mississippi Supreme Court
4818 Districts as existing on January 1, 1980 * * * and two (2) from
4819 the state at large.



4820 The State Board of Optometry, created by former Section
4821 73-19-7, is continued and reconstituted as follows: Effective
4822 January 1, 2028, each board member shall be appointed by the
4823 Governor, with the advice and consent of the Senate, for a term of
4824 office of four (4) years, provided that three (3) members shall be
4825 appointed in 2028 to a term ending July 1, 2032, and two (2)
4826 members shall be appointed in 2030 to a term ending July 1, 2034.
4827 All appointment procedures, vacancy provisions, interim
4828 appointment provisions and removal provisions specifically
4829 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
4830 fully applicable to appointments to the State Board of Optometry.

4831 No person so appointed shall be a stockholder in or a member
4832 of the faculty or of the board of trustees of any school of
4833 optometry, or serve to exceed two (2) five-year terms.

4834 Vacancies on said board shall be filled by appointment by the
4835 Governor, with the advice and consent of the Senate, from a list
4836 of names submitted by the Mississippi Optometric Association
4837 consisting of three (3) of its members, or by appointment of any
4838 qualified member of the association.

4839 **SECTION 81.** Section 47-7-5, Mississippi Code of 1972, is
4840 amended as follows:

4841 47-7-5. (1) The State Parole Board, created under former
4842 Section 47-7-5, is hereby created, continued and reconstituted and
4843 shall be composed of five (5) members, one (1) appointed from each
4844 Mississippi Supreme Court District and two (2) from the



4845 state-at-large. The Governor shall appoint the members with the
4846 advice and consent of the Senate. All terms shall be at the will
4847 and pleasure of the Governor. All appointment procedures, vacancy
4848 provisions, interim appointment provisions and removal provisions
4849 specifically provided for in Section 7-1-35, Mississippi Code of
4850 1972, shall be fully applicable to appointments to the State
4851 Parole Board. Any vacancy shall be filled by the Governor, with
4852 the advice and consent of the Senate. The Governor shall appoint
4853 a chairman of the board.

4854 (2) Any person who is appointed to serve on the board shall
4855 possess at least a bachelor's degree or a high school diploma and
4856 four (4) years' work experience. Each member shall devote his
4857 full time to the duties of his office and shall not engage in any
4858 other business or profession or hold any other public office. A
4859 member shall receive compensation or per diem in addition to his
4860 or her salary. Each member shall keep such hours and workdays as
4861 required of full-time state employees under Section 25-1-98.
4862 Individuals shall be appointed to serve on the board without
4863 reference to their political affiliations. Each board member,
4864 including the chairman, may be reimbursed for actual and necessary
4865 expenses as authorized by Section 25-3-41. Each member of the
4866 board shall complete annual training developed based on guidance
4867 from the National Institute of Corrections, the Association of
4868 Paroling Authorities International, or the American Probation and
4869 Parole Association. Each first-time appointee of the board shall,



4870 within sixty (60) days of appointment, or as soon as practical,
4871 complete training for first-time Parole Board members developed in
4872 consideration of information from the National Institute of
4873 Corrections, the Association of Paroling Authorities
4874 International, or the American Probation and Parole Association.

4875 (3) The board shall have exclusive responsibility for the
4876 granting of parole as provided by Sections 47-7-3 and 47-7-17 and
4877 shall have exclusive authority for revocation of the same. The
4878 board shall have exclusive responsibility for investigating
4879 clemency recommendations upon request of the Governor.

4880 (4) The board, its members and staff, shall be immune from
4881 civil liability for any official acts taken in good faith and in
4882 exercise of the board's legitimate governmental authority.

4883 (5) The budget of the board shall be funded through a
4884 separate line item within the general appropriation bill for the
4885 support and maintenance of the department. Employees of the
4886 department which are employed by or assigned to the board shall
4887 work under the guidance and supervision of the board. There shall
4888 be an executive secretary to the board who shall be responsible
4889 for all administrative and general accounting duties related to
4890 the board. The executive secretary shall keep and preserve all
4891 records and papers pertaining to the board.

4892 (6) The board shall have no authority or responsibility for
4893 supervision of offenders granted a release for any reason,
4894 including, but not limited to, probation, parole or executive



4895 clemency or other offenders requiring the same through interstate
4896 compact agreements. The supervision shall be provided exclusively
4897 by the staff of the Division of Community Corrections of the
4898 department.

4899 (7) (a) The Parole Board is authorized to select and place
4900 offenders in an electronic monitoring program under the conditions
4901 and criteria imposed by the Parole Board. The conditions,
4902 restrictions and requirements of Section 47-7-17 and Sections
4903 47-5-1001 through 47-5-1015 shall apply to the Parole Board and
4904 any offender placed in an electronic monitoring program by the
4905 Parole Board.

4906 (b) Any offender placed in an electronic monitoring
4907 program under this subsection shall pay the program fee provided
4908 in Section 47-5-1013. The program fees shall be deposited in the
4909 special fund created in Section 47-5-1007.

4910 (c) The department shall have absolute immunity from
4911 liability for any injury resulting from a determination by the
4912 Parole Board that an offender be placed in an electronic
4913 monitoring program.

4914 (8) (a) The Parole Board shall maintain a central registry
4915 of paroled inmates. The Parole Board shall place the following
4916 information on the registry: name, address, photograph, crime for
4917 which paroled, the date of the end of parole or flat-time date and
4918 other information deemed necessary. The Parole Board shall



4919 immediately remove information on a parolee at the end of his
4920 parole or flat-time date.

4921 (b) When a person is placed on parole, the Parole Board
4922 shall inform the parolee of the duty to report to the parole
4923 officer any change in address ten (10) days before changing
4924 address.

4925 (c) The Parole Board shall utilize an Internet website
4926 or other electronic means to release or publish the information.

4927 (d) Records maintained on the registry shall be open to
4928 law enforcement agencies and the public and shall be available no
4929 later than July 1, 2003.

4930 (9) An affirmative vote of at least four (4) members of the
4931 Parole Board shall be required to grant parole to an inmate
4932 convicted of capital murder or a sex crime.

4933 (10) This section shall stand repealed on July 1, 2025.

4934 **SECTION 82.** Section 51-15-1, Mississippi Code of 1972, is
4935 amended as follows:

4936 51-15-1. There is hereby created the Pat Harrison Waterway
4937 Commission composed of Clarke, Covington, Forrest, George, Greene,
4938 Jackson, Jasper, Jones, Lamar, Lauderdale, Newton, Perry, Smith,
4939 Stone, and Wayne Counties in the State of Mississippi, to be
4940 governed by a board consisting of one (1) member from each such
4941 county and three (3) members from the state at large, all to be
4942 appointed by the Governor, with the advice and consent of the
4943 Senate, to serve for a term of four (4) years or until their



4944 successors are appointed and qualified. Effective January 1,
4945 2028, the eighteen (18) appointed members shall be appointed by
4946 the Governor, with the advice and consent of the Senate, for a
4947 term of office of four (4) years, provided that ten (10) members
4948 shall be appointed in 2028 to a term ending July 1, 2032, and nine
4949 (9) members shall be appointed in 2030 to a term ending July 1,
4950 2034. All appointment procedures, vacancy provisions, interim
4951 appointment provisions and removal provisions specifically
4952 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
4953 fully applicable to appointments to the Pat Harrison Waterway
4954 Commission. The Governor shall designate in his appointment the
4955 chairman and vice chairman thereof. They shall serve without pay
4956 except for their actual traveling expenses and other necessary
4957 expenses incurred in the performance of their official duties, to
4958 be reimbursed as in the case of state employees under the
4959 provisions of general law. Upon appointment, said members shall
4960 meet and organize at Hattiesburg, Mississippi, and set a regular
4961 time and place for the meetings of the commission, secure offices
4962 and all necessary equipment, and obtain such engineering,
4963 professional, clerical, and other assistance as may be necessary
4964 in order to accomplish the purposes of this article. An executive
4965 director may be appointed by the board if this is deemed
4966 advisable, and salaries of all personnel may be paid out of funds
4967 provided under the terms of this article in an amount agreeable to
4968 the commission.



4969 **SECTION 83.** Section 69-48-3, Mississippi Code of 1972, is
4970 amended as follows:

4971 69-48-3. (1) The Mississippi Peanut Promotion Board is
4972 hereby created, to be composed of six (6) members to be appointed
4973 by the Governor * * *, with the advice and consent of the Senate,
4974 with two (2) appointed from each Mississippi Supreme Court
4975 District. All of the six (6) members of the board shall be
4976 producers of peanuts in the State of Mississippi. * * * The
4977 Mississippi Farm Bureau Federation, Inc., and the Mississippi
4978 Peanut Growers Association shall each submit the names of six (6)
4979 peanut producers to the Governor, and he shall appoint three (3)
4980 members from the nominees of each organization to serve on the
4981 board * * *. * * * The Mississippi Peanut Promotion Board,
4982 created by former Section 69-48-3, is continued and reconstituted
4983 as follows: Effective January 1, 2028, members of the board shall
4984 be appointed by the Governor, with the advice and consent of the
4985 Senate, for a term of office of four (4) years, provided that four
4986 (4) members shall be appointed in 2028 to a term ending July 1,
4987 2032, and two (2) members shall be appointed in 2030 to a term
4988 ending July 1, 2034. All appointment procedures, vacancy
4989 provisions, interim appointment provisions and removal provisions
4990 specifically provided for in Section 7-1-35, Mississippi Code of
4991 1972, shall be fully applicable to appointments to the Mississippi
4992 Peanut Promotion Board.



4993 (2) The members of the board shall meet and organize
4994 immediately after their appointment, and shall elect a chairman,
4995 vice chairman and secretary-treasurer from the membership of the
4996 board, whose duties shall be those customarily exercised by such
4997 officers or specifically designated by the board. The chairman,
4998 vice chairman and secretary-treasurer shall be bonded in an amount
4999 not less than Twenty Thousand Dollars (\$20,000.00). The cost of
5000 the bonds shall be paid from the funds received under this
5001 chapter. The bond shall be a security for any illegal act of such
5002 member of the board and recovery thereon may be had by the state
5003 for any injury by the illegal act of the member. The board may
5004 establish rules and regulations for its own government and the
5005 administration of the affairs of the board.

5006 **SECTION 84.** Section 51-9-1, Mississippi Code of 1972, is
5007 amended as follows:

5008 51-9-1. There is created the Pearl River Industrial
5009 Commission, composed of Hinds, Leake, Madison, Neshoba, Rankin and
5010 such other counties in the state through which or bordering which
5011 the Pearl River runs. The Governor, with the advice and consent
5012 of the Senate, shall appoint one (1) member to the commission from
5013 each county from a list of three (3) names to be submitted by the
5014 board of supervisors in each participating county. Effective
5015 January 1, 2028, the five (5) appointed members shall be appointed
5016 for a term of office of four (4) years, provided that three (3)
5017 members shall be appointed in 2028 to a term ending July 1, 2032,



5018 and two (2) members shall be appointed in 2030 to a term ending
5019 July 1, 2034. All appointment procedures, vacancy provisions,
5020 interim appointment provisions and removal provisions specifically
5021 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
5022 fully applicable to appointments to the Pearl River Industrial
5023 Commission. The three (3) names submitted by the board of
5024 supervisors of Madison County and the board of supervisors of
5025 Rankin County shall be the names of persons who reside on and are
5026 holders of residential leases from the Pearl River Valley Water
5027 Supply District that are located in Madison County and Rankin
5028 County, respectively, or who reside in established subdivisions in
5029 Madison County and Rankin County, respectively, in which some of
5030 the residential property of the subdivision is leased from the
5031 Pearl River Valley Water Supply District. In his appointment the
5032 Governor shall designate the chairman and vice chairman of the
5033 commission. * * * The board of supervisors in any county through
5034 which or by which the Pearl River runs, other than those counties
5035 named above, may bring that county in as a member of the
5036 commission by resolution presented to the Governor; and the board
5037 of supervisors in such county may, in its discretion, call an
5038 election before taking such action, the election to be held as
5039 nearly as possible in the same manner other elections are held in
5040 the county.

5041 The member appointed from Madison County who is serving on
5042 July 1, 2012, shall continue to serve until January 1, 2013, after



5043 which date the Governor shall appoint a member from Madison County
5044 who meets the residency requirements of this section. The person
5045 appointed under the provisions of this paragraph shall serve for
5046 the remainder of the unexpired term.

5047 **SECTION 85.** Section 25-9-109, Mississippi Code of 1972, is
5048 amended as follows:

5049 25-9-109. There is hereby created a board of five (5)
5050 members to be known as the State Personnel Board to be appointed
5051 by the Governor as hereinafter provided, with the advice and
5052 consent of the Senate, one (1) to be appointed from each
5053 Mississippi Supreme Court District and two (2) from the state at
5054 large.

5055 * * *

5056 The State Personnel Board, created by former Section
5057 25-9-109, is continued and reconstituted as follows: Effective
5058 January 1, 2028, board members shall be appointed by the Governor,
5059 with the advice and consent of the Senate, for a term of office of
5060 four (4) years, provided that three (3) members shall be appointed
5061 in 2028 to a term ending July 1, 2032, and two (2) members shall
5062 be appointed in 2030 to a term ending July 1, 2032. All
5063 appointment procedures, vacancy provisions, interim appointment
5064 provisions and removal provisions specifically provided for in
5065 Section 7-1-35, Mississippi Code of 1972, shall be fully
5066 applicable to appointments to the State Personnel Board.



5067 All appointees shall have at least a bachelor's degree in
5068 public administration, personnel management or in a
5069 management-related field of study or, in the alternative, shall
5070 have a bachelor's degree in any field and ten (10) years of
5071 experience in a position the duties of which specifically required
5072 the appointee to carry out personnel management responsibilities
5073 in an organization and were the exclusive responsibilities of his
5074 position. An appointee with a graduate degree in public
5075 administration, personnel management or in a management-related
5076 field of study shall also be qualified to serve on the board. In
5077 the alternative, an appointee with a graduate degree in any field
5078 shall be qualified if he has five (5) years of experience in a
5079 position the duties of which specifically required him to carry
5080 out personnel management responsibilities in an organization and
5081 were the exclusive responsibilities of his position.

5082 **SECTION 86.** Section 73-21-75, Mississippi Code of 1972, is
5083 amended as follows:

5084 73-21-75. (1) The State Board of Pharmacy created by former
5085 Section 73-21-9 is continued and reconstituted as follows: The
5086 board shall consist of seven (7) appointed members. At
5087 least * * * two (2) appointments shall be made from each * * *
5088 Mississippi Supreme Court District. Each appointed member of the
5089 board shall be appointed by the Governor, with the advice and
5090 consent of the Senate, from a list of five (5) names submitted by
5091 the Mississippi Pharmacists Association, with input from the



5092 Magnolia Pharmaceutical Society, the Mississippi Independent
5093 Pharmacies Association (MIPA), Mississippi Society of
5094 Health-System Pharmacists (MSHP) and Mississippi College of
5095 Clinical Pharmacy (MCCP) and other pharmacist associations or
5096 societies. Of the members appointed, one (1) shall, at the time
5097 of appointment, have had five (5) years' experience as a
5098 pharmacist at a facility holding an institutional permit, and one
5099 (1) shall, at the time of appointment, have had five (5) years'
5100 experience as a pharmacist at a facility holding a retail permit.
5101 Any person appointed to the board shall be limited to two (2) full
5102 terms of office during any fifteen-year period * * *.

5103 (2) * * * The State Board of Pharmacy, created by former
5104 Section 73-21-75, is continued and reconstituted as follows:
5105 Effective January 1, 2028, members of the board shall be appointed
5106 by the Governor, with the advice and consent of the Senate, for a
5107 term of office of four (4) years, provided that four (4) members
5108 shall be appointed in 2028 to a term ending July 1, 2032, and
5109 three (3) members shall be appointed in 2030 to a term ending July
5110 1, 2034. All appointment procedures, vacancy provisions, interim
5111 appointment provisions and removal provisions specifically
5112 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
5113 fully applicable to appointments to the State Board of Pharmacy.

5114 (3) * * * The Mississippi Pharmacists Association, with
5115 input from the Magnolia Pharmaceutical Society, the Mississippi
5116 Independent Pharmacies Association (MIPA), Mississippi Society of



5117 Health-System Pharmacists (MSHP) and Mississippi College of
5118 Clinical Pharmacy (MCCP) and other pharmacist associations or
5119 societies, shall submit a list of nominees no more than thirty
5120 (30) days after a vacancy occurs, and the Governor shall fill such
5121 vacancies within ninety (90) days after each such vacancy occurs.
5122 If an election is required to narrow the number of potential
5123 candidates for nominations to the board, the Mississippi
5124 Pharmacists Association shall provide a ballot to each pharmacist
5125 holding a valid Mississippi license.

5126 (4) To be qualified to be a member of the board, a person
5127 shall:

5128 (a) Be an adult citizen of Mississippi for a period of
5129 at least five (5) years preceding his appointment to the board;

5130 (b) Be a pharmacist licensed and in good standing to
5131 practice pharmacy in the State of Mississippi; and

5132 (c) Have actively engaged in the practice of pharmacy
5133 in Mississippi for a period of at least five (5) years.

5134 * * *

5135 **SECTION 87.** Section 73-23-41, Mississippi Code of 1972, is
5136 amended as follows:

5137 73-23-41. (1) There is established a State Board of
5138 Physical Therapy that shall consist of seven (7) members appointed
5139 by the Governor, with the advice and consent of the Senate. Four
5140 (4) members shall be physical therapists, one (1) member shall be
5141 a physical therapist assistant, and one (1) member shall be a



5142 physician, each of whom possesses unrestricted licenses to
5143 practice in his or her profession. The Governor shall also
5144 appoint one (1) member who shall be a consumer at large who is not
5145 associated with or financially interested in any health care
5146 profession and who has an interest in consumer rights. Each of
5147 the four (4) members who are physical therapists shall be
5148 appointed from a list of * * * two (2) persons from each of
5149 the * * * Mississippi * * * Supreme Court Districts, as such
5150 districts currently exist, submitted by the Mississippi Physical
5151 Therapy Association, all of whom must be residents of Mississippi
5152 and must have engaged in the practice of physical therapy within
5153 the state for at least four (4) years. * * * The State Board of
5154 Physical Therapy, created by former Section 73-23-41, is continued
5155 and reconstituted as follows: Effective January 1, 2028, each
5156 board member shall be appointed by the Governor, with the advice
5157 and consent of the Senate, for a term of office of four (4) years,
5158 provided that four (4) members shall be appointed in 2028 to a
5159 term ending July 1, 2032, and three (3) members shall be appointed
5160 in 2030 to a term ending July 1, 2034. All appointment
5161 procedures, vacancy provisions, interim appointment provisions and
5162 removal provisions specifically provided for in Section 7-1-35,
5163 Mississippi Code of 1972, shall be fully applicable to
5164 appointments to the State Board of Physical Therapy. No person
5165 shall be appointed for more than two (2) consecutive four-year
5166 terms. However, any board member initially appointed for less



5167 than a full four-year term is eligible to serve for two (2)
5168 additional consecutive four-year terms.

5169 (2) The board shall annually elect a chairman, secretary and
5170 treasurer. The board shall provide for the timely orientation and
5171 training of new professional and public appointees to the board
5172 regarding board licensing and disciplinary procedures, this
5173 chapter and board rules, regulations, policies and procedures. A
5174 member may be removed by the board only for due cause. Failure to
5175 attend at least half of the board meetings in a fiscal year shall
5176 constitute cause. The board shall meet at least once each
5177 quarter, and those meetings shall be held in compliance with the
5178 Open Meetings Law (Section 25-41-1 et seq.). A majority of board
5179 members shall constitute a quorum for the transaction of business.
5180 The board shall keep an official record of its meetings. * * *
5181 Members of the board shall receive the per diem authorized under
5182 Section 25-3-69 for each day spent actually discharging their
5183 official duties, and shall receive reimbursement for mileage and
5184 necessary travel expenses incurred as provided in Section 25-3-41.
5185 A board member who acts within the scope of board duties, without
5186 malice and in the reasonable belief that the member's action is
5187 warranted by law is immune from civil liability.

5188 **SECTION 88.** Section 73-29-7, Mississippi Code of 1972, is
5189 amended as follows:

5190 73-29-7. (1) There is hereby established a Polygraph
5191 Examiners Board consisting of three (3) members who shall be



5192 citizens of the United States and residents of the state for at
5193 least two (2) years prior to appointment and at the time of
5194 appointment are active polygraph examiners. No two (2) board
5195 members may be employed by the same person or agency. At least
5196 one (1) member must be a qualified examiner of a governmental law
5197 enforcement agency, and shall be the supervisor of the polygraph
5198 section of the Department of Public Safety, and at least one (1)
5199 member must be a qualified polygraph examiner in the commercial
5200 field. The members shall be appointed by the Governor of the
5201 State of Mississippi, with the advice and consent of the
5202 Senate * * *, one (1) from each Mississippi Supreme Court
5203 District. * * * The Polygraph Examiners Board, created by former
5204 Section 73-29-7, is continued and reconstituted as follows:
5205 Effective January 1, 2028, each board member shall be appointed by
5206 the Governor, with the advice and consent of the Senate, for a
5207 term of office of four (4) years, provided that two (2) members
5208 shall be appointed in 2028 to a term ending July 1, 2032, and one
5209 (1) member shall be appointed in 2030 to a term ending July 1,
5210 2034. All appointment procedures, vacancy provisions, interim
5211 appointment provisions and removal provisions specifically
5212 provided for in Section 7-1--35, Mississippi Code of 1972, shall
5213 be fully applicable to appointments to the Polygraph Examiners
5214 Board.

5215 (2) The board shall elect a chairman, vice chairman and
5216 secretary from among its members.



5217 (3) The vote of a majority of the board members is
5218 sufficient for passage of any business or proposal which comes
5219 before the board.

5220 (4) The members of the board shall receive Twenty-two
5221 Dollars and Fifty Cents (\$22.50) per diem for each day spent in
5222 the actual discharge of their duties.

5223 (5) The Department of Public Safety is hereby authorized to
5224 provide the board with an appropriate office and such
5225 administrative and clerical services as may be necessary to carry
5226 out the board's responsibilities, including investigative and
5227 testing services, budgetary support and such other services and
5228 support deemed appropriate by the Commissioner of Public Safety.

5229 **SECTION 89.** Section 37-106-9, Mississippi Code of 1972, is
5230 amended as follows:

5231 37-106-9. (1) There is hereby created the Postsecondary
5232 Education Financial Assistance Board which shall consist of the
5233 following nine (9) members and two (2) nonvoting advisory members:
5234 two (2) people to be appointed by the Board of Trustees of State
5235 Institutions of Higher Learning, one (1) from its membership to
5236 serve for an initial period of four (4) years and one (1)
5237 institutional representative to serve for an initial period of
5238 three (3) years; two (2) people to be appointed by the Mississippi
5239 Community College Board, one (1) from its membership to serve for
5240 an initial period of three (3) years and one (1) institutional
5241 representative to serve for an initial period of two (2) years;



5242 two (2) people to be appointed by the Governor, one (1) to serve
5243 for an initial period of two (2) years and one (1) to serve for an
5244 initial period of one (1) year; two (2) people to be appointed by
5245 the Executive Director of the Mississippi Association of
5246 Independent Colleges and Universities, one (1) association
5247 representative to serve for an initial period of two (2) years and
5248 one (1) institutional representative to serve for an initial
5249 period of one (1) year; and one (1) person to be appointed by the
5250 Lieutenant Governor for an initial period of (4) years. All
5251 subsequent appointments shall be for a period of four (4) years.
5252 Vacancies shall be filled for the length of the unexpired term
5253 only. The Postsecondary Education Financial Assistance Board,
5254 created by former Section 37-106-9, is continued and reconstituted
5255 as follows: Effective January 1, 2028, each board member shall be
5256 appointed by the Governor or prescribed appointing authority, with
5257 the advice and consent of the Senate, for a term of office of four
5258 (4) years, provided that five (5) members shall be appointed in
5259 2028 to a term ending July 1, 2032, and four (4) members shall be
5260 appointed in 2030 to a term ending July 1, 2034. All appointment
5261 procedures, vacancy provisions, interim appointment provisions and
5262 removal provisions specifically provided for in Section 7-1-35,
5263 Mississippi Code of 1972, shall be fully applicable to
5264 appointments to the Postsecondary Education Financial Assistance
5265 Board. The board shall elect from its membership a chairman.



5266 Additionally, the Chairmen of the House and Senate Universities
5267 and Colleges Committees shall serve as nonvoting advisory members.

5268 (2) The agency shall designate one (1) member of its staff
5269 to serve as director, to administer the provisions of this
5270 financial assistance program. The director shall be assigned by
5271 the agency sufficient staff, professional and clerical, funds and
5272 quarters to administer this program.

5273 (3) The director:

5274 (a) Subject to the review of the board, shall have the
5275 power of final approval of any application submitted;

5276 (b) Subject to the approval of the board, shall have
5277 authority to promulgate the necessary rules and regulations for
5278 effective administration of this chapter, including the method of
5279 making application for assistance authorized by this chapter.

5280 **SECTION 90.** Section 73-31-5, Mississippi Code of 1972, is
5281 amended as follows:

5282 73-31-5. (1) There is created a Mississippi Board of
5283 Psychology consisting of seven (7) members who are citizens of the
5284 United States and residing in the State of Mississippi appointed
5285 by the Governor, with the advice and consent of the Senate, two
5286 (2) from each Mississippi Supreme Court District and one (1) from
5287 the state at large. One (1) member of the board shall be a person
5288 who is not a psychologist or a mental health professional but who
5289 has expressed a continuing interest in the field of psychology.
5290 Each board member shall otherwise be licensed under this chapter.



5291 The composition of the board shall at all times include
5292 psychologists engaged in the professional practice of psychology
5293 and psychologists who are faculty at institutions of higher
5294 learning that grant doctoral degrees or staff or faculty of an
5295 American Psychological Association accredited doctoral level
5296 internship or postdoctoral fellowship.

5297 (2) * * * The State Board of Psychology, created by former
5298 Section 73-31-5, is continued and reconstituted as follows:
5299 Effective January 1, 2028, each board member shall be appointed by
5300 the Governor or prescribed appointing authority, with the advice
5301 and consent of the Senate, for a term of office of four (4) years,
5302 provided that four (4) members to be designated by the appointing
5303 authority shall be appointed in 2028 to a term ending July 1,
5304 2032, and three (3) members shall be appointed in 2030 to a term
5305 ending July 1, 2034. All appointment procedures, vacancy
5306 provisions, interim appointment provisions and removal provisions
5307 specifically provided for in Section 7-1-35, Mississippi Code of
5308 1972, shall be fully applicable to appointments to the State Board
5309 of Psychology. All appointments of psychologist members of the
5310 board shall be made from a list containing the names of at least
5311 three (3) eligible nominees for each vacancy submitted by the
5312 Mississippi Psychological Association. * * *

5313 * * *

5314 (* * *3) Each board member shall serve without
5315 compensation, but shall receive actual traveling and incidental



5316 expenses necessarily incurred while engaged in the discharge of
5317 official duties.

5318 **SECTION 91.** Section 25-11-15, Mississippi Code of 1972, is
5319 amended as follows:

5320 25-11-15. (1) Board of trustees: The general
5321 administration and responsibility for the proper operation of the
5322 Public Employees' Retirement System and the federal-state
5323 agreement and for making effective the provisions of Articles 1
5324 and 3 are vested in a board of trustees.

5325 (2) The board shall consist of ten (10) trustees, as
5326 follows:

5327 (a) The State Treasurer;

5328 (b) One (1) member who shall be appointed by the
5329 Governor, with the advice and consent of the Senate, for a term of
5330 four (4) years, who shall be a member of the system;

5331 (c) Two (2) members of the system having at least ten
5332 (10) years of creditable service who are state employees who are
5333 not employees of the state institutions of higher learning, who
5334 shall be elected by members of the system who are employees of
5335 state agencies and by members of the Mississippi Highway Safety
5336 Patrol Retirement System, but not by employees of the state
5337 institutions of higher learning;

5338 (d) Two (2) members of the system having at least ten
5339 (10) years of creditable service who do not hold office in the
5340 legislative or judicial departments of municipal or county



5341 government, one (1) of whom shall be an employee of a
5342 municipality, instrumentality or juristic entity thereof, who
5343 shall be elected by members of the system who are employees of the
5344 municipalities, instrumentalities or juristic entities thereof and
5345 by members of the municipal systems and the firemen's and
5346 policemen's disability and relief funds administered by the board
5347 of trustees, and one (1) of whom shall be an employee of a county,
5348 instrumentality or juristic entity thereof, who shall be elected
5349 by members of the system who are employees of the counties,
5350 instrumentalities or juristic entities thereof;

5351 (e) One (1) member of the system having at least ten
5352 (10) years of creditable service who is an employee of a state
5353 institution of higher learning, who shall be elected by members of
5354 the system who are employees of the state institutions of higher
5355 learning as included in Section 37-101-1. Any member of the board
5356 on July 1, 1984, who is an employee of an institution of higher
5357 learning shall serve as the member trustee representing the
5358 institutions of higher learning until the end of the term for
5359 which he or she was elected;

5360 (f) Two (2) retired members who are receiving a
5361 retirement allowance from the system, who shall be elected by the
5362 retired members or beneficiaries receiving a retirement allowance
5363 from the system and by the retired members or beneficiaries of the
5364 municipal systems, the firemen's and policemen's disability and
5365 relief funds and the Mississippi Highway Safety Patrol Retirement



5366 System administered by the board of trustees, to serve for a term
5367 of six (6) years under rules and regulations adopted by the board
5368 to govern that election; however, any retired member of the board
5369 in office on April 19, 1993, shall serve as a retired trustee
5370 until the end of the term for which he or she was elected;

5371 (g) One (1) member of the system having at least ten
5372 (10) years of creditable service who is an employee of any public
5373 school district or junior college or community college district
5374 that participates in the system, who shall be elected by the
5375 members of the system who are employees of any public school
5376 district or junior college or community college district; however,
5377 any member of the board on June 30, 1989, who is a certified
5378 classroom teacher shall serve as the member representing a
5379 classroom teacher until the end of the term for which the member
5380 was appointed;

5381 (h) In the first election to be held for trustees one
5382 (1) member shall be elected for a term of two (2) years, and one
5383 (1) member for a term of four (4) years, and one (1) member for a
5384 term of six (6) years. Thereafter, their successors shall be
5385 elected for terms of six (6) years. All elections shall be held
5386 in accordance with rules and regulations adopted by the board to
5387 govern those elections and the board shall be the sole judge of
5388 all questions arising incident to or connected with the elections.

5389 (i) Any person eligible to vote for the election of a
5390 member of the board of trustees and who meets the qualifications



5391 for the office may seek election to the office and serve if
5392 elected. For purposes of determining eligibility to seek office
5393 as a member of the board of trustees, the required creditable
5394 service in "the system" shall include each system administered by
5395 the board of trustees in which the person is a member.

5396 The members described above and serving on the board on June
5397 30, 1989, shall continue to serve on the board until the
5398 expiration of their terms.

5399 (3) If a vacancy occurs in the office of a trustee, the
5400 vacancy shall be filled for the unexpired term in the same manner
5401 as the office was previously filled. However, if the unexpired
5402 term is six (6) months or less, an election shall be held to fill
5403 the office vacated for the next succeeding full term of office,
5404 and the person so elected to fill the next full term shall be
5405 appointed by the board to fill the remainder of the unexpired
5406 term. Whenever any member who is elected to a position to
5407 represent a class of members ceases to be a member of that class,
5408 that board member is no longer eligible for membership on the
5409 board. The position shall be declared vacant, and the unexpired
5410 term shall be filled in the same manner as the office was
5411 previously filled.

5412 (4) Each trustee shall, within ten (10) days after his or
5413 her appointment or election, take an oath of office as provided by
5414 law and, in addition, shall take an oath that he or she will
5415 diligently and honestly administer the affairs of the board, and



5416 that he or she will not knowingly violate or willingly permit to
5417 be violated any of the provisions of law applicable to Articles 1
5418 and 3. The oath shall be signed by the member making it,
5419 certified by the officer before whom it is taken, and immediately
5420 filed in the office of the Secretary of State.

5421 (5) Each trustee shall be entitled to one (1) vote. Six (6)
5422 members shall constitute a quorum at any meeting of the board, and
5423 a majority of those present shall be necessary for a decision.

5424 (6) Subject to the limitations of Articles 1 and 3, the
5425 board shall establish rules and regulations for the administration
5426 of the system created by those articles and for the transaction of
5427 its business, and to give force and effect to the provisions of
5428 those articles wherever necessary to carry out the intent and
5429 purposes of the Legislature. The cited articles are remedial law
5430 and shall be liberally construed to accomplish their purposes.

5431 (7) Notwithstanding any other law to the contrary, in the
5432 event of a natural disaster or other occurrence that results in
5433 the failure of the retirement system's computer system or a
5434 significant disruption of the normal activities of the retirement
5435 system, the executive director of the board, or his or her deputy,
5436 shall be authorized to contract with another entity, governmental
5437 or private, during the period of the failure or disruption, for
5438 services, commodities, work space and supplies as necessary to
5439 carry out the administration of all systems and programs
5440 administered by the board. The board shall be authorized to pay



5441 the reasonable cost of those services, commodities, work space and
5442 supplies. At the meeting of the board next following the
5443 execution of a contract authorized under this subsection,
5444 documentation of the contract, including a description of the
5445 services, commodities, work space or supplies, the price thereof
5446 and the nature of the disaster or occurrence, shall be presented
5447 to the board and placed on the minutes of the board. Because of
5448 their emergency nature, purchases made under this subsection shall
5449 not be required to comply with the provisions of Section 31-7-13
5450 or any other law governing public purchases.

5451 (8) The computer equipment and software owned by the Public
5452 Employees' Retirement System are assets of the Trust Fund by
5453 virtue of the Constitution, Section 272-A and acquisition and
5454 operation thereof shall be under the jurisdiction of the Public
5455 Employees' Retirement System.

5456 (9) The board shall elect a chairman and shall by a majority
5457 vote of all of its members appoint a secretary whose title shall
5458 be executive director, who shall serve at the will and pleasure of
5459 the board, who shall not be a member of the board of trustees, who
5460 shall be entitled to membership in the system, and who shall act
5461 as secretary of the board. The board of trustees shall employ
5462 such actuarial, clerical and other employees as are required to
5463 transact the business of the system, and shall fix the
5464 compensation of all employees, subject to the rules and
5465 regulations of the State Personnel Board.



5466 (10) Each member of the board shall receive as compensation
5467 for his or her services Three Hundred Dollars (\$300.00) per month.
5468 All members of the board shall be reimbursed for their necessary
5469 traveling expenses, which shall be paid in accordance with the
5470 requirements of Section 25-3-41 or other applicable statutes with
5471 respect to traveling expenses of state officials and employees on
5472 official business. All members of the board shall be entitled to
5473 be members of the system and shall be entitled to creditable
5474 service for all time served as a member of the board, except for
5475 the retired members, who shall not be entitled to be a member of
5476 the system and who shall be eligible to receive the retirement
5477 allowance and compensation for services from the system while
5478 serving as a member of the board. Members of the board who are
5479 employed in state service (as defined in Section 25-11-103) shall
5480 not be required to take annual leave from their state service
5481 employment while performing his or her official duties as a member
5482 of the board.

5483 (11) All expenses of the board incurred in the
5484 administration of Articles 1 and 3 shall be paid from such funds
5485 as may be appropriated by the Legislature for that purpose or from
5486 administrative fees collected from political subdivisions or
5487 juristic entities of the state. Each political subdivision of the
5488 state and each instrumentality of the state or of a political
5489 subdivision or subdivisions that submit a plan for approval by the
5490 board as provided in Section 25-11-11 shall reimburse the board,



5491 for coverage into the administrative expense fund, its pro rata
5492 share of the total expense of administering Articles 1 and 3 as
5493 provided by regulations of the board.

5494 (12) The Lieutenant Governor may designate two (2) Senators
5495 and the Speaker of the House of Representatives may designate two
5496 (2) Representatives to attend any meeting of the Board of Trustees
5497 of the Public Employees' Retirement System. The appointing
5498 authorities may designate alternate members from their respective
5499 houses to serve when the regular designees are unable to attend
5500 the meetings of the board. The legislative designees shall have
5501 no jurisdiction or vote on any matter within the jurisdiction of
5502 the board. For attending meetings of the board, the legislators
5503 shall receive per diem and expenses, which shall be paid from the
5504 contingent expense funds of their respective houses in the same
5505 amounts as provided for committee meetings when the Legislature is
5506 not in session; however, no per diem and expenses for attending
5507 meetings of the board will be paid while the Legislature is in
5508 session. No per diem and expenses will be paid except for
5509 attending meetings of the board without prior approval of the
5510 proper committee in their respective houses.

5511 **SECTION 92.** Section 27-104-7, Mississippi Code of 1972, is
5512 amended as follows:

5513 27-104-7. (1) (a) There is created the Public Procurement
5514 Review Board, which shall be reconstituted on January 1, 2018, and
5515 shall be composed of the following members:



5516 (i) Three (3) individuals appointed by the
5517 Governor with the advice and consent of the Senate;
5518 (ii) Two (2) individuals appointed by the
5519 Lieutenant Governor with the advice and consent of the Senate; and
5520 (iii) The Executive Director of the Department of
5521 Finance and Administration, serving as an ex officio and nonvoting
5522 member.

5523 (b) The initial terms of each appointee shall be as
5524 follows:

5525 (i) One (1) member appointed by the Governor to
5526 serve for a term ending on June 30, 2019;

5527 (ii) One (1) member appointed by the Governor to
5528 serve for a term ending on June 30, 2020;

5529 (iii) One (1) member appointed by the Governor to
5530 serve for a term ending on June 30, 2021;

5531 (iv) One (1) member appointed by the Lieutenant
5532 Governor to serve for a term ending on June 30, 2019; and

5533 (v) One (1) member appointed by the Lieutenant
5534 Governor to serve for a term ending on June 30, 2020.

5535 After the expiration of the initial terms, all appointed
5536 members' terms shall be for a period of four (4) years from the
5537 expiration date of the previous term, and until such time as the
5538 member's successor is duly appointed and qualified.

5539 (c) The Public Procurement Review Board, created by
5540 former Section 27-104-7, is continued and reconstituted as



5541 follows: Effective January 1, 2028, all members appointed to the
5542 board by the Governor or Lieutenant Governor shall be appointed,
5543 with the advice and consent of the Senate, for a term of office of
5544 four (4) years, provided that three (3) members as designated by
5545 the Governor or Lieutenant Governor shall be appointed in 2028 to
5546 a term ending July 1, 2032, and two (2) members as designated by
5547 the Governor or Lieutenant Governor shall be appointed in 2030 to
5548 a term ending July 1, 2034. All appointment procedures, vacancy
5549 provisions, interim appointment provisions and removal provisions
5550 specifically provided for in Section 7-1-35, Mississippi Code of
5551 1972, shall be fully applicable to appointments to the Public
5552 Procurement Review Board.

5553 (* * *d) When appointing members to the Public
5554 Procurement Review Board, the Governor and Lieutenant Governor
5555 shall take into consideration persons who possess at least five
5556 (5) years of management experience in general business, health
5557 care or finance for an organization, corporation or other public
5558 or private entity. Any person, or any employee or owner of a
5559 company, who receives any grants, procurements or contracts that
5560 are subject to approval under this section shall not be appointed
5561 to the Public Procurement Review Board. Any person, or any
5562 employee or owner of a company, who is a principal of the source
5563 providing a personal or professional service shall not be
5564 appointed to the Public Procurement Review Board if the principal
5565 owns or controls a greater than five percent (5%) interest or has



5566 an ownership value of One Million Dollars (\$1,000,000.00) in the
5567 source's business, whichever is smaller. No member shall be an
5568 officer or employee of the State of Mississippi while serving as a
5569 voting member on the Public Procurement Review Board.

5570 (* * *e) Members of the Public Procurement Review
5571 Board shall be entitled to per diem as authorized by Section
5572 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

5573 (* * *f) The members of the Public Procurement Review
5574 Board shall elect a chair from among the membership, and he or she
5575 shall preside over the meetings of the board. The board shall
5576 annually elect a vice chair, who shall serve in the absence of the
5577 chair. No business shall be transacted, including adoption of
5578 rules of procedure, without the presence of a quorum of the board.
5579 Three (3) members shall be a quorum. No action shall be valid
5580 unless approved by a majority of the members present and voting,
5581 entered upon the minutes of the board and signed by the chair.
5582 Necessary clerical and administrative support for the board shall
5583 be provided by the Department of Finance and Administration.
5584 Minutes shall be kept of the proceedings of each meeting, copies
5585 of which shall be filed on a monthly basis with the chairs of the
5586 Accountability, Efficiency and Transparency Committees of the
5587 Senate and House of Representatives and the chairs of the
5588 Appropriations Committees of the Senate and House of
5589 Representatives.



5590 (2) The Public Procurement Review Board shall have the
5591 following powers and responsibilities:

5592 (a) Approve all purchasing regulations governing the
5593 purchase or lease by any agency, as defined in Section 31-7-1, of
5594 commodities and equipment, except computer equipment acquired
5595 pursuant to Sections 25-53-1 through 25-53-29;

5596 (b) Adopt regulations governing the approval of
5597 contracts let for the construction and maintenance of state
5598 buildings and other state facilities as well as related contracts
5599 for architectural and engineering services.

5600 The provisions of this paragraph (b) shall not apply to such
5601 contracts involving buildings and other facilities of state
5602 institutions of higher learning which are self-administered as
5603 provided under this paragraph (b) or Section 37-101-15(m);

5604 (c) Adopt regulations governing any lease or rental
5605 agreement by any state agency or department, including any state
5606 agency financed entirely by federal funds, for space outside the
5607 buildings under the jurisdiction of the Department of Finance and
5608 Administration. These regulations shall require each agency
5609 requesting to lease such space to provide the following
5610 information that shall be published by the Department of Finance
5611 and Administration on its website: the agency to lease the space;
5612 the terms of the lease; the approximate square feet to be leased;
5613 the use for the space; a description of a suitable space; the
5614 general location desired for the leased space; the contact



5615 information for a person from the agency; the deadline date for
5616 the agency to have received a lease proposal; any other specific
5617 terms or conditions of the agency; and any other information
5618 deemed appropriate by the Division of Real Property Management of
5619 the Department of Finance and Administration or the Public
5620 Procurement Review Board. The information shall be provided
5621 sufficiently in advance of the time the space is needed to allow
5622 the Division of Real Property Management of the Department of
5623 Finance and Administration to review and preapprove the lease
5624 before the time for advertisement begins;

5625 (d) Adopt, in its discretion, regulations to set aside
5626 at least five percent (5%) of anticipated annual expenditures for
5627 the purchase of commodities from minority businesses; however, all
5628 such set-aside purchases shall comply with all purchasing
5629 regulations promulgated by the department and shall be subject to
5630 all bid requirements. Set-aside purchases for which competitive
5631 bids are required shall be made from the lowest and best minority
5632 business bidder; however, if no minority bid is available or if
5633 the minority bid is more than two percent (2%) higher than the
5634 lowest bid, then bids shall be accepted and awarded to the lowest
5635 and best bidder. However, the provisions in this paragraph shall
5636 not be construed to prohibit the rejection of a bid when only one
5637 (1) bid is received. Such rejection shall be placed in the
5638 minutes. For the purposes of this paragraph, the term "minority
5639 business" means a business which is owned by a person who is a



5640 citizen or lawful permanent resident of the United States and who
5641 is:

5642 (i) Black: having origins in any of the black
5643 racial groups of Africa;

5644 (ii) Hispanic: of Mexican, Puerto Rican, Cuban,
5645 Central or South American, or other Spanish or Portuguese culture
5646 or origin regardless of race;

5647 (iii) Asian-American: having origins in any of
5648 the original people of the Far East, Southeast Asia, the Indian
5649 subcontinent, or the Pacific Islands;

5650 (iv) American Indian or Alaskan Native: having
5651 origins in any of the original people of North America; or

5652 (v) Female;

5653 (e) In consultation with and approval by the Chairs of
5654 the Senate and House Public Property Committees, approve leases,
5655 for a term not to exceed eighteen (18) months, entered into by
5656 state agencies for the purpose of providing parking arrangements
5657 for state employees who work in the Woolfolk Building, the Carroll
5658 Gartin Justice Building or the Walter Sillers Office Building;

5659 (f) (i) Except as otherwise provided in subparagraph
5660 (ii) of this paragraph, promulgate rules and regulations governing
5661 the solicitation and selection of contractual services personnel,
5662 including personal and professional services contracts for any
5663 form of consulting, policy analysis, public relations, marketing,
5664 public affairs, legislative advocacy services or any other



5665 contract that the board deems appropriate for oversight, with the
5666 exception of:

5667 1. Any personal service contracts entered
5668 into by any agency that employs only nonstate service employees as
5669 defined in Section 25-9-107(c);

5670 2. Any personal service contracts entered
5671 into for computer or information technology-related services
5672 governed by the Mississippi Department of Information Technology
5673 Services;

5674 3. Any personal service contracts entered
5675 into by the individual state institutions of higher learning;

5676 4. Any personal service contracts entered
5677 into by the Mississippi Department of Transportation;

5678 5. Any personal service contracts entered
5679 into by the Department of Human Services through June 30, 2019,
5680 which the Executive Director of the Department of Human Services
5681 determines would be useful in establishing and operating the
5682 Department of Child Protection Services;

5683 6. Any personal service contracts entered
5684 into by the Department of Child Protection Services through June
5685 30, 2019;

5686 7. Any contracts for entertainers and/or
5687 performers at the Mississippi State Fairgrounds entered into by
5688 the Mississippi Fair Commission;



5689 8. Any contracts entered into by the
5690 Department of Finance and Administration when procuring aircraft
5691 maintenance, parts, equipment and/or services;

5692 9. Any contract entered into by the
5693 Department of Public Safety for service on specialized equipment
5694 and/or software required for the operation of such specialized
5695 equipment for use by the Office of Forensics Laboratories;

5696 10. Any personal or professional service
5697 contract entered into by the Mississippi Department of Health or
5698 the Department of Revenue solely in connection with their
5699 respective responsibilities under the Mississippi Medical Cannabis
5700 Act from February 2, 2022, through June 30, 2026;

5701 11. Any contract for attorney, accountant,
5702 actuary auditor, architect, engineer, anatomical pathologist, or
5703 utility rate expert services;

5704 12. Any personal service contracts approved
5705 by the Executive Director of the Department of Finance and
5706 Administration and entered into by the Coordinator of Mental
5707 Health Accessibility through June 30, 2022;

5708 13. Any personal or professional services
5709 contract entered into by the State Department of Health in
5710 carrying out its responsibilities under the ARPA Rural Water
5711 Associations Infrastructure Grant Program through June 30, 2026;
5712 and



5713 14. And any personal or professional services
5714 contract entered into by the Mississippi Department of
5715 Environmental Quality in carrying out its responsibilities under
5716 the Mississippi Municipality and County Water Infrastructure Grant
5717 Program Act of 2022, through June 30, 2026.

5718 Any such rules and regulations shall provide for maintaining
5719 continuous internal audit covering the activities of such agency
5720 affecting its revenue and expenditures as required under Section
5721 7-7-3(6) (d). Any rules and regulation changes related to personal
5722 and professional services contracts that the Public Procurement
5723 Review Board may propose shall be submitted to the Chairs of the
5724 Accountability, Efficiency and Transparency Committees of the
5725 Senate and House of Representatives and the Chairs of the
5726 Appropriation Committees of the Senate and House of
5727 Representatives at least fifteen (15) days before the board votes
5728 on the proposed changes, and those rules and regulation changes,
5729 if adopted, shall be promulgated in accordance with the
5730 Mississippi Administrative Procedures Act.

5731 (ii) From and after July 1, 2024, the Public
5732 Procurement Review Board shall promulgate rules and regulations
5733 that require the Department of Finance and Administration to
5734 conduct personal and professional services solicitations as
5735 provided in subparagraph (i) of this paragraph for those services
5736 in excess of Seventy-five Thousand Dollars (\$75,000.00) for the
5737 Department of Marine Resources, the Department of Wildlife,



5738 Fisheries and Parks, the Mississippi Emergency Management Agency
5739 and the Mississippi Development Authority, with assistance to be
5740 provided from these entities. Any powers that have been conferred
5741 upon agencies in order to comply with the provisions of this
5742 section for personal and professional services solicitations shall
5743 be conferred upon the Department of Finance and Administration to
5744 conduct personal and professional services solicitations for the
5745 Department of Marine Resources, the Department of Wildlife,
5746 Fisheries and Parks, the Mississippi Emergency Management Agency
5747 and the Mississippi Development Authority for those services in
5748 excess of Seventy-five Thousand Dollars (\$75,000.00). The
5749 Department of Finance and Administration shall make any
5750 submissions that are required to be made by other agencies to the
5751 Public Procurement Review Board for the Department of Marine
5752 Resources, the Department of Wildlife, Fisheries and Parks, the
5753 Mississippi Emergency Management Agency and the Mississippi
5754 Development Authority.

5755 The provisions of this subparagraph (ii) shall stand repealed
5756 on June 30, 2027;

5757 (g) Approve all personal and professional services
5758 contracts involving the expenditures of funds in excess of
5759 Seventy-five Thousand Dollars (\$75,000.00), except as provided in
5760 paragraph (f) of this subsection (2) and in subsection (8);

5761 (h) Develop mandatory standards with respect to
5762 contractual services personnel that require invitations for public



5763 bid, requests for proposals, record keeping and financial
5764 responsibility of contractors. The Public Procurement Review
5765 Board shall, unless exempted under this paragraph (h) or under
5766 paragraph (i) or (o) of this subsection (2), require the agency
5767 involved to submit the procurement to a competitive procurement
5768 process, and may reserve the right to reject any or all resulting
5769 procurements;

5770 (i) Prescribe certain circumstances by which agency
5771 heads may enter into contracts for personal and professional
5772 services without receiving prior approval from the Public
5773 Procurement Review Board. The Public Procurement Review Board may
5774 establish a preapproved list of providers of various personal and
5775 professional services for set prices with which state agencies may
5776 contract without bidding or prior approval from the board;

5777 (i) Agency requirements may be fulfilled by
5778 procuring services performed incident to the state's own programs.
5779 The agency head shall determine in writing whether the price
5780 represents a fair market value for the services. When the
5781 procurements are made from other governmental entities, the
5782 private sector need not be solicited; however, these contracts
5783 shall still be submitted for approval to the Public Procurement
5784 Review Board.

5785 (ii) Contracts between two (2) state agencies,
5786 both under Public Procurement Review Board purview, shall not
5787 require Public Procurement Review Board approval. However, the



5788 contracts shall still be entered into the enterprise resource
5789 planning system;

5790 (j) Provide standards for the issuance of requests for
5791 proposals, the evaluation of proposals received, consideration of
5792 costs and quality of services proposed, contract negotiations, the
5793 administrative monitoring of contract performance by the agency
5794 and successful steps in terminating a contract;

5795 (k) Present recommendations for governmental
5796 privatization and to evaluate privatization proposals submitted by
5797 any state agency;

5798 (l) Authorize personal and professional service
5799 contracts to be effective for more than one (1) year provided a
5800 funding condition is included in any such multiple year contract,
5801 except the State Board of Education, which shall have the
5802 authority to enter into contractual agreements for student
5803 assessment for a period up to ten (10) years. The State Board of
5804 Education shall procure these services in accordance with the
5805 Public Procurement Review Board procurement regulations;

5806 (m) Request the State Auditor to conduct a performance
5807 audit on any personal or professional service contract;

5808 (n) Prepare an annual report to the Legislature
5809 concerning the issuance of personal and professional services
5810 contracts during the previous year, collecting any necessary
5811 information from state agencies in making such report;



5812 (o) Develop and implement the following standards and
5813 procedures for the approval of any sole source contract for
5814 personal and professional services regardless of the value of the
5815 procurement:

5816 (i) For the purposes of this paragraph (o), the
5817 term "sole source" means only one (1) source is available that can
5818 provide the required personal or professional service.

5819 (ii) An agency that has been issued a binding,
5820 valid court order mandating that a particular source or provider
5821 must be used for the required service must include a copy of the
5822 applicable court order in all future sole source contract reviews
5823 for the particular personal or professional service referenced in
5824 the court order.

5825 (iii) Any agency alleging to have a sole source
5826 for any personal or professional service, other than those
5827 exempted under paragraph (f) of this subsection (2) and subsection
5828 (8), shall publish on the procurement portal website established
5829 by Sections 25-53-151 and 27-104-165, for at least fourteen (14)
5830 days, the terms of the proposed contract for those services. In
5831 addition, the publication shall include, but is not limited to,
5832 the following information:

5833 1. The personal or professional service
5834 offered in the contract;



5835 2. An explanation of why the personal or
5836 professional service is the only one that can meet the needs of
5837 the agency;

5838 3. An explanation of why the source is the
5839 only person or entity that can provide the required personal or
5840 professional service;

5841 4. An explanation of why the amount to be
5842 expended for the personal or professional service is reasonable;
5843 and

5844 5. The efforts that the agency went through
5845 to obtain the best possible price for the personal or professional
5846 service.

5847 (iv) If any person or entity objects and proposes
5848 that the personal or professional service published under
5849 subparagraph (iii) of this paragraph (o) is not a sole source
5850 service and can be provided by another person or entity, then the
5851 objecting person or entity shall notify the Public Procurement
5852 Review Board and the agency that published the proposed sole
5853 source contract with a detailed explanation of why the personal or
5854 professional service is not a sole source service.

5855 (v) 1. If the agency determines after review that
5856 the personal or professional service in the proposed sole source
5857 contract can be provided by another person or entity, then the
5858 agency must withdraw the sole source contract publication from the
5859 procurement portal website and submit the procurement of the



5860 personal or professional service to an advertised competitive bid
5861 or selection process.

5862 2. If the agency determines after review that
5863 there is only one (1) source for the required personal or
5864 professional service, then the agency may appeal to the Public
5865 Procurement Review Board. The agency has the burden of proving
5866 that the personal or professional service is only provided by one
5867 (1) source.

5868 3. If the Public Procurement Review Board has
5869 any reasonable doubt as to whether the personal or professional
5870 service can only be provided by one (1) source, then the agency
5871 must submit the procurement of the personal or professional
5872 service to an advertised competitive bid or selection process. No
5873 action taken by the Public Procurement Review Board in this appeal
5874 process shall be valid unless approved by a majority of the
5875 members of the Public Procurement Review Board present and voting.

5876 (vi) The Public Procurement Review Board shall
5877 prepare and submit a quarterly report to the House of
5878 Representatives and Senate Accountability, Efficiency and
5879 Transparency Committees that details the sole source contracts
5880 presented to the Public Procurement Review Board and the reasons
5881 that the Public Procurement Review Board approved or rejected each
5882 contract. These quarterly reports shall also include the
5883 documentation and memoranda required in subsection (4) of this
5884 section. An agency that submitted a sole source contract shall be



5885 prepared to explain the sole source contract to each committee by
5886 December 15 of each year upon request by the committee;

5887 (p) Assess any fines and administrative penalties
5888 provided for in Sections 31-7-401 through 31-7-423.

5889 (3) All submissions shall be made sufficiently in advance of
5890 each monthly meeting of the Public Procurement Review Board as
5891 prescribed by the Public Procurement Review Board. If the Public
5892 Procurement Review Board rejects any contract submitted for review
5893 or approval, the Public Procurement Review Board shall clearly set
5894 out the reasons for its action, including, but not limited to, the
5895 policy that the agency has violated in its submitted contract and
5896 any corrective actions that the agency may take to amend the
5897 contract to comply with the rules and regulations of the Public
5898 Procurement Review Board.

5899 (4) All sole source contracts for personal and professional
5900 services awarded by state agencies, other than those exempted
5901 under Section 27-104-7(2) (f) and (8), whether approved by an
5902 agency head or the Public Procurement Review Board, shall contain
5903 in the procurement file a written determination for the approval,
5904 using a request form furnished by the Public Procurement Review
5905 Board. The written determination shall document the basis for the
5906 determination, including any market analysis conducted in order to
5907 ensure that the service required was practicably available from
5908 only one (1) source. A memorandum shall accompany the request
5909 form and address the following four (4) points:



5910 (a) Explanation of why this service is the only service
5911 that can meet the needs of the purchasing agency;

5912 (b) Explanation of why this vendor is the only
5913 practicably available source from which to obtain this service;

5914 (c) Explanation of why the price is considered
5915 reasonable; and

5916 (d) Description of the efforts that were made to
5917 conduct a noncompetitive negotiation to get the best possible
5918 price for the taxpayers.

5919 (5) In conjunction with the State Personnel Board, the
5920 Public Procurement Review Board shall develop and promulgate rules
5921 and regulations to define the allowable legal relationship between
5922 contract employees and the contracting departments, agencies and
5923 institutions of state government under the jurisdiction of the
5924 State Personnel Board, in compliance with the applicable rules and
5925 regulations of the federal Internal Revenue Service (IRS) for
5926 federal employment tax purposes. Under these regulations, the
5927 usual common law rules are applicable to determine and require
5928 that such worker is an independent contractor and not an employee,
5929 requiring evidence of lawful behavioral control, lawful financial
5930 control and lawful relationship of the parties. Any state
5931 department, agency or institution shall only be authorized to
5932 contract for personnel services in compliance with those
5933 regulations.



5934 (6) No member of the Public Procurement Review Board shall
5935 use his or her official authority or influence to coerce, by
5936 threat of discharge from employment, or otherwise, the purchase of
5937 commodities, the contracting for personal or professional
5938 services, or the contracting for public construction under this
5939 chapter.

5940 (7) Notwithstanding any other laws or rules to the contrary,
5941 the provisions of subsection (2) of this section shall not be
5942 applicable to the Mississippi State Port Authority at Gulfport.

5943 (8) Nothing in this section shall impair or limit the
5944 authority of the Board of Trustees of the Public Employees'
5945 Retirement System to enter into any personal or professional
5946 services contracts directly related to their constitutional
5947 obligation to manage the trust funds, including, but not limited
5948 to, actuarial, custodial banks, cash management, investment
5949 consultant and investment management contracts. Nothing in this
5950 section shall impair or limit the authority of the State Treasurer
5951 to enter into any personal or professional services contracts
5952 involving the management of trust funds, including, but not
5953 limited to, actuarial, custodial banks, cash management,
5954 investment consultant and investment management contracts.

5955 (9) Through December 31, 2024, the provisions of this
5956 section related to rental agreements or leasing of real property
5957 for the purpose of conducting agency business shall not apply to
5958 the Office of Workforce Development created in Section 37-153-7.



5959 **SECTION 93.** Section 45-1-2, Mississippi Code of 1972, is
5960 amended as follows:

5961 45-1-2. (1) The Executive Director of the Department of
5962 Public Safety shall be the Commissioner of Public Safety.

5963 (2) The Commissioner of Public Safety shall establish the
5964 organizational structure of the Department of Public Safety, which
5965 shall include the creation of any units necessary to implement the
5966 duties assigned to the department and consistent with specific
5967 requirements of law including, but not limited to:

5968 (a) Office of Public Safety Planning;

5969 (b) Office of Mississippi Highway Safety Patrol;

5970 (c) Office of Mississippi Bureau of Investigation (to
5971 be directed by a Lieutenant Colonel of the Mississippi Highway
5972 Safety Patrol);

5973 (d) Office of Forensic Laboratories, which includes the
5974 Mississippi Forensics Laboratory and the Office of the State
5975 Medical Examiner;

5976 (e) Office of Law Enforcement Officers' Training
5977 Academy;

5978 (f) Office of Support Services;

5979 (g) Office of Narcotics, which shall be known as the
5980 Bureau of Narcotics;

5981 (h) Office of Homeland Security;

5982 (i) Office of Capitol Police;

5983 (j) Office of Driver Service Bureau; and



5984 (k) Office of Commercial Transportation Enforcement
5985 Division.

5986 (3) The department shall be headed by a commissioner, who
5987 shall be appointed by and serve at the pleasure of the Governor.
5988 The appointment of the commissioner shall be made with the advice
5989 and consent of the Senate. The commissioner shall have, at a
5990 minimum, a bachelor's degree from an accredited college or
5991 university. All appointments shall be sent to the Secretary of
5992 State who will keep a repository of all current and pending
5993 appointments in the commission register.

5994 (4) Notwithstanding any provision of law to the contrary,
5995 the commissioner shall appoint heads of offices, who shall serve
5996 at the pleasure of the commissioner. The commissioner shall have
5997 the authority to organize the offices established by subsection
5998 (2) of this section as deemed appropriate to carry out the
5999 responsibilities of the department. The commissioner may assign
6000 to the appropriate offices such powers and duties as deemed
6001 appropriate to carry out the department's lawful functions. The
6002 organization charts of the department shall be presented annually
6003 with the budget request of the Governor for review by the
6004 Legislature.

6005 (5) The commissioner shall appoint, from within the
6006 Department of Public Safety, a statewide safety training officer
6007 who shall serve at the pleasure of the commissioner and whose duty
6008 it shall be to perform public training for both law enforcement



6009 and private persons throughout the state concerning proper
6010 emergency response to the mentally ill, terroristic threats or
6011 acts, domestic conflict, other conflict resolution, and such other
6012 matters as the commissioner may direct.

6013 (6) The commissioner, after consultation with the
6014 Mississippi Association of Chiefs of Police and the Mississippi
6015 Sheriffs' Association, shall be responsible for establishing
6016 guidelines for response to active shooter situations and any
6017 related jurisdictional issues.

6018 (7) The commissioner shall establish within the department
6019 the Mississippi Office of Homeland Security for the purpose of
6020 seeing that the laws are faithfully executed and for the purpose
6021 of investigating cyber-related crimes and suppressing crimes of
6022 violence and acts of intimidation and terror. The commissioner is
6023 hereby authorized to employ within the Office of Homeland Security
6024 a director, investigators and other qualified personnel as he may
6025 deem necessary to make investigation of cyber-related crimes,
6026 crimes of violence and acts of terrorism or intimidation, to aid
6027 in the arrest and prosecution of persons charged with such
6028 cyber-related crimes, crimes of violence, acts of terrorism or
6029 intimidation, or threats of violence and to perform other duties
6030 as necessary to accomplish these purposes. Investigators and
6031 other law enforcement personnel employed by the commissioner shall
6032 have full power to investigate, apprehend, and arrest persons
6033 committing cyber-related crimes, acts of violence, intimidation,



6034 or terrorism anywhere in the state, and shall be vested with the
6035 power of police officers in the performance of such duties as
6036 provided herein. Such investigators and other personnel shall
6037 perform their duties under the direction of the commissioner, or
6038 his designee. The commissioner shall be authorized to offer and
6039 pay suitable rewards to other persons for aiding in such
6040 investigation and in the apprehension and conviction of persons
6041 charged with cyber-related crimes, acts of violence, or threats of
6042 violence, or intimidation, or acts of terrorism.

6043 (8) The commissioner shall establish within the Office of
6044 Homeland Security a Mississippi Analysis and Information Center
6045 (MSAIC Fusion Center) which shall be the highest priority for the
6046 allocation of available federal resources for statewide
6047 information sharing, including the deployment of personnel and
6048 connectivity with federal data systems. Subject to appropriation
6049 therefor, the Mississippi Fusion Center shall employ three (3)
6050 regional analysts dedicated to analyzing and resolving potential
6051 threats identified by the agency's statewide social media
6052 intelligence platform and the dissemination of school safety
6053 information.

6054 **SECTION 94.** Section 51-35-317, Mississippi Code of 1972, is
6055 amended as follows:

6056 51-35-317. All powers of the district shall be exercised by
6057 a board of directors, to be composed of the following:



6058 (a) In the event the proposed flood and drainage
6059 control district lies wholly within the limits of one (1)
6060 municipality, the governing authorities of said municipality shall
6061 appoint three (3) directors and the board of supervisors of the
6062 county in which said municipality lies shall appoint two (2)
6063 directors.

6064 (b) In the event the proposed flood and drainage
6065 control district is comprised of lands lying partly in a
6066 municipality and partly outside the limits of a municipality but
6067 wholly in one (1) county, the governing authorities of said
6068 municipality shall appoint three (3) directors and the board of
6069 supervisors of the county in which said municipality lies shall
6070 appoint two (2) directors. However, should the assessed valuation
6071 of land and property and improvements in said district outside the
6072 municipality, according to the last preceding tax assessment roll
6073 for county and state taxes, exceed said assessment for the land
6074 and property and improvements of the district lying within the
6075 municipality, the board of supervisors of the county in which said
6076 district lies shall appoint three (3) directors and said
6077 municipality shall appoint two (2) directors.

6078 (c) In the event the proposed flood and drainage
6079 control district is comprised of lands lying, in whole or in part,
6080 in one or more municipalities which are in existence at the time
6081 of the creation of such district, and in one or more counties and
6082 not falling within the description of paragraph (a) or (b) above,



6083 each such municipality shall appoint one (1) director and the
6084 board of supervisors of each county in which part of the lands of
6085 the proposed district lie shall appoint one (1) director. If a
6086 district is enlarged under Section 51-35-315(w), each municipality
6087 within the enlarged district with a population above one hundred
6088 thousand (100,000), according to the most recent decennial census,
6089 shall have two (2) additional directors, who shall be the
6090 emergency manager for such municipality and the emergency manager
6091 for the county in which such municipality is located. However, in
6092 the event that selection of directors in said manner results in an
6093 even number of directors, the Governor of the State of Mississippi
6094 shall appoint one (1) additional director so that there shall be
6095 an odd number of directors.

6096 (d) Each director shall take and subscribe to the oath
6097 of office required by Section 268 of the Constitution of the State
6098 of Mississippi, before a chancery clerk, that he or she will
6099 faithfully discharge the duties of the office, which oath shall be
6100 filed with the said clerk and by him or her preserved.

6101 (e) Each director shall receive a fee not to exceed
6102 such amount as set forth in Section 25-3-69 for attending each
6103 meeting of the board and for each day actually spent in attending
6104 to the necessary business of the district and shall receive
6105 reimbursement for actual expenses thus incurred upon the express
6106 authorization of the board.



6107 (f) The board of directors shall annually elect from
6108 its number a president and a vice president of the district and
6109 such other officers as in the judgment of the board are necessary.
6110 The president shall be the chief executive officer of the district
6111 and the presiding officer of the board, and shall have the same
6112 right to vote as any other director. The vice president shall
6113 perform all the duties and exercise all powers conferred by this
6114 article upon the president when the president is absent or fails
6115 or declines to act, except the president's right to vote. The
6116 board shall also appoint a secretary and a treasurer who may or
6117 may not be members of the board, and it may combine these offices.
6118 The treasurer shall give a bond in the sum of not less than Fifty
6119 Thousand Dollars (\$50,000.00), as set by the board of directors,
6120 and each director shall give a bond in the sum of not less than
6121 Ten Thousand Dollars (\$10,000.00), and the premiums on said bonds
6122 shall be an expense of the district. The condition of each such
6123 bond shall be that the treasurer or director will faithfully
6124 perform all duties of the office and account for all money which
6125 shall come into his or her custody as treasurer or director of the
6126 district.

6127 (g) In the event a county or municipality entitled to
6128 appoint a director or directors to the district shall not do so
6129 within twenty (20) days from the date of the order of the chancery
6130 court creating the district, the chancery court or the chancellor



6131 in vacation shall forthwith exercise the right of said county or
6132 municipality in appointing a director or directors.

6133 (h) Each director shall hold office for a period of
6134 four (4) years from the date of his appointment. However, in
6135 order to * * * ensure continuity of experience among the members
6136 of the board of directors in any district created after March 26,
6137 1981, one (1) member of the initial board of directors shall hold
6138 office for only one (1) year, one (1) member shall hold office for
6139 only two (2) years, and one (1) member shall hold office for only
6140 three (3) years, and, at the initial meeting of the board of
6141 directors, they shall determine by lot which of their members
6142 shall serve for only one (1), two (2), or three (3) years.

6143 (i) The Urban Flood Control Board, created by former
6144 Section 51-35-317, is continued and reconstituted as follows:
6145 Effective January 1, 2028, the members designated in paragraphs
6146 (a), (b) and (c) of this section shall be appointed by the
6147 Governor, with the advise and consent of the Senate, provided that
6148 two (2) such members shall be appointed July 1, 2028, to a term
6149 ending in 2032, and one (1) such member shall be appointed in 2030
6150 to a term ending July 1, 2034. All appointment procedures,
6151 vacancy provisions, interim appointment provisions and removal
6152 provisions specifically provided for in Section 7-1-35,
6153 Mississippi Code of 1972, shall be fully applicable to
6154 appointments to the Urban Flood Control Board.



6155 (* * *j) No person shall be disqualified from serving
6156 as a member of the board of directors by virtue of his or her
6157 having previously served as a director, by virtue of his or her
6158 holding any other office, political or otherwise, or by virtue of
6159 his or her not residing in or owning lands in said district.

6160 **SECTION 95.** Section 73-34-7, Mississippi Code of 1972, is
6161 amended as follows:

6162 73-34-7. (1) (a) There is hereby established a board to be
6163 known as the Mississippi Real Estate Appraisal Board, which shall
6164 consist of five (5) members.

6165 (b) The five (5) members shall be appointed by the
6166 Governor, with the advice and consent of the Senate, one (1) from
6167 each congressional district as such district existed on July 1,
6168 2004, and one (1) from the state at large. The provisions of this
6169 paragraph (b) shall not affect persons who are members of the
6170 board as of January 1, 2023. Such member(s) shall serve out their
6171 respective terms, upon the expiration of which the provisions of
6172 this paragraph (b) shall take effect. Nothing provided herein
6173 shall be construed as prohibiting the reappointment of any member
6174 of the board.

6175 (c) The Mississippi Real Estate Appraisal Board,
6176 created by former Section 73-34-7, is continued and reconstituted
6177 as follows: Effective January 1, 2028, the members designated in
6178 paragraphs (a) and (b) of this subsection shall be appointed by
6179 the Governor, with the advise and consent of the Senate, provided



6180 that three (3) such members shall be appointed July 1, 2028, to a
6181 term ending in 2032, and two (2) such members shall be appointed
6182 in 2030 to a term ending July 1, 2034. All appointment
6183 procedures, vacancy provisions, interim appointment provisions and
6184 removal provisions specifically provided for in Section 7-1-35,
6185 Mississippi Code of 1972, shall be fully applicable to
6186 appointments to the Mississippi Real Estate Appraisal Board.

6187 (* * *d) At least two (2) members shall be certified
6188 general real estate appraisers and at least two (2) members shall
6189 be certified residential real estate appraisers. Not more than
6190 two (2) positions on the board shall be filled with appointees who
6191 hold membership in the same professional appraisal organization.
6192 Each member shall serve for a term of four (4) years. Upon the
6193 expiration of a member's term, such member shall continue to serve
6194 until the appointment and qualification of a successor. No person
6195 shall be appointed as a member of the board for more than three
6196 (3) consecutive terms. The Governor may remove an appointed
6197 member for cause.

6198 (2) The board shall meet not less than twice a calendar
6199 year. Written notice shall be given to each member of the time
6200 and place of each meeting of the board at least ten (10) days
6201 prior to the scheduled date of the meeting.

6202 (3) A quorum of the board shall be three (3) voting members,
6203 and at least one (1) present member must be a licensed certified
6204 general real estate appraiser or a certified residential real



6205 estate appraiser. Appointed members of the board are entitled to
6206 mileage and actual expenses as authorized by Section 25-3-41 and
6207 per diem as provided by Section 25-3-69.

6208 (4) The board shall elect a chairman and such other officers
6209 as it deems necessary. Such officers shall serve as such for
6210 terms established by the board.

6211 **SECTION 96.** Section 73-35-5, Mississippi Code of 1972, is
6212 amended as follows:

6213 73-35-5. (1) There is hereby created the Mississippi Real
6214 Estate Commission. The commission shall consist of five (5)
6215 persons, to be appointed by the Governor with the advice and
6216 consent of the Senate. Each appointee shall have been a resident
6217 and citizen of this state for at least six (6) years prior to his
6218 or her appointment, and his or her vocation for at least five (5)
6219 years shall have been that of a real estate broker. One (1)
6220 member shall be appointed for the term of one (1) year; two (2)
6221 members for terms of two (2) years; two (2) members for terms of
6222 four (4) years; thereafter, the term of the members of said
6223 commission shall be for four (4) years and until their successors
6224 are appointed and qualify. There shall be at least one (1)
6225 commissioner from each congressional district, as such districts
6226 are constituted as of July 1, 2002. The commissioners appointed
6227 from each of the congressional districts shall be bona fide
6228 residents of the district from which each is appointed. One (1)
6229 additional commissioner shall be appointed without regard to



6230 residence in any particular congressional district. Members to
6231 fill vacancies shall be appointed by the Governor for the
6232 unexpired term. The Governor may remove any commissioner for
6233 cause. The State of Mississippi shall not be required to furnish
6234 office space for such commissioners. The provisions of this
6235 section shall not affect persons who are members of the Real
6236 Estate Commission as of January 1, 2002. Such members shall serve
6237 out their respective terms, upon the expiration of which the
6238 provisions of this section shall take effect. Nothing provided
6239 herein shall be construed as prohibiting the reappointment of any
6240 member of the said commission.

6241 (2) The Mississippi Real Estate Commission, created by
6242 former Section 73-35-5, is continued and reconstituted as follows:
6243 Effective January 1, 2028, the members designated in subsection
6244 (1) of this section shall be appointed by the Governor, with the
6245 advise and consent of the Senate, provided that three (3) such
6246 members shall be appointed July 1, 2028, to a term ending in 2032,
6247 and two (2) such members shall be appointed in 2030 to a term
6248 ending July 1, 2034. All appointment procedures, vacancy
6249 provisions, interim appointment provisions and removal provisions
6250 specifically provided for in Section 7-1-35, Mississippi Code of
6251 1972, shall be fully applicable to appointments to the Mississippi
6252 Real Estate Commission.

6253 (* * *3) The commission shall organize by selecting from
6254 its members a chairman, and may do all things necessary and



6255 convenient for carrying into effect the provisions of this
6256 chapter, and may from time to time promulgate rules and
6257 regulations. Each member of the commission shall receive per diem
6258 as authorized in Section 25-3-69, Mississippi Code of 1972, and
6259 his or her actual and necessary expenses incurred in the
6260 performance of duties pertaining to his or her office as
6261 authorized in Section 25-3-41, Mississippi Code of 1972.

6262 (* * *4) The commission shall adopt a seal by which it
6263 shall authenticate its proceedings. Copies of all records and
6264 papers in the office of the commission, duly certified and
6265 authenticated by the seal of said commission, shall be received in
6266 evidence in all courts equally and with like effect as the
6267 original. All records kept in the office of the commission under
6268 the authority of this chapter shall be open to public inspection
6269 except pending investigative files.

6270 **SECTION 97.** Section 37-33-155, Mississippi Code of 1972, is
6271 amended as follows:

6272 37-33-155. (1) There is created the State Board of
6273 Rehabilitation Services, which shall consist of two (2) appointed
6274 members and the following five (5) officials: the Executive
6275 Officer of the State Department of Health; the Executive Director
6276 of the State Department of Mental Health; the State Superintendent
6277 of Public Education, or his or her designee; the Director of the
6278 Division of Vocational and Technical Education of the State



6279 Department of Education; and the Executive Director of the
6280 Department of Human Services.

6281 Of the two (2) appointed members, one (1) shall be either an
6282 individual who is a client of vocational rehabilitation services
6283 or a parent of an individual who is a client of vocational
6284 rehabilitation services, and the other shall be either an
6285 individual who is visually impaired or a parent of an individual
6286 who is visually impaired. The appointed members shall be
6287 appointed by the Governor from the state at large, with one (1)
6288 appointed for a term to expire on July 1, 1994, and the other
6289 appointed for a term to expire on July 1, 1996. Upon the
6290 expiration of the initial terms, the members shall be appointed
6291 for terms of five (5) years from the expiration date of the
6292 previous term. All original and subsequent appointments shall be
6293 with the advice and consent of the Senate. An appointment to fill
6294 a vacancy, other than by expiration of a term of office, shall be
6295 made for the balance of the unexpired term. No board appointee
6296 shall be an employee or elected official of the State of
6297 Mississippi or a political subdivision thereof, or an employee of
6298 the former State Department of Rehabilitation Services before July
6299 1, 1989, or an employee of the Division of Rehabilitation Services
6300 of the Department of Human Services or any subordinate
6301 administrative unit of the division before July 1, 1991, or an
6302 employee of the State Department of Rehabilitation Services after
6303 June 30, 1991.



6304 The State Board of Rehabilitation Services, created by former
6305 Section 37-33-155, is continued and reconstituted as follows:
6306 Effective January 1, 2028, the appointed members designated in
6307 this subsection shall be appointed by the Governor, with the
6308 advise and consent of the Senate, provided that one (1) such
6309 member shall be appointed July 1, 2028, to a term ending in 2032,
6310 and one (1) such member shall be appointed in 2030 to a term
6311 ending July 1, 2034. All appointment procedures, vacancy
6312 provisions, interim appointment provisions and removal provisions
6313 specifically provided for in Section 7-1-35, Mississippi Code of
6314 1972, shall be fully applicable to appointments to the State Board
6315 of Rehabilitation Services.

6316 (2) The board shall elect a chairperson from its membership
6317 at the first meeting of the original board members and every two
6318 (2) years thereafter on July 15 of the year. A majority of the
6319 membership of the board shall constitute a quorum for the
6320 transaction of any business, and the board shall meet at least
6321 quarterly and hold other meetings as are necessary for the purpose
6322 of conducting required business. All meetings of the board shall
6323 be called by the chairperson, except the first meeting of the
6324 original board members, which shall be called by the Governor.

6325 (3) The appointed members of the board shall be compensated
6326 at a per diem rate as authorized by Section 25-3-69, plus actual
6327 and necessary expenses as authorized by Section 25-3-41. Members
6328 of the board appointed before July 1, 1991, shall be paid



6329 compensation and expenses under this subsection from funds
6330 available to the Division of Rehabilitation Services of the
6331 Department of Human Services.

6332 **SECTION 98.** Section 25-58-21, Mississippi Code of 1972, is
6333 amended as follows:

6334 25-58-21. (1) There is established the Mississippi
6335 Coordinating Council for Remote Sensing and Geographic Information
6336 Systems, hereinafter referred to as the "council." The council
6337 shall set and assure enforcement of policies and standards to make
6338 it easier for remote sensing and geographic information system
6339 users around the state to share information and to facilitate
6340 cost-sharing arrangements to reduce the costs of acquiring remote
6341 sensing and geographic information system data. The council shall
6342 not oversee or regulate the activities of higher education
6343 entities where it relates to the fields of teaching or research;
6344 however, the council shall be informed of these activities for the
6345 purpose of coordinating these higher education activities with
6346 other public remote sensing and GIS initiatives to achieve the
6347 maximum benefit for the State of Mississippi and its taxpayers.
6348 The council's responsibilities include, but are not limited to:

6349 (a) Coordination of remote sensing and geographic
6350 information system activities within Mississippi;

6351 (b) Establishing policies and standards to guide
6352 Mississippi Department of Information Technology Services (MDITS)
6353 in the review and approval of state and local government



6354 procurement of both hardware and software development relating to
6355 remote sensing and geographic information systems;

6356 (c) Oversight of MDITS' implementation of these
6357 responsibilities;

6358 (d) Preparing a plan, with proposed state funding
6359 priorities, for Mississippi's remote sensing and geographic
6360 information system activities, including development, operation
6361 and maintenance of the Mississippi Digital Earth Model;

6362 (e) Oversight of the Mississippi Department of
6363 Environmental Quality's development and maintenance of the
6364 Mississippi Digital Earth Model, including establishing policies
6365 and standards for the procurement of remote sensing and geographic
6366 information system data by state and local governmental entities
6367 and establishing the order in which the seven (7) core data layers
6368 shall be developed;

6369 (f) Designating Mississippi's official representative
6370 to the National States Geographic Information Council and to any
6371 other national or regional remote sensing or geographical
6372 information system organizations on which Mississippi has an
6373 official seat;

6374 (g) Establishing and designating the members of an
6375 advisory committee made up of policy level officials from major
6376 state, local, regional and federal agencies, including, but not
6377 limited to, the National Association of Space Administration, the
6378 Mississippi Institute for Forestry Inventory, the Mississippi



6379 Department of Wildlife, Fisheries and Parks, the Mississippi
6380 Public Utilities Staff, the Department of Marine Resources, the
6381 county E911 coordinator, the State Health Officer, the
6382 Commissioner of Agriculture and Commerce, the * * * Department of
6383 Revenue, the Council of Consulting Engineers and the Mississippi
6384 Band of Choctaw Indians, as well as members of the private sector;

6385 (h) Creating a staff level technical users committee,
6386 in which any public or private sector entity in Mississippi
6387 interested in remote sensing and geographic information may be
6388 allowed to participate;

6389 (i) Coordinating with the * * * Department of Revenue
6390 to assure that state and local governmental entities do not have
6391 to comply with two (2) sets of requirements imposed by different
6392 organizations.

6393 (2) The Mississippi Coordinating Council for Remote Sensing
6394 and Geographic Information Systems will be composed of the
6395 following members:

6396 (a) The Executive Director of the Mississippi
6397 Department of Environmental Quality;

6398 (b) The Executive Director of the Mississippi
6399 Department of Information Technology Services;

6400 (c) The Executive Director of the Mississippi
6401 Department of Transportation;

6402 (d) The Executive Director of the Mississippi Emergency
6403 Management Agency;



- 6404 (e) The Executive Director of the Mississippi
6405 Development Authority;
- 6406 (f) The Secretary of State;
- 6407 (g) The Executive Director of the Mississippi Forestry
6408 Commission;
- 6409 (h) The Director of the Mississippi State Board of
6410 Registered Professional Geologists;
- 6411 (i) A representative from the Institutions of Higher
6412 Learning, appointed by the Commissioner of the Institutions of
6413 Higher Learning;
- 6414 (j) One (1) mayor, serving a municipality, appointed by
6415 the Executive Director of the Mississippi Municipal League;
- 6416 (k) The Executive Director of the Mississippi Municipal
6417 League or his or her designee who will serve as the member;
- 6418 (l) One (1) county supervisor appointed by the
6419 Executive Director of the Mississippi Association of Supervisors;
- 6420 (m) The Executive Director of the Mississippi
6421 Association of Supervisors or his or her designee who will serve
6422 as the member;
- 6423 (n) A member of the Tax Assessors/Collectors
6424 Association or the executive director of the association, to be
6425 appointed by the president of that association;
- 6426 (o) A representative of the Planning and Development
6427 Districts, appointed by the Governor;



6428 (p) A Senator, as a nonvoting member, appointed by the
6429 Lieutenant Governor;

6430 (q) A Representative, as a nonvoting member, appointed
6431 by the Speaker of the House;

6432 (r) A county surveyor who is a member of the
6433 Mississippi Association of Professional Surveyors, appointed by
6434 the president of the association; and

6435 The members listed in paragraphs (a) through (g) may appoint
6436 a designee, but the designee must be the head of an office,
6437 bureau, division or branch within the member's agency.

6438 The members of the council shall serve for a term concurrent
6439 with their service as an elected or appointed official or
6440 concurrent with the term of the appointing official.

6441 The Mississippi Coordinating Council for Remote Sensing and
6442 Geographic Information Systems, created by former Section
6443 25-58-21, is continued and reconstituted as follows: Effective
6444 January 1, 2028, the appointed members of the council designated
6445 in paragraphs (a) through (r) of this subsection shall be
6446 appointed by the Governor, with the advise and consent of the
6447 Senate, provided that four (4) such members shall be appointed
6448 July 1, 2028, to a term ending in 2032, and four (4) such members
6449 shall be appointed in 2030 to a term ending July 1, 2034. All
6450 appointment procedures, vacancy provisions, interim appointment
6451 provisions and removal provisions specifically provided for in
6452 Section 7-1-35, Mississippi Code of 1972, shall be fully



6453 applicable to appointments to the Mississippi Coordinating Council
6454 for Remote Sensing and Geographic Information Systems.

6455 The Executive Director of the Department of Environmental
6456 Quality shall serve as council chair and the Executive Director of
6457 Information Technology Services as vice chair for the first two
6458 (2) years. After the first two (2) years, the council shall elect
6459 from its members a chair and vice chair, for terms to be specified
6460 by the council.

6461 With regard to the designee chosen by the Executive Director
6462 of the Mississippi Municipal League or the Executive Director of
6463 the Mississippi Association of Supervisors, the designee shall
6464 become a permanent member of the council for a term concurrent
6465 with the term of the appointing executive director.

6466 (3) At the direction of the chairman of the council and
6467 contingent upon the availability of sufficient funds, each member
6468 may receive reimbursement for reasonable expenses, including
6469 travel expenses in accordance with rates established pursuant to
6470 Section 25-3-41, incurred in attending meetings of the council.
6471 Any member of the council who is also a state employee may not
6472 receive per diem compensation for attending meetings of the * * *
6473 council, but may be reimbursed in accordance with Section 25-3-41
6474 for mileage and actual expenses incurred in the performance of the
6475 duties, if authorized by vote, at a meeting of the council, which
6476 action must be recorded in the official minutes of the meeting.
6477 Legislative members of the council will be paid from the



6478 contingent expense funds of their respective houses in the same
6479 amounts as provided for committee meetings when the Legislature is
6480 not in session.

6481 (4) The council may accept money from any source, public or
6482 private, to be expended in implementing the duties under this
6483 section.

6484 (5) The council may utilize staff employed by the agencies
6485 affected by this section and any other assistance made available
6486 to it.

6487 **SECTION 99.** Section 73-59-21, Mississippi Code of 1972, is
6488 amended as follows:

6489 73-59-21. (1) There is hereby created the Standing
6490 Committee on Residential Builders and Remodelers which shall be
6491 subordinate to the State Board of Contractors as set forth in
6492 Section 31-3-3. The standing committee shall be composed of the
6493 two (2) residential builders who serve as members of the State
6494 Board of Contractors and three (3) additional residential builders
6495 as defined in Section 73-59-1 to be appointed by the Governor.
6496 The terms of the ex officio members shall be concurrent with their
6497 terms as members of the State Board of Contractors. The initial
6498 terms of the three (3) additional residential builders on the
6499 Standing Committee on Residential Builders and Remodelers shall be
6500 one (1), three (3) and five (5) years, respectively, beginning
6501 July 1, 2000. Upon the expiration of the initial term of any



6502 member not serving ex officio, his or her successor shall be
6503 appointed for a term of five (5) years.

6504 (2) The Governor shall appoint one (1) of the two (2) ex
6505 officio members as Chairman of the Standing Committee on
6506 Residential Builders and Remodelers. The Executive Director of
6507 the State Board of Contractors as set forth in Section 31-3-11
6508 shall serve as secretary of the standing committee. The standing
6509 committee shall meet no less than once per quarter of each year at
6510 a date and time to be set by its chairman upon at least five (5)
6511 business days' notice by regular mail. The members of the
6512 standing committee shall be entitled to receive a per diem as
6513 provided in Section 31-3-9.

6514 (3) The Standing Committee on Residential Builders and
6515 Remodelers, created by former Section 73-59-21, is continued and
6516 reconstituted as follows: Effective January 1, 2028, the
6517 appointed members of the council designated in subsections (1) and
6518 (2) of this section shall be appointed by the Governor, with the
6519 advise and consent of the Senate, provided that three (3) such
6520 members shall be appointed July 1, 2028, to a term ending in 2032,
6521 and two (2) such members shall be appointed in 2030 to a term
6522 ending July 1, 2034. All appointment procedures, vacancy
6523 provisions, interim appointment provisions and removal provisions
6524 specifically provided for in Section 7-1-35, Mississippi Code of
6525 1972, shall be fully applicable to appointments to the Standing
6526 Committee on Residential Builders and Remodelers.



6527 (4) Three (3) members of the Standing Committee on
6528 Residential Builders and Remodelers shall constitute a quorum and
6529 a majority vote of those present and voting at any meeting shall
6530 be necessary to transact business.

6531 (* * *5) The Standing Committee on Residential Builders and
6532 Remodelers shall have the power to make recommendations to the
6533 State Board of Contractors pertaining to all duties set forth in
6534 Sections 73-59-11 and 73-59-13. The standing committee shall have
6535 only the power to make recommendations to the State Board of
6536 Contractors and the State Board of Contractors shall have the
6537 power and authority to accept or reject any recommendation made by
6538 the standing committee. Hearings regarding residential builders
6539 and remodelers shall be exclusively under the jurisdiction of the
6540 Standing Committee on Residential Builders and Remodelers.

6541 **SECTION 100.** Section 27-3-1, Mississippi Code of 1972, is
6542 amended as follows:

6543 27-3-1. (1) There is hereby created a Department of
6544 Revenue, the head of which shall be the Commissioner of Revenue,
6545 who shall be appointed by the Governor, with the advice and
6546 consent of the Senate. Each term of office of the Commissioner of
6547 Revenue shall be for six (6) years, or until his or her successor
6548 shall be appointed and qualified. The Governor shall include in
6549 his or her appointment, the expiration date of the appointment.
6550 Vacancies shall be filled by the Governor for the unexpired
6551 portion of the term in which the vacancy occurs.



6552 (2) Commissioner of Revenue, created by former Section
6553 27-3-1, is continued and reconstituted as follows: Effective
6554 January 1, 2028, the appointed commissioner shall be appointed by
6555 the Governor, with the advise and consent of the Senate, provided
6556 that the commissioner shall be appointed July 1, 2028, to a term
6557 ending in 2032. All appointment procedures, vacancy provisions,
6558 interim appointment provisions and removal provisions specifically
6559 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
6560 fully applicable to appointment of the commissioner.

6561 (3) The Commissioner of Revenue shall be a qualified
6562 elector, shall have at least a bachelor's degree from an
6563 accredited college or university, and shall possess a special
6564 knowledge of taxation and revenue as pertaining to the State of
6565 Mississippi. The Commissioner of Revenue shall be full-time and
6566 shall not be actively engaged in any other business or occupation.

6567 (* * *4) The Commissioner of Revenue shall, before entering
6568 upon the discharge of the duties of his or her office, take and
6569 subscribe to the oath of office prescribed by the Constitution,
6570 shall file the oath in the Office of the Secretary of State, and
6571 shall execute a bond in some surety company authorized to do
6572 business in the state, to be approved by the Governor, and filed
6573 in the Office of the Secretary of State in the penal sum of Two
6574 Hundred Fifty Thousand Dollars (\$250,000.00), conditioned for the
6575 faithful and impartial discharge of the duties of his or her



6576 office. The premium on the bond shall be paid as provided by law
6577 out of funds appropriated to the Department of Revenue.

6578 (* * *5) The Commissioner of Revenue is not subject to
6579 removal from office other than by impeachment or by removal from
6580 office as provided for under Section 25-5-1, except that in
6581 addition to impeachment and removal, the Commissioner of Revenue
6582 may also be removed from office for a criminal conviction for
6583 violating the Internal Revenue Code.

6584 **SECTION 101.** Section 69-10-2, Mississippi Code of 1972, is
6585 amended as follows:

6586 69-10-2. (1) The Mississippi Rice Promotion Board is
6587 created, to be composed of twelve (12) members to be appointed by
6588 the Governor to serve terms of four (4) years, as hereinafter
6589 provided. All of the twelve (12) members of the board shall be
6590 producers of rice in the State of Mississippi. Within ten (10)
6591 days following March 9, 1995, the Mississippi Farm Bureau
6592 Federation, Inc., the Mississippi Rice Council for Market
6593 Development and the Delta Council shall each submit the names of
6594 six (6) rice producers to the Governor, and he or she shall
6595 appoint four (4) members from the nominees of each organization to
6596 serve on the board on rotating four-year terms. The original
6597 board shall be appointed with members of each of the aforementioned
6598 organizations appointed as follows: one (1) for one (1) year, one
6599 (1) for two (2) years, one (1) for three (3) years and one (1) for
6600 four (4) years. Each year thereafter, not less than thirty (30)



6601 days before the expiration of the terms of expiring board members,
6602 the aforementioned organizations shall submit the names of four (4)
6603 nominees to the Governor and succeeding boards shall be appointed
6604 by the Governor in the same manner, giving equal representation to
6605 each organization. Vacancies which occur shall be filled in the
6606 same manner as the original appointments were made.

6607 (2) The Mississippi Rice Promotion Board, created by former
6608 Section 69-10-2, is continued and reconstituted as follows:
6609 Effective January 1, 2028, the appointed members of the council
6610 designated in subsection (1) of this section shall be appointed by
6611 the Governor, with the advise and consent of the Senate, provided
6612 that six (6) such members shall be appointed July 1, 2028, to a
6613 term ending in 2032, and six (6) such members shall be appointed
6614 in 2030 to a term ending July 1, 2034. All appointment
6615 procedures, vacancy provisions, interim appointment provisions and
6616 removal provisions specifically provided for in Section 7-1-35,
6617 Mississippi Code of 1972, shall be fully applicable to
6618 appointments to the Mississippi Rice Promotion Board.

6619 (* * *3) The members of the board shall meet and organize
6620 immediately after their appointment, and shall elect a chairman,
6621 vice chairman and secretary-treasurer from the membership of the
6622 board, whose duties shall be those customarily exercised by such
6623 officers or specifically designated by the board. The chairman,
6624 vice chairman and secretary-treasurer shall be bonded in an amount
6625 not less than Twenty Thousand Dollars (\$20,000.00). The cost of



6626 the bonds shall be paid from the funds received under the
6627 provisions of Section 69-10-1 et seq. Such bond shall be a
6628 security for any illegal act of such member of the board and
6629 recovery thereon may be had by the state for any injury by such
6630 illegal act of such member. The board may establish rules and
6631 regulations for its own government and the administration of the
6632 affairs of the board.

6633 **SECTION 102.** Section 55-5-53, Mississippi Code of 1972, is
6634 amended as follows:

6635 55-5-53. (1) The commission shall be composed of ten (10)
6636 members, of whom two (2) shall be residents of DeSoto, Tunica and
6637 Coahoma Counties; two (2) shall be residents of Bolivar and
6638 Washington Counties; two (2) shall be residents of Sharkey,
6639 Issaquena and Warren Counties; two (2) shall be residents of
6640 Claiborne and Jefferson Counties; and two (2) shall be residents
6641 of Adams and Wilkinson Counties. On the original commission, two
6642 (2) members shall be appointed for terms of one (1), two (2),
6643 three (3), four (4) and five (5) years, each. All successor
6644 members shall be appointed for terms of five (5) years, except for
6645 members appointed to fill an unexpired term. Immediately upon
6646 making any appointment to the commission, the Governor shall
6647 notify the Mississippi River Parkway Commission, referred to as
6648 the National Commission in Sections 55-5-51 through 55-5-63,
6649 giving the names and addresses of the member or members appointed.



6650 (2) The Mississippi River Parkway Commission, created by
6651 former Section 55-5-53, is continued and reconstituted as follows:
6652 Effective January 1, 2028, the appointed members of the council
6653 designated in subsection (1) of this section shall be appointed by
6654 the Governor, with the advise and consent of the Senate, provided
6655 that five (5) such members shall be appointed July 1, 2028, to a
6656 term ending in 2032, and five (5) such members shall be appointed
6657 in 2030 to a term ending July 1, 2034. All appointment
6658 procedures, vacancy provisions, interim appointment provisions and
6659 removal provisions specifically provided for in Section 7-1-35,
6660 Mississippi Code of 1972, shall be fully applicable to
6661 appointments to the Mississippi River Parkway Commission.

6662 **SECTION 103.** Section 49-17-45, Mississippi Code of 1972, is
6663 amended as follows:

6664 49-17-45. (1) The Mississippi Commission on Environmental
6665 Quality, acting through the Department of Environmental Quality,
6666 shall establish and administer, in accordance with the federal
6667 Clean Air Act, the Mississippi Small Business Stationary Source
6668 Technical and Environmental Compliance Assistance Program
6669 (PROGRAM).

6670 (2) There is created the Mississippi Small Business
6671 Compliance Advisory Panel. The Mississippi Small Business
6672 Compliance Advisory Panel shall consist of the following members,
6673 the term of each to be concurrent with the term of the appointing
6674 official of that member:



6675 (a) One (1) member representing the Air Pollution
6676 Control Program of the Department of Environmental Quality;

6677 (b) Two (2) members who are not owners or
6678 representatives of owners of a small business, appointed by the
6679 Governor;

6680 (c) Two (2) members who each shall be the owner or
6681 representatives of an owner of a small business, appointed by the
6682 Speaker of the House of Representatives; and

6683 (d) Two (2) members who each shall be the owner or
6684 representatives of an owner of a small business, appointed by the
6685 Lieutenant Governor.

6686 (3) The Mississippi Small Business Compliance Advisory
6687 Panel, created by former Section 49-17-45, is continued and
6688 reconstituted as follows: Effective January 1, 2028, the
6689 appointed members of the panel designated in subsection (1) of
6690 this section shall be appointed by the Governor, with the advise
6691 and consent of the Senate, provided that four (4) such members
6692 shall be appointed July 1, 2028, to a term ending in 2032, and
6693 three (3) such members shall be appointed in 2030 to a term ending
6694 July 1, 2034. All appointment procedures, vacancy provisions,
6695 interim appointment provisions and removal provisions specifically
6696 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
6697 fully applicable to appointments to the Mississippi Small Business
6698 Compliance Advisory Panel.



6699 (4) The panel shall elect one (1) member to serve as
6700 chairman. The panel shall meet at the call of the chairman at
6701 Jackson, Mississippi, or such other places within the state
6702 designated by the panel; however, the panel shall not meet more
6703 than four (4) times during a calendar year.

6704 (* * *5) Members of the Mississippi Small Business
6705 Compliance Advisory Panel shall serve without salary, but each
6706 shall be entitled to receive per diem as provided in Section
6707 25-3-69 and his or her actual travel and hotel expenses incurred
6708 while in the performance of his duties as a member of the
6709 committee in accordance with Section 25-3-41. Per diem and
6710 expenses shall be paid on an itemized statement approved by the
6711 State Fiscal Officer from fees collected under Section 49-17-30.

6712 (* * *6) The Mississippi Small Business Compliance Advisory
6713 Panel shall:

6714 (a) Render advisory opinions concerning:

6715 (i) The effectiveness of the Small Business
6716 Stationary Source Technical and Environmental Compliance
6717 Assistance Program;

6718 (ii) Difficulties encountered; and

6719 (iii) Degree and severity of enforcement;

6720 (b) Make periodic reports to the Administrator of the
6721 United States Environmental Protection Agency concerning the
6722 compliance of the State Small Business Stationary Source Technical
6723 and Environmental Compliance Assistance Program with the



6724 requirements of the federal Paperwork Reduction Act, the federal
6725 Regulatory Flexibility Act, and the federal Equal Access to
6726 Justice Act;

6727 (c) Review information for small business stationary
6728 sources to * * * ensure such information is understandable by the
6729 layperson; and

6730 (d) Have the Small Business Stationary Source Technical
6731 and Environmental Compliance Assistance Program serve as the
6732 secretariat for the development and dissemination of such reports
6733 and advisory opinions.

6734 **SECTION 104.** Section 25-43-4.103, Mississippi Code of 1972,
6735 is amended as follows:

6736 25-43-4.103. (1) There is established a Small Business
6737 Regulatory Review Committee.

6738 (2) The duties of the committee shall be to:

6739 (a) Provide agencies with input regarding proposed
6740 permanent rules which may have an economic impact upon small
6741 business and for which a notice of intended action is published by
6742 the Secretary of State on or after July 1, 2012;

6743 (b) Review any rule promulgated by a state agency for
6744 which notice has been given by the agency to the committee that
6745 the proposed rule has or may have an economic effect upon small
6746 business and make recommendations to the agency and or the
6747 Legislature regarding the need for a rule or legislation;



6748 (c) Petition an agency to amend, revise * * * or revoke
6749 an existing regulation based on an economic impact on small
6750 business; and

6751 (d) Advise and assist agencies in complying with the
6752 provisions of and performing any and all acts and duties set forth
6753 and authorized in the Mississippi Small Business Regulatory
6754 Flexibility Act.

6755 (3) The committee is assigned to the Mississippi Development
6756 Authority for administrative purposes only. The department shall
6757 act as a coordinator for the committee, and shall not be required
6758 to provide legal counsel for the committee.

6759 (4) The committee shall consist of twelve (12) members,
6760 appointed as follows:

6761 (a) Four (4) members to be appointed by the Governor,
6762 one (1) of whom shall be the Executive Director of the Mississippi
6763 Development Authority, or his or her designee;

6764 (b) Four (4) members to be appointed by the Lieutenant
6765 Governor, two (2) of whom may be State Senators who own small
6766 businesses; and

6767 (c) Four (4) members to be appointed by the Speaker of
6768 the House of Representatives, two (2) of whom may be State
6769 Representatives who own small businesses.

6770 Any legislative member appointed to the committee shall serve
6771 as an ex officio, nonvoting member.



6772 (5) The appointing authorities shall appoint members of the
6773 committee for which no qualifications are specified under
6774 subsection (4) from:

6775 (a) Lists of nominees, which may include small business
6776 owners, association representatives and small business regulatory
6777 advisors who have legal or accounting experience, submitted by the
6778 following business organizations:

6779 (i) National Federation of Independent Business;

6780 (ii) Mississippi Manufacturers Association;

6781 (iii) Mississippi Retail Association;

6782 (iv) Mississippi Petroleum Marketers and

6783 Convenience Stores Association;

6784 (v) Mississippi Minority Contractors Association;

6785 (vi) Mississippi Economic Council;

6786 (vii) Mississippi Farm Bureau Federation; and

6787 (viii) Any local chamber of commerce; and/or

6788 (b) Small business owners or operators not affiliated
6789 with or nominated by the business organizations listed in
6790 paragraph (a) of this subsection.

6791 (6) Appointments to the committee shall be representative of
6792 a variety of small businesses in this state. Except as otherwise
6793 provided in this section, appointed members shall be either
6794 current or former owners or principal officers of a small
6795 business.



6796 (7) The initial appointments to the committee shall be made
6797 within sixty (60) days from July 1, 2012. The Mississippi
6798 Development Authority shall provide the name and address of each
6799 appointee to the Governor, Lieutenant Governor, the President Pro
6800 Tempore of the Senate, the Speaker of the House of Representatives
6801 and the Secretary of State.

6802 (8) (a) Members initially appointed to the committee shall
6803 serve for terms ending December 31, 2014. Thereafter, appointed
6804 members shall serve two-year terms that expire on December 31 of
6805 the second year.

6806 (b) The Governor shall appoint the initial chair of the
6807 committee from the appointed members for a term ending December
6808 31, 2014. Subsequent chairs of the committee shall be elected by
6809 the committee from the appointed members for two-year terms that
6810 expire on December 31 of the second year.

6811 (9) The Small Business Regulatory Review Committee, created
6812 by former Section 25-43-4.103, is continued and reconstituted as
6813 follows: Effective January 1, 2028, the appointed members of the
6814 committee designated in subsection (4) of this section shall be
6815 appointed by the Governor, with the advise and consent of the
6816 Senate, provided that six (6) such members shall be appointed July
6817 1, 2028, to a term ending in 2032, and six (6) such members shall
6818 be appointed in 2030 to a term ending July 1, 2034. All
6819 appointment procedures, vacancy provisions, interim appointment
6820 provisions and removal provisions specifically provided for in



6821 Section 7-1-35, Mississippi Code of 1972, shall be fully
6822 applicable to appointments to the Small Business Regulatory Review
6823 Committee.

6824 (10) Members of the committee shall not receive any
6825 compensation.

6826 (* * *11) The committee shall meet as determined by the
6827 chair of the committee.

6828 (* * *12) A majority of the voting members of the committee
6829 shall constitute a quorum to do business. The concurrence of a
6830 majority of the members of the committee present and voting shall
6831 be necessary to make any action of the committee valid.

6832 **SECTION 105.** Section 73-53-8, Mississippi Code of 1972, is
6833 amended as follows:

6834 73-53-8. (1) There is created the Board of Examiners for
6835 Social Workers and Marriage and Family Therapists to license and
6836 regulate social workers and marriage and family therapists. The
6837 board shall be composed of ten (10) members, six (6) of which
6838 shall be social workers and four (4) of which shall be marriage
6839 and family therapists.

6840 (2) Of the social worker members of the board, two (2) must
6841 be licensed social workers, and four (4) must be licensed master
6842 social workers or licensed certified social workers or a
6843 combination thereof. The marriage and family therapist members of
6844 the board must be licensed marriage and family therapists. For at
6845 least two (2) years immediately preceding his or her appointment,



6846 each marriage and family therapist appointee must have been
6847 actively engaged as a marriage and family therapist in rendering
6848 professional services in marriage and family therapy, or in the
6849 education and training of master's, doctoral or post-doctoral
6850 students of marriage and family therapy, or in marriage and family
6851 therapy research, and during the two (2) years preceding his or
6852 her appointment, must have spent the majority of the time devoted
6853 to that activity in this state. The initial marriage and family
6854 therapist appointees shall be deemed to be and shall become
6855 licensed practicing marriage and family therapists immediately
6856 upon their appointment and qualification as members of the board.
6857 All subsequent marriage and family therapist appointees to the
6858 board must be licensed marriage and family therapists before their
6859 appointment.

6860 (3) The Governor shall appoint six (6) members of the board,
6861 four (4) of which shall be social workers and two (2) of which
6862 shall be marriage and family therapists, and the Lieutenant
6863 Governor shall appoint four (4) members of the board, two (2) of
6864 which shall be social workers and two (2) of which shall be
6865 marriage and family therapists. Social worker members of the
6866 board shall be appointed from nominations submitted by the
6867 Mississippi Chapter of the National Association of Social Workers,
6868 and marriage and family therapist members of the board shall be
6869 appointed from nominations submitted by the Mississippi



6870 Association for Marriage and Family Therapy. All appointments
6871 shall be made with the advice and consent of the Senate.

6872 (4) The initial appointments to the board shall be made as
6873 follows: The Governor shall appoint one (1) social worker member
6874 for a term that expires on June 30, 1999, one (1) social worker
6875 member for a term that expires on June 30, 2001, two (2) social
6876 worker members for terms that expire on June 30, 2002, one (1)
6877 marriage and family therapist member for a term that expires on
6878 June 30, 1998, and one (1) marriage and family therapist member
6879 for a term that expires on June 30, 2000. The Lieutenant Governor
6880 shall appoint one (1) social worker member for a term that expires
6881 on June 30, 1998, one (1) social worker member for a term that
6882 expires on June 30, 2000, one (1) marriage and family therapist
6883 member for a term that expires on June 30, 1999, and one (1)
6884 marriage and family therapist member of the board for a term that
6885 expires on June 30, 2001. After the expiration of the initial
6886 terms, all subsequent appointments shall be made by the original
6887 appointing authorities for terms of four (4) years from the
6888 expiration date of the previous term. Upon the expiration of his
6889 or her term of office, a board member shall continue to serve
6890 until his or her successor has been appointed and has qualified.
6891 No person may be appointed more than once to fill an unexpired
6892 term or more than two (2) consecutive full terms.

6893 (5) Any vacancy on the board before the expiration of a term
6894 shall be filled by appointment of the original appointing



6895 authority for the remainder of the unexpired term. Appointments
6896 to fill vacancies shall be made from nominations submitted by the
6897 appropriate organization as specified in subsection (2) of this
6898 section for the position being filled.

6899 (6) The Board of Examiners for Social Workers and Marriage
6900 and Family Therapists, created by former Section 73-53-8, is
6901 continued and reconstituted as follows: Effective January 1,
6902 2028, the appointed members of the board designated in subsections
6903 (1) through (4) of this section shall be appointed by the
6904 Governor, with the advise and consent of the Senate, provided that
6905 five (5) such members shall be appointed July 1, 2028, to a term
6906 ending in 2032, and five (5) such members shall be appointed in
6907 2030 to a term ending July 1, 2034. All appointment procedures,
6908 vacancy provisions, interim appointment provisions and removal
6909 provisions specifically provided for in Section 7-1-35,
6910 Mississippi Code of 1972, shall be fully applicable to
6911 appointments to the Board of Examiners for Social Workers and
6912 Marriage and Family Therapists.

6913 (7) The appointing authorities shall give due regard to
6914 geographic distribution, race and sex in making all appointments
6915 to the board.

6916 (* * *8) The board shall select one (1) of its members to
6917 serve as chairman during the term of his or her appointment to the
6918 board. No person may serve as chairman for more than four (4)
6919 years. The board may remove any member of the board or the



6920 chairman from his or her position as chairman for (a) malfeasance
6921 in office, or (b) conviction of a felony or a crime of moral
6922 turpitude while in office, or (c) failure to attend three (3)
6923 consecutive board meetings. However, no member may be removed
6924 until after a public hearing of the charges against him or her,
6925 and at least thirty (30) days' prior written notice to the accused
6926 member of the charges against him or her and of the date fixed for
6927 such hearing. No board member shall participate in any matter
6928 before the board in which he or she has a pecuniary interest,
6929 personal bias or other similar conflict of interest.

6930 (* * *9) Board members shall receive no compensation for
6931 their services, but shall be reimbursed for their actual and
6932 necessary expenses incurred in the performance of official board
6933 business as provided in Section 25-3-41.

6934 (* * *10) Four (4) social worker members and three (3)
6935 marriage and family therapist members of the board shall
6936 constitute a quorum of the board. In making its decisions and
6937 taking actions affecting the members of one (1) of the professions
6938 regulated by the board, the board shall consider the
6939 recommendations of the board members who are members of that
6940 profession. If the board is unable to have a quorum present at a
6941 regularly scheduled meeting location, the board may allow other
6942 members to participate in the meeting by telephone or other
6943 electronic means. In the case of an administrative hearing, when



6944 recusals from the process are necessary, a quorum may consist of a
6945 simple majority of six (6) members.

6946 (* * *11) The principal office of the board shall be in the
6947 City of Jackson, but the board may act and exercise all of its
6948 powers at any other place. The board shall adopt an official
6949 seal, which shall be judicially noticed and which shall be affixed
6950 to all licenses issued by the board.

6951 (* * *12) The board is authorized to employ, subject to the
6952 approval of the State Personnel Board, an executive director and
6953 such attorneys, experts and other employees as it may, from time
6954 to time, find necessary for the proper performance of its duties
6955 and for which the necessary funds are available, and to set the
6956 salary of the executive director, subject to the approval of the
6957 State Personnel Board.

6958 (* * *13) The board, by a majority vote, from time to time,
6959 may make such provisions as it deems appropriate to authorize the
6960 performance by any board member or members, employee or other
6961 agent of the board of any function given the board in this chapter
6962 or Sections 73-54-1 through 73-54-39.

6963 **SECTION 106.** Section 69-9-3, Mississippi Code of 1972, is
6964 amended as follows:

6965 69-9-3. (1) The Mississippi Soybean Promotion Board is
6966 hereby created, to be composed of twelve (12) members to be
6967 appointed by the Governor to serve terms of three (3) years, as
6968 hereinafter provided. All of the twelve (12) members of the board



6969 shall be producers of soybeans in the State of Mississippi.
6970 Within ten (10) days following June 1, 1970, each of the following
6971 organizations, namely, Mississippi Farm Bureau Federation, Inc.,
6972 Mississippi Feed and Grain Association, Mississippi Soybean
6973 Association and Delta Council shall submit the names of six (6)
6974 soybean producers to the Governor, and he or she shall appoint
6975 three (3) members from the nominees of each organization to serve
6976 on the board on rotating three-year terms. The original board
6977 shall be appointed with members of each of the aforementioned
6978 organizations appointed as follows: one (1) for one (1) year, one
6979 (1) for two (2) years, and one (1) for three (3) years. Each year
6980 thereafter, not less than thirty (30) days prior to the expiration
6981 of the terms of expiring board members, the aforementioned
6982 organizations shall submit the names of three (3) nominees to the
6983 Governor and succeeding boards shall be appointed by the Governor
6984 in the same manner, giving equal representation to each
6985 organization. Vacancies which occur shall be filled in the same
6986 manner as the original appointments were made.

6987 (2) The Mississippi Soybean Promotion Board created by
6988 former Section 69-9-3, is continued and reconstituted as follows:
6989 Effective January 1, 2028, the appointed members of the board
6990 designated in subsection (1) of this section shall be appointed by
6991 the Governor, with the advise and consent of the Senate, provided
6992 that six (6) such members shall be appointed July 1, 2028, to a
6993 term ending in 2032, and six (6) such members shall be appointed



6994 in 2030 to a term ending July 1, 2034. All appointment
6995 procedures, vacancy provisions, interim appointment provisions and
6996 removal provisions specifically provided for in Section 7-1-35,
6997 Mississippi Code of 1972, shall be fully applicable to
6998 appointments to the Mississippi Soybean Promotion Board.

6999 (* * *3) The members of the board shall meet and organize
7000 immediately after their appointment, and shall elect a chairman,
7001 vice chairman and secretary-treasurer from the membership of the
7002 board, whose duties shall be those customarily exercised by such
7003 officers or specifically designated by the board. The chairman,
7004 vice chairman and secretary-treasurer shall be bonded in an amount
7005 not less than Twenty Thousand Dollars (\$20,000.00). The cost of
7006 said bonds shall be paid from the funds received under the
7007 provisions of this chapter. Such bond shall be a security for any
7008 illegal act of such member of the board and recovery thereon may
7009 be had by the state for any injury by such illegal act of such
7010 member. The board may establish rules and regulations for its own
7011 government and the administration of the affairs of the board.

7012 **SECTION 107.** Section 65-9-9, Mississippi Code of 1972, is
7013 amended as follows:

7014 65-9-9. The State Aid Engineer shall be appointed by the
7015 Governor for a term of two (2) years, subject to removal pursuant
7016 to Section 25-9-101 et seq. by the Governor at any time; provided,
7017 however, upon the expiration of the term of the State Aid Engineer
7018 serving on July 1, 1985, the State Aid Engineer shall be appointed



7019 by the Governor for a term of four (4) years. The State Aid
7020 Engineer shall be a registered engineer with at least eight (8)
7021 years' experience as a county road or highway engineer and a
7022 thorough knowledge of rural road problems. He or she shall be
7023 paid a salary equal to that paid assistant chief engineers of the
7024 Mississippi Department of Transportation as established by the
7025 department's personnel and merit system, plus travel expenses
7026 actually incurred by him or her in the discharge of his or her
7027 duties; and he or she shall, each month, make a detailed report to
7028 the Governor of such expenses. He or she shall be authorized to
7029 employ assistant state aid engineers, together with such other
7030 engineers, employees, and other assistants as may be necessary to
7031 carry out the terms of this chapter, all of whom may be removed at
7032 any time by the State Aid Engineer. The compensation of all such
7033 engineers, employees, and assistants shall be comparable to the
7034 salaries of like employees of the Mississippi Department of
7035 Transportation.

7036 The State Aid Engineer, created by former Section 65-9-9, is
7037 continued and reconstituted as follows: Effective January 1,
7038 2028, the appointed engineer designated in this section shall be
7039 appointed by the Governor, with the advise and consent of the
7040 Senate, provided that he or she shall be appointed July 1, 2028,
7041 to a term ending in 2032. All appointment procedures, vacancy
7042 provisions, interim appointment provisions and removal provisions
7043 specifically provided for in Section 7-1-35, Mississippi Code of



7044 1972, shall be fully applicable to appointments of the State Aid
7045 Engineer.

7046 The State Aid Engineer, before entering upon the discharge of
7047 his or her duties, shall give bond in the sum of Twenty-five
7048 Thousand Dollars (\$25,000.00) in some surety company authorized to
7049 do business in this state, which bond shall be conditioned for the
7050 faithful performance of his or her duties; and likewise each
7051 assistant state aid engineer shall give bond in the sum of Ten
7052 Thousand Dollars (\$10,000.00) conditioned for the faithful
7053 performance of his or her duties. The State Aid Engineer is
7054 hereby authorized to require other assistants who are charged with
7055 responsible duties to likewise give bond in amounts not to exceed
7056 Ten Thousand Dollars (\$10,000.00) each, conditioned for the
7057 faithful performance of their duties.

7058 The salaries of the State Aid Engineer and his or her
7059 assistants and of all other employees of the Office of State Aid
7060 Road Construction, and all other expenses incurred by the Office
7061 of State Aid Road Construction in carrying out the provisions of
7062 this chapter, including the premiums of bonds of the State Aid
7063 Engineer, assistant state aid engineers, and other assistants,
7064 shall be paid from the State Aid Road Fund in the State Treasury
7065 prior to allocation to the several counties, by requisition drawn
7066 by the State Aid Engineer directed to the Department of Finance
7067 and Administration, which will issue its warrant to the State
7068 Treasurer in the sum and for the purpose stated in the



7069 requisition. The State Aid Engineer shall, each month, make a
7070 detailed report to the Governor of all expenditures so made.

7071 **SECTION 108.** Section 27-4-1, Mississippi Code of 1972, is
7072 amended as follows:

7073 27-4-1. (1) The Board of Tax Appeals is established as an
7074 independent agency which shall not in any way be subject to the
7075 supervision or control of the Department of Revenue.

7076 (2) The Board of Tax Appeals shall consist of three (3)
7077 members: a chairman and two (2) associate members. Except as
7078 provided in subsection (5) of this section, the chairman and
7079 associate members shall be appointed by the Governor with the
7080 advice and consent of the Senate. Each member of the board shall
7081 be a qualified elector, shall have at least a bachelor's degree
7082 from an accredited college or university, and shall possess a
7083 special knowledge of taxation and revenue in the State of
7084 Mississippi. The members of the Board of Tax Appeals, while
7085 holding office, shall not engage in any other occupation or
7086 business interfering with or inconsistent with their official
7087 duties on the board.

7088 (3) The initial term of the Chairman of the Board of Tax
7089 Appeals shall begin on July 1, 2010, and expire on June 30, 2016.
7090 The initial term of one (1) associate member of the board shall
7091 expire June 30, 2012. The initial term of the other associate
7092 member shall expire June 30, 2014. Upon the expiration of the
7093 initial terms, the term of office of each member shall be for six



7094 (6) years, or until his or her successor is appointed and
7095 qualified. The Governor shall include in his or her appointment
7096 of the chairman and associate members the expiration date of each
7097 appointment. Vacancies shall be filled by the Governor for the
7098 unexpired portion of the term in which the vacancy occurs.

7099 (4) The Board of Tax Appeals, created by former Section
7100 27-4-1, is continued and reconstituted as follows: Effective
7101 January 1, 2028, the appointed members of the board designated in
7102 subsections (2) and (3) of this section shall be appointed by the
7103 Governor, with the advise and consent of the Senate, provided that
7104 two (2) such members shall be appointed July 1, 2028, to a term
7105 ending in 2032, and one (1) such member shall be appointed in 2030
7106 to a term ending July 1, 2034. All appointment procedures,
7107 vacancy provisions, interim appointment provisions and removal
7108 provisions specifically provided for in Section 7-1-35,
7109 Mississippi Code of 1972, shall be fully applicable to
7110 appointments to the Board of Tax Appeals.

7111 (* * *5) No person appointed by the Governor to the Board
7112 of Tax Appeals shall be eligible to take office unless his or her
7113 name shall have been submitted to the Mississippi Senate for its
7114 advice and consent at least thirty (30) days prior to the
7115 scheduled adjournment of the regular session of the Legislature
7116 being held in the calendar year in which the term of the office of
7117 the incumbent shall expire; however, if for any reason an
7118 appointment is not given the advice and consent of the Mississippi



7119 Senate prior to the adjournment of such regular session, the
7120 Governor may submit another appointment at any time to the
7121 Mississippi Senate for its advice and consent at a regular or
7122 extraordinary session of the Legislature. The foregoing
7123 prohibition shall not apply when a vacancy shall occur by death or
7124 resignation of the incumbent.

7125 (* * *6) On July 1, 2010, the Associate Commissioner of the
7126 State Tax Commission whose appointment as associate commissioner
7127 has an expiration date of June 30, 2012, shall fill the position
7128 of the associate member of the Board of Tax Appeals whose term
7129 expires on June 30, 2012. On July 1, 2010, the Associate
7130 Commissioner of the State Tax Commission whose appointment as
7131 associate commissioner has an expiration date of June 30, 2014,
7132 shall fill the position of the associate member of the Board of
7133 Tax Appeals whose term expires on June 30, 2014. This change of
7134 positions from an Associate Commissioner of the State Tax
7135 Commission to an associate member of the Board of Tax Appeals
7136 shall be treated as a continuation of the same appointment without
7137 the need for an additional appointment by the Governor or the
7138 advice and consent of the Senate.

7139 (* * *7) Each member of the Board of Tax Appeals shall,
7140 before entering upon the discharge of the duties of his or her
7141 office, take and subscribe to the oath of office prescribed by the
7142 Constitution and shall file the oath in the Office of the
7143 Secretary of State, and each member, including the chairman, shall



7144 execute a bond in some surety company authorized to do business in
7145 the state, to be approved by the Governor, and filed in the Office
7146 of the Secretary of State in the penal sum of Fifty Thousand
7147 Dollars (\$50,000.00), conditioned for the faithful and impartial
7148 discharge of the duties of his or her office. The premium on the
7149 bonds shall be paid as provided by law out of funds appropriated
7150 to the Board of Tax Appeals.

7151 (* * *8) The members of the Board of Tax Appeals are * * *
7152 subject to removal from office * * * by impeachment or by removal
7153 from office as provided for under Section 25-5-1, * * * the
7154 impeachment provisions provided in Section 7-1-35 and a member of
7155 the Board of Tax Appeals may also be removed from office for a
7156 criminal conviction for violating the Internal Revenue Code.

7157 (* * *9) It is the duty of the Department of Finance and
7158 Administration to provide suitable and adequate quarters and
7159 equipment for the Board of Tax Appeals, for the executive director
7160 and employees of the board and for filing their records, books and
7161 papers.

7162 (9) The members of the Board of Tax Appeals shall receive an
7163 annual salary fixed by the State Personnel Board. The actual
7164 traveling expenses of the board members, the executive director of
7165 the board and the employees of the board incurred in the
7166 performance of their official duties shall be allowed, and such
7167 salaries and expenses shall be payable out of funds appropriated
7168 for the expenses of the Board of Tax Appeals.



7169 **SECTION 109.** Section 51-27-1, Mississippi Code of 1972, is
7170 amended as follows:

7171 51-27-1. (1) The Governor, on behalf of this state, is
7172 hereby authorized to execute a Compact in substantially the
7173 following form with the State of Alabama; and the Legislature
7174 hereby signifies in advance its approval and ratification of such
7175 Compact, which Compact is as follows:

7176 TOMBIGBEE-TENNESSEE WATERWAY DEVELOPMENT COMPACT

7177 Article I. The purpose of this Compact is to promote the
7178 development of a navigable waterway connecting the Tennessee and
7179 Tombigbee Rivers by way of the east fork of the Tombigbee River
7180 and Mackeys and Yellow Creeks so as to provide a nine-foot
7181 navigable channel from the junction of the Tombigbee and Warrior
7182 Rivers at Demopolis in the State of Alabama to the junction of
7183 Yellow Creek with the Tennessee River at Pickwick Pool in the
7184 State of Mississippi, and to establish a joint interstate
7185 authority to assist in these efforts.

7186 Article II. This Compact shall become effective immediately
7187 as to the states ratifying it whenever the States of Alabama and
7188 Mississippi have ratified it and Congress has given consent
7189 thereto. Any state not mentioned in this article which is
7190 contiguous with any member state may become a party to this
7191 Compact, subject to approval by the Legislature of each of the
7192 member states.



7193 Article III. The states which are parties to this Compact
7194 (hereinafter referred to as "party states") do hereby establish
7195 and create a joint agency which shall be known as the
7196 Tennessee-Tombigbee Waterway Development Authority (hereinafter
7197 referred to as the "authority"). The membership of such authority
7198 shall consist of the Governor of each party state and five (5)
7199 other citizens of each party state, to be appointed by the
7200 Governor thereof. Each appointive member of the authority shall
7201 be a citizen of that state who is interested in the promotion and
7202 development of waterways and water transportation. The appointive
7203 members of the authority shall serve for terms of four (4) years
7204 each. Vacancies on the authority shall be filled by appointment
7205 by the Governor for the unexpired portion of the term. The
7206 members of the authority shall not be compensated, but each shall
7207 be entitled to actual expenses incurred in attending meetings, or
7208 incurred otherwise in the performance of his or her duties as a
7209 member of the authority. The members of the authority shall hold
7210 regular quarterly meetings and such special meetings as its
7211 business may require. They shall choose annually a chairman and
7212 vice chairman from among their members, and the chairmanship shall
7213 rotate each year among the party states in order of their
7214 acceptance of this Compact. The secretary of the authority
7215 (hereinafter provided for) shall notify each member in writing of
7216 all meetings of the authority in such a manner and under such
7217 rules and regulations as the authority may prescribe. The



7218 authority shall adopt rules and regulations for the transaction of
7219 its business; and the secretary shall keep a record of all its
7220 business and shall furnish a copy thereof to each member of the
7221 authority. It shall be the duty of the authority, in general, to
7222 promote, encourage * * * and coordinate the efforts of the party
7223 states to secure the development of the Tennessee-Tombigbee
7224 Waterway. Toward this end, the authority shall have power to hold
7225 hearings; to conduct studies and surveys of all problems,
7226 benefits * * * and other matters associated with the development
7227 of the Tennessee-Tombigbee Waterway, and to make reports thereon;
7228 to acquire, by gift or otherwise, and hold and dispose of such
7229 money and property as may be provided for the proper performance
7230 of their function; to cooperate with other public or private
7231 groups, whether local, state, regional * * * or national, having
7232 an interest in waterways development; to formulate and execute
7233 plans and policies for emphasizing the purpose of this Compact
7234 before the Congress of the United States and other appropriate
7235 officers and agencies of the United States; and to exercise such
7236 other powers as may be appropriate to enable it to accomplish its
7237 functions and duties in connection with the development of the
7238 Tennessee-Tombigbee Waterway and to carry out the purposes of this
7239 Compact.

7240 The Tennessee-Tombigbee Waterway Development Authority,
7241 created by former Section 51-27-1, is continued and reconstituted
7242 as follows: Effective January 1, 2028, the appointed members of



7243 the board designated from Mississippi shall be appointed by the
7244 Governor, with the advise and consent of the Senate, provided that
7245 one-half (1/2) of such members shall be appointed July 1, 2028, to
7246 a term ending in 2032, and one-half (1/2) of such members shall be
7247 appointed in 2030 to a term ending July 1, 2034. All appointment
7248 procedures, vacancy provisions, interim appointment provisions and
7249 removal provisions specifically provided for in Section 7-1-35,
7250 Mississippi Code of 1972, shall be fully applicable to
7251 appointments to the Tennessee-Tombigbee Waterway Development
7252 Authority.

7253 Article IV. The authority shall appoint a secretary, who
7254 shall be a person familiar with the nature, procedures, and
7255 significance of inland waterways development and the
7256 informational, educational, and publicity methods of stimulating
7257 general interest in such developments, and who shall be the
7258 compact administrator. His or her term of office shall be at the
7259 pleasure of the authority and he or she shall receive such
7260 compensation as the authority shall prescribe. He or she shall
7261 maintain custody of the authority's books, records, and papers,
7262 which he or she shall keep at the office of the authority, and he
7263 or she shall perform all functions and duties, and exercise all
7264 powers and authorities, that may be delegated to him or her by
7265 the authority.

7266 Article V. Each party state agrees that, when authorized by
7267 its legislature, it will from time to time make available and pay



7268 over to the authority such funds as may be required for the
7269 establishment and operation of the authority. The contribution of
7270 each party state shall be in the proportion that its population
7271 bears to the total population of the states which are parties
7272 hereto, as shown by the most recent official report of the United
7273 States Bureau of the Census, or upon such other basis as may be
7274 agreed upon.

7275 Article VI. Nothing in this Compact shall be construed so as
7276 to conflict with any existing statute, or to limit the powers of
7277 any party state, or to repeal or prevent legislation, or to
7278 authorize or permit curtailment or diminution of any other
7279 waterway project, or to affect any existing or future cooperative
7280 arrangement or relationship between any federal agency and a party
7281 state.

7282 Article VII. This Compact shall continue in force and remain
7283 binding upon each party state until the Legislature or Governor of
7284 each or either state takes action to withdraw therefrom; provided
7285 that such withdrawal shall not become effective until six (6)
7286 months after the date of the action taken by the Legislature or
7287 Governor. Notice of such action shall be given to the other party
7288 state or states by the Secretary of State of the party state which
7289 takes such action.

7290 (2) There is hereby granted to the Governor, to the members
7291 of the authority for Mississippi, and to the Compact administrator
7292 all the powers provided for in said Compact and in this section.



7293 All officers of the State of Mississippi are hereby authorized and
7294 directed to do all things falling within their respective
7295 jurisdictions which are necessary or incidental to carrying out
7296 the purpose of said Compact.

7297 **SECTION 110.** Section 41-113-9, Mississippi Code of 1972, is
7298 amended as follows:

7299 41-113-9. (1) There is created the Mississippi Tobacco
7300 Control Advisory Council, which shall consist of thirteen (13)
7301 members. The thirteen (13) members of the advisory council shall
7302 consist of the following:

7303 (a) Four (4) members appointed by the Governor, with
7304 one (1) member from a list of three (3) physicians recommended by
7305 the Mississippi State Medical Association, one (1) member from a
7306 list of three (3) individuals recommended by the Mississippi
7307 Chapter of the American Heart Association, and two (2) individuals
7308 who are not affiliated with the tobacco industry who possess
7309 knowledge, skill * * * and prior experience in scientifically
7310 proven smoking prevention, reduction and cessation programs,
7311 health care services or preventive health measures;

7312 (b) Two (2) members appointed by the Lieutenant
7313 Governor, with one (1) member from a list of three (3) nurses
7314 recommended by the Mississippi Nurses' Association, and one (1)
7315 member from a list of three (3) individuals recommended by the
7316 Mississippi Chapter of the American Lung Association;



7317 (c) Two (2) members approved by the Speaker of the
7318 House of Representatives, with one (1) member from a list of three
7319 (3) social workers recommended by the Mississippi Chapter of the
7320 National Association of Social Workers (NASW), and one (1) member
7321 from a list of three (3) individuals recommended by the
7322 Mississippi Chapter of the American Cancer Society;

7323 (d) The Attorney General, or his or her designee;

7324 (e) The State Superintendent of Public Education, or
7325 his or her designee;

7326 (f) The Vice-Chancellor of Health Affairs of the
7327 University of Mississippi Medical Center, or his or her designee;

7328 (g) The Dean of the College of Health at the University
7329 of Southern Mississippi, or his or her designee; and

7330 (h) The Administrator of the School of Health Sciences
7331 of the College of Public Service at Jackson State University, or
7332 his or her designee.

7333 (2) The Lieutenant Governor shall appoint one (1) member of
7334 the Senate and the Speaker of the House shall appoint one (1)
7335 Representative to attend meetings of the Tobacco Control Advisory
7336 Council.

7337 (3) For those members that are required to be appointed from
7338 lists of individuals recommended by certain nominating groups, if
7339 none of the recommended names are acceptable to the appointing
7340 official, then the nominating group shall submit another list of



7341 three (3) different individuals until an acceptable individual is
7342 submitted to the appointing official.

7343 (4) The members who are state officials or university
7344 officials shall serve as members for as long as they hold the
7345 designated office or university position. The appointed members
7346 shall serve for terms that are concurrent with the terms of the
7347 appointing officials, or until their successors are appointed and
7348 qualified.

7349 (5) Any vacancy in an appointed member position shall be
7350 filled within thirty (30) days of the vacancy by the original
7351 appointing official, and the individual appointed to fill the
7352 vacancy shall meet the same qualifications as required for the
7353 former member.

7354 (6) The initial appointments to the advisory council shall
7355 be made not later than forty-five (45) days after March 30, 2007,
7356 and the first meeting of the advisory council shall be held within
7357 sixty (60) days after March 30, 2007, at a time, date and location
7358 specified by the State Board of Health.

7359 (7) The Mississippi Tobacco Control Advisory Council,
7360 created by former Section 41-113-9, is continued and reconstituted
7361 as follows: Effective January 1, 2028, the appointed members of
7362 the council designated in subsections (1) and (2) of this section
7363 shall be appointed by the Governor, with the advise and consent of
7364 the Senate, provided that seven (7) such members shall be
7365 appointed July 1, 2028, to a term ending in 2032, and six (6) such



7366 members shall be appointed in 2030 to a term ending July 1, 2034.
7367 All appointment procedures, vacancy provisions, interim
7368 appointment provisions and removal provisions specifically
7369 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
7370 fully applicable to appointments to the Mississippi Tobacco
7371 Control Advisory Council.

7372 (8) The advisory council shall annually elect a chairman
7373 from among its members. The advisory council shall meet at least
7374 quarterly. A quorum for meetings of the advisory council shall be
7375 a majority of the voting members of the advisory council. The
7376 members of the advisory council shall receive the per diem
7377 compensation provided under Section 25-3-69 plus expense
7378 reimbursement as provided under Section 25-3-41 for attending
7379 meetings and necessary business of the advisory council.

7380 (* * *9) The Mississippi Tobacco Advisory Council shall
7381 advise and make recommendations to the State Board of Health
7382 regarding rules and regulations promulgated pursuant to this
7383 program.

7384 **SECTION 111.** Section 51-13-105, Mississippi Code of 1972, is
7385 amended as follows:

7386 51-13-105. All powers of the district shall be exercised by
7387 a board of directors, to be composed of the following:

7388 (a) Each member of the Tombigbee Valley Authority as
7389 created by virtue of Sections 51-13-1 through 51-13-9, whose
7390 county becomes a part of the Tombigbee River Valley Water



7391 Management District shall be a member of the Board of Directors of
7392 the Tombigbee River Valley Water Management District, and each
7393 state-at-large member of the Tombigbee Valley Authority shall
7394 become a member of the Board of Directors of the Tombigbee River
7395 Valley Water Management District when one or more entire counties
7396 become members of the Tombigbee River Valley Water Management
7397 District. Such directors shall serve on this board during their
7398 term of office on the Tombigbee Valley Authority. In addition,
7399 the board of supervisors of each county within the Tombigbee River
7400 Basin which elects to become a member of the district shall
7401 appoint one (1) board member to serve for a term of four (4) years
7402 or until his or her successor is named. The Governor shall
7403 appoint one (1) member from each county added to the Tombigbee
7404 River Valley Water Management District which county is not now a
7405 member of the Tombigbee Valley Authority, and such member shall
7406 serve for a four-year term or until his or her successor is
7407 appointed.

7408 (b) The Department of Environmental Quality, the
7409 Department of Wildlife, Fisheries and Parks, the Forestry
7410 Commission, and the State Board of Health of the State of
7411 Mississippi shall each appoint one (1) director from that
7412 department to serve on the Board of Directors of the Tombigbee
7413 River Valley Water Management District, to serve at the pleasure
7414 of the entity appointing him or her but not to exceed four-year
7415 terms.



7416 (c) The Board of Directors of the Tombigbee River
7417 Valley Water Management District, created by former Section
7418 51-13-105, is continued and reconstituted as follows: Effective
7419 January 1, 2028, the appointed members of the board designated in
7420 subsections (1) and (2) of this section shall be appointed by the
7421 Governor, with the advise and consent of the Senate, provided that
7422 two (2) such members shall be appointed July 1, 2028, to a term
7423 ending in 2032, and two (2) such members shall be appointed in
7424 2030 to a term ending July 1, 2034. All appointment procedures,
7425 vacancy provisions, interim appointment provisions and removal
7426 provisions specifically provided for in Section 7-1-35,
7427 Mississippi Code of 1972, shall be fully applicable to
7428 appointments to the Board of Directors of the Tombigbee River
7429 Valley Water Management District.

7430 (* * *d) Each director shall take and subscribe to the
7431 general oath of office required by Section 268 of the Constitution
7432 of the State of Mississippi before a chancery clerk that he or she
7433 will faithfully discharge the duties of the office, which oath
7434 shall be filed with the said clerk and by him or her preserved.

7435 (* * *e) Each director shall receive compensation at a
7436 per diem rate as provided in Section 25-3-69 for each day or
7437 fraction thereof spent in actual discharge of his or her official
7438 duties and shall be reimbursed for mileage and actual expenses
7439 incurred in the performance of his or her official duties in
7440 accordance with the requirements of Section 25-3-41.



7441 (* * *f) The board of directors shall annually elect
7442 from its number a president and a vice president of the district
7443 and such other officers as in the judgment of the board are
7444 necessary. The president shall be the chief executive officer of
7445 the district and the presiding officer of the board, and shall
7446 have the same right to vote as any other director. The vice
7447 president shall perform all duties and exercise all powers
7448 conferred by this article upon the president when the president is
7449 absent or fails or declines to act, except the president's right
7450 to vote. The board shall also appoint a secretary and a treasurer
7451 who may or may not be members of the board, and it may combine
7452 those offices. The treasurer shall give bond in the sum of not
7453 less than Fifty Thousand Dollars (\$50,000.00) as set by the board
7454 of directors, and each director shall give bond in the sum of not
7455 less than Ten Thousand Dollars (\$10,000.00) with sureties
7456 qualified to do business in this state, and the premiums on said
7457 bonds shall be an expense of the district. The condition of each
7458 such bond shall be that the treasurer or director will faithfully
7459 perform all duties of his or her office and account for all money
7460 or other assets which shall come into his or her custody as
7461 treasurer or director of the district.

7462 **SECTION 112.** Section 11-46-18, Mississippi Code of 1972, is
7463 amended as follows:



7464 11-46-18. (1) There is created a board which shall be known
7465 as the Mississippi Tort Claims Board. The board shall consist of
7466 seven (7) members as follows:

7467 (a) The Governor, subject to the advice and consent of
7468 the Senate, shall appoint one (1) member who shall serve at the
7469 will and pleasure of the Governor and who shall serve as chairman
7470 of the board.

7471 (b) The Director of the Department of Environmental
7472 Quality or a designee.

7473 (c) The Commissioner of Insurance or a designee.

7474 (d) The Director of the Department of Finance and
7475 Administration or a designee shall be a member of the board, shall
7476 serve as the executive director to the board, and shall be
7477 authorized to conduct the administrative affairs of the board.

7478 (e) The Attorney General or a designee.

7479 (f) The Commissioner of Public Safety or a designee.

7480 (g) The State Treasurer or a designee.

7481 (2) The Mississippi Torts Claim Board, created by former
7482 Section 11-46-18, is continued and reconstituted as follows:
7483 Effective January 1, 2028, the Governor-appointed member of the
7484 board designated in subsection (1)(a) of this section shall be
7485 appointed by the Governor, with the advise and consent of the
7486 Senate, provided that member shall be appointed July 1, 2028, to a
7487 term ending in 2032. All appointment procedures, vacancy
7488 provisions, interim appointment provisions and removal provisions



7489 specifically provided for in Section 7-1-35, Mississippi Code of
7490 1972, shall be fully applicable to any appointments to the
7491 Mississippi Tort Claims Board.

7492 (3) The member of the board appointed by the Governor shall
7493 receive per diem as provided by Section 25-3-69 and reimbursement
7494 of travel expenses as provided in Section 25-3-41 for expenses
7495 incurred in carrying out his or her duties as a member of the
7496 Mississippi Tort Claims Board.

7497 (* * *4) The board, by majority vote, shall determine the
7498 place and time of its meetings and shall spread the same on its
7499 minutes. A majority of the members shall constitute a quorum, and
7500 final action of the board shall require the affirmative vote of a
7501 majority of those present and voting. The board shall elect a
7502 vice chairman who shall preside in the absence or incapacity of
7503 the chairman and such other officers as it deems necessary and as
7504 established by its rules of order. Extraordinary meetings may be
7505 held upon call of the chairman or upon petition of any four (4)
7506 members of the board should the chairman refuse to call a meeting.
7507 The initial meeting of the board shall convene upon call of the
7508 chairman.

7509 (* * *5) The Lieutenant Governor may designate one (1)
7510 Senator and the Speaker of the House of Representatives may
7511 designate one (1) Representative to attend any meeting of the Tort
7512 Claims Board. The appointing authorities may designate alternate
7513 members from their respective houses to serve when the regular



7514 designees are unable to attend such meetings of the board. Such
7515 legislative designees shall have no jurisdiction or vote on any
7516 matter within the jurisdiction of the board. For attending
7517 meetings of the board, such legislators shall receive per diem and
7518 expenses which shall be paid from the contingent expense funds of
7519 their respective houses in the same amounts as provided for
7520 committee meetings when the Legislature is not in session;
7521 however, no per diem and expenses for attending meetings of the
7522 board will be paid while the Legislature is in session. No per
7523 diem and expenses will be paid, except for attending meetings of
7524 the board, without prior approval of the proper committee in their
7525 respective houses.

7526 (* * *6) If a member of the board appoints a designee to
7527 attend meetings of the board on the member's behalf, the member
7528 must inform the chairman of the board in writing of the name and
7529 contact information of the designee.

7530 (* * *7) The designee of any member of the board is
7531 authorized to take all action which the person making the
7532 designation is authorized to do under this chapter.

7533 **SECTION 113.** Section 77-13-29, Mississippi Code of 1972, is
7534 amended as follows:

7535 77-13-29. (1) There is created an Underground Facilities
7536 Damage Prevention Board for the purpose of enforcing this chapter.



7537 (2) It is the intent of the Legislature that the board and
7538 its enforcement activities not be funded by appropriations from
7539 the state budget.

7540 (3) The Pipeline Safety Division will provide
7541 administrative, investigative and legal support for the board as
7542 deemed necessary and approved by the board. The Pipeline Safety
7543 Division shall charge to the board the expenses associated with
7544 the administration, investigative and legal duties requested by
7545 the board.

7546 (4) The board shall be composed of sixteen (16) members and
7547 all board appointments shall be made on or before July 31, 2016,
7548 as follows:

7549 (a) The President of Mississippi 811, Inc., or his
7550 designee;

7551 (b) One (1) representative of the telecommunications
7552 industry, appointed by the Governor;

7553 (c) One (1) representative of the excavation, utility
7554 and/or site construction industry, appointed by the Lieutenant
7555 Governor;

7556 (d) One (1) representative of the electric power
7557 industry investor-owned utilities, appointed by the Governor;

7558 (e) One (1) representative of the Electric Power
7559 Associations of Mississippi, appointed by the Lieutenant Governor;

7560 (f) The Executive Director of the Mississippi
7561 Department of Transportation, or his or her designee;



7562 (g) One (1) representative of the cable industry
7563 appointed by the Governor;

7564 (h) One (1) representative of the Pipeline Safety
7565 Division, serving as an ex officio, nonvoting member;

7566 (i) One (1) representative of the natural gas or liquid
7567 transmission industry, appointed by the Lieutenant Governor;

7568 (j) One (1) representative of the natural gas or liquid
7569 distribution industry, appointed by the Lieutenant Governor;

7570 (k) The Executive Director of the Mississippi
7571 Association of Professional Surveyors, Inc., or his or her
7572 designee;

7573 (l) The Executive Director of the Mississippi
7574 Association of Supervisors, or his or her designee;

7575 (m) The Executive Director of the Mississippi Municipal
7576 League, or his or her designee;

7577 (n) The Executive Director of the Mississippi
7578 Homebuilders Association, or his or her designee;

7579 (o) The Chief Executive Officer of the Mississippi
7580 Rural Water Association, or his or her designee; and

7581 (p) The Executive Director of the American Council of
7582 Engineering Companies of Mississippi, or his or her designee.

7583 (5) The initial term of the appointed members provided in
7584 paragraphs (b) and (c) of subsection (4) shall end December 31,
7585 2017; the initial term of the appointed members provided in
7586 paragraphs (d) and (e) of subsection (4) shall end December 31,



7587 2019; and the initial term of the representatives provided in
7588 paragraphs (g), (i) and (j) of subsection (4) shall end December
7589 31, 2021. After the expiration of the initial terms, all
7590 appointed members shall serve a term of five (5) years.

7591 (6) The Underground Facilities Damage Prevention Board,
7592 created by former Section 77-13-29, is continued and reconstituted
7593 as follows: Effective January 1, 2028, the appointed members of
7594 the board designated in subsection (5)(b) through (f) and (i)
7595 through (j) of this section, shall be appointed by the Governor,
7596 with the advise and consent of the Senate, provided that four (4)
7597 such members shall be appointed July 1, 2028, to a term ending in
7598 2032, and three (3) such members shall be appointed in 2030 to a
7599 term ending July 1, 2034. All appointment procedures, vacancy
7600 provisions, interim appointment provisions and removal provisions
7601 specifically provided for in Section 7-1-35, Mississippi Code of
7602 1972, shall be fully applicable to appointments to the Underground
7603 Facilities Damage Prevention Board.

7604 (* * *7) The Governor shall appoint the initial chairman of
7605 the board, and the initial board shall elect other officers as the
7606 board deems necessary. The board shall meet and elect a chairman
7607 and other officers every two (2) years thereafter. The staff of
7608 Mississippi 811, Inc., shall serve as staff support for the board.

7609 (* * *8) The board shall meet no less than three (3) times
7610 each year, with a date and time to be set by its chairman upon at



7611 least five (5) business days' notice provided by United States
7612 mail, electronic mail or personal delivery to every board member.

7613 (* * *9) Eight (8) members of the board shall constitute a
7614 quorum and a majority vote of those present and voting at any
7615 meeting shall be necessary to transact business.

7616 (* * *10) The members of the board shall be immune,
7617 individually and jointly, from civil liability for any act or
7618 omission done or made in the performance of their duties while
7619 serving as members of the board, but only in the absence of
7620 willful misconduct.

7621 (* * *11) The members of the board shall serve without
7622 compensation.

7623 (* * *12) The board shall elect from its membership an
7624 executive committee, which shall have the exclusive authority for
7625 levying civil penalties and taking action as described in Section
7626 77-13-27. The executive committee shall be composed of the
7627 following five (5) members of the board:

7628 (a) One (1) member appointed from subsection (4) (c) of
7629 this section;

7630 (b) One (1) member from a state agency or local
7631 government;

7632 (c) One (1) member appointed from subsection (4) (b),
7633 (d), (e), (g) or (o) of this section;

7634 (d) One (1) member appointed from subsection (4) (i) or
7635 (j) of this section; and



7636 (e) One (1) member chosen at large from the board from
7637 any paragraph of subsection (4) of this section.

7638 (* * *13) A member serving on the executive committee shall
7639 be limited to two (2) consecutive one-year terms. No executive
7640 committee member may participate in a vote on any matter in which
7641 his or her employer is the alleged violator or has incurred damage
7642 to its facilities as a result of the alleged violation.

7643 (* * *14) The board and the executive committee may hold
7644 meetings and vote by telephone, television, or other electronic
7645 means.

7646 **SECTION 114.** Section 49-17-422, Mississippi Code of 1972, is
7647 amended as follows:

7648 49-17-422. (1) An Underground Storage Tank (UST) Advisory
7649 Council is created to consult with the commission on all matters
7650 relating to the UST program, to conduct an independent study of
7651 the development and administration costs of the program and to
7652 conduct an annual review of administering such program. The costs
7653 to be included in the study for the program shall be those costs
7654 as provided in Section 49-17-421. The council shall include in
7655 the study the type and quantity of underground storage tanks in
7656 the state that are covered by the program. After completing a
7657 study of the needs and costs of the program, the council shall
7658 recommend an equitable fee system for the program that is based on
7659 the type and quantity of underground storage tanks. The annual
7660 review for the program shall determine if the fee system is



7661 collecting sufficient funds to meet program needs and include any
7662 recommendation by the council regarding changes to the fee system.
7663 Each annual review report shall be due January 1 of each year to
7664 the commission and the executive director of the department.

7665 (2) The UST Advisory Council shall be comprised of the
7666 following five (5) members:

7667 (a) The President of the Mississippi Petroleum
7668 Marketers and Convenience Store Association (MPMCSA) or his or her
7669 designee;

7670 (b) A member of the MPMCSA appointed by the Board of
7671 Directors of the MPMCSA for a term of four (4) years;

7672 (c) A representative appointed by the President of the
7673 Mississippi Engineering Society, experienced in the assessment and
7674 remediation of petroleum contamination, for a term of four (4)
7675 years;

7676 (d) A representative appointed by the Governor, of any
7677 company doing business in Mississippi in the installation, closure
7678 and/or testing of underground storage tanks; and

7679 (e) A representative appointed by the Lieutenant
7680 Governor, of any company doing business in Mississippi in the
7681 installation, closure and/or testing of underground storage tanks.

7682 The council members who are appointed by the Governor and
7683 Lieutenant Governor shall have terms that are concurrent with the
7684 term of the appointing official.



7685 (3) Original appointments to the UST Advisory Council must
7686 be made no later than January 1, 2019, and vacancies on the
7687 council shall be filled by appointment in the same manner as the
7688 original appointments. The council shall convene within sixty
7689 (60) days following the date of the appointment of the members,
7690 and must select from their membership a chairperson to preside
7691 over meetings and a vice chairperson to preside in the absence of
7692 the chairperson or when the chairperson is excused. The council
7693 shall adopt procedures governing the manner of conducting its
7694 business. A majority of the members constitutes a quorum to do
7695 business.

7696 (4) The Underground Storage Tank (UST) Advisory Council,
7697 created by former Section 7-1-501, is continued and reconstituted
7698 as follows: Effective January 1, 2028, the appointed members of
7699 the council designated in subsection (2) (d) and (e) of this
7700 section, shall be appointed by the Governor, with the advise and
7701 consent of the Senate, provided that one (1) such member shall be
7702 appointed July 1, 2028, to a term ending in 2032, and one (1) such
7703 member shall be appointed in 2030 to a term ending July 1, 2034.
7704 All appointment procedures, vacancy provisions, interim
7705 appointment provisions and removal provisions specifically
7706 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
7707 fully applicable to appointments to the Underground Storage Tank
7708 (UST) Advisory Council.



7709 (5) Members of the UST Advisory Council shall serve without
7710 salary, but shall be entitled to receive a reimbursement of their
7711 actual travel and expenses, as provided in Section 25-3-41, that
7712 are incurred while performing in the scope of their duties as
7713 council members. These expenses are to be paid on an itemized
7714 statement that is approved by the State Fiscal Officer from fees
7715 collected under Section 49-17-421.

7716 (* * *6) The executive director of the department shall
7717 provide technical, clerical and other support services, including
7718 service by contract, as the council requires in the performance of
7719 its functions.

7720 **SECTION 115.** Section 7-1-501, Mississippi Code of 1972, is
7721 amended as follows:

7722 7-1-501. The Governor shall appoint as commissioners to the
7723 National Conference of Commissioners on Uniform State Laws three
7724 (3) members, in good standing, of The Mississippi Bar. In
7725 addition to the Governor's appointees, the commission on uniform
7726 state laws shall consist of the following appointed commissioners,
7727 all of whom shall be members, in good standing, of The Mississippi
7728 Bar: a member of the Senate appointed by the Lieutenant Governor;
7729 a member of the House of Representatives appointed by the Speaker
7730 of the House; any member of the bar who has been elected a life
7731 member of the conference; and the Directors of the Mississippi Law
7732 Research Institute, and the Senate and House Legislative Services
7733 Offices.



7734 The commissioner and Commission on Uniform State Laws,
7735 created by former Section 7-1-501, is continued and reconstituted
7736 as follows: Effective January 1, 2028, the appointed members of
7737 the commission designated in this section, shall be appointed by
7738 the Governor, with the advise and consent of the Senate, provided
7739 that two (2) such members shall be appointed July 1, 2028, to a
7740 term ending in 2032, and two (2) such members shall be appointed
7741 in 2030 to a term ending July 1, 2034. All appointment
7742 procedures, vacancy provisions, interim appointment provisions and
7743 removal provisions specifically provided for in Section 7-1-35,
7744 Mississippi Code of 1972, shall be fully applicable to
7745 appointments to the Commission on Uniform State Laws.

7746 The commissioners so appointed shall confer and act with the
7747 commissioners of other states and territories in the formulation
7748 of uniform laws on all subjects. The commissioners shall prepare
7749 a report on their recommendations to be submitted to the
7750 Legislature for its consideration for adoption.

7751 **SECTION 116.** Section 7-1-503, Mississippi Code of 1972, is
7752 amended as follows:

7753 7-1-503. (1) Two (2) associate members of the National
7754 Conference of Commissioners on Uniform State Laws, all of whom
7755 shall be members, in good standing, of The Mississippi Bar, shall
7756 be appointed to act in accordance with the constitution and bylaws
7757 of the conference as follows:



7758 (a) The Lieutenant Governor shall appoint one (1)
7759 associate member from the staff of the Senate; and

7760 (b) The Speaker of the House of Representatives shall
7761 appoint one (1) associate member from the staff of the House.

7762 (2) The Commission on Uniform State Laws, created by former
7763 Section 7-1-501, is continued and reconstituted as follows:
7764 Effective January 1, 2028, the appointed members of the commission
7765 designated in this section, shall be appointed by the Governor,
7766 with the advise and consent of the Senate, provided that one (1)
7767 such member shall be appointed July 1, 2028, to a term ending in
7768 2032, and one (1) such member shall be appointed in 2030 to a term
7769 ending July 1, 2034. All appointment procedures, vacancy
7770 provisions, interim appointment provisions and removal provisions
7771 specifically provided for in Section 7-1-35, Mississippi Code of
7772 1972, shall be fully applicable to appointments to the Commission
7773 on Uniform State Laws.

7774 **SECTION 117.** Section 35-1-1, Mississippi Code of 1972, is
7775 amended as follows:

7776 35-1-1. (1) (a) There is hereby created a State Veterans
7777 Affairs Board, which may also be referred to as the "Mississippi
7778 Veterans Affairs," to consist of seven (7) members, to be
7779 appointed by the Governor, one (1) from each congressional
7780 district as they existed on January 1, 1952, of the State of
7781 Mississippi. One (1) shall be appointed for one (1) year, another
7782 for two (2) years, another for three (3) years, another for four



7783 (4) years, another for five (5) years, another for six (6) years,
7784 and another for seven (7) years, thus staggered. At the end of
7785 such term for each of said seven (7) members, a successor shall be
7786 appointed for a term of seven (7) years, thus providing for seven
7787 (7) members, one (1) of whom shall be appointed each year. In the
7788 event of death, resignation or removal of a member of the board,
7789 such person appointed to fill the vacancy shall be a legal
7790 resident of the congressional district in which the vacancy shall
7791 occur, and shall serve for the remainder of the term to which such
7792 member was appointed. Members of the board shall be veterans of
7793 any war or police action in which the Armed Forces of the United
7794 States have been, are, or shall be committed for action, who have
7795 been honorably discharged or honorably released.

7796 (b) From and after May 14, 1992, terms of all members
7797 then serving on the State Veterans Affairs Board shall terminate,
7798 and the board shall be reconstituted as follows: The board shall
7799 consist of seven (7) members. All members shall be appointed by
7800 the Governor, with the advice and consent of the Senate. One (1)
7801 member shall be appointed from each congressional district as such
7802 districts existed on March 1, 1992, and two (2) members shall be
7803 appointed from the state at large. Of the initial congressional
7804 district appointees to the board, one (1) shall serve for a term
7805 of one (1) year, one (1) for a term of two (2) years, one (1) for
7806 a term of three (3) years, one (1) for a term of four (4) years
7807 and one (1) for a term of five (5) years. Of the initial at-large



7808 appointees, one (1) (who shall be that person appointed in January
7809 1992 from the First Congressional District under the provisions of
7810 paragraph (a) of this subsection) shall serve for a term of three
7811 (3) years and one (1) (who shall be that person appointed in
7812 January 1992 from the Seventh Congressional District under the
7813 provisions of paragraph (a) of this subsection) shall serve for a
7814 term of five (5) years. All appointees after the initial
7815 appointees shall serve for terms of five (5) years each. In the
7816 event of death, resignation or removal of a member of the board,
7817 the vacancy shall be filled by appointment of the Governor, with
7818 the advice and consent of the Senate, from the congressional
7819 district in which the vacancy occurs, for the length of the
7820 unexpired term only. Members of the board shall be honorably
7821 discharged or released veterans of any war or police action in
7822 which the Armed Forces of the United States have been, are, or
7823 shall be committed for action. No state/department commander of
7824 any federally recognized veterans organization, no national
7825 officer of any federally recognized veterans organization and no
7826 member of the Mississippi Council of Veterans Organizations shall
7827 be eligible for appointment to the board until the expiration of a
7828 period of three (3) years after the termination of their service
7829 in such disqualifying positions.

7830 The Mississippi Council of Veterans Organizations, created by
7831 former Section 35-7-7, is continued and reconstituted as follows:
7832 Effective January 1, 2028, the appointed members of the council



7833 designated in this section, shall be appointed by the Governor,
7834 with the advise and consent of the Senate, provided that four (4)
7835 such members shall be appointed July 1, 2028, to a term ending in
7836 2032, and three (3) such members shall be appointed in 2030 to a
7837 term ending July 1, 2034. All appointment procedures, vacancy
7838 provisions, interim appointment provisions and removal provisions
7839 specifically provided for in Section 7-1-35, Mississippi Code of
7840 1972, shall be fully applicable to appointments to the Mississippi
7841 Council of Veterans Organizations.

7842 (2) Members of the board shall annually elect as chairman
7843 one of their * * * members and another member as vice chairman.
7844 Members of the board shall hold regular monthly meetings and such
7845 other meetings as may be called by the chairman or the vice
7846 chairman in his or her absence.

7847 (3) Beginning July 1, 2019, any reference in this code to
7848 the State Veterans Affairs Board shall also mean the Mississippi
7849 Veterans Affairs.

7850 **SECTION 118.** Section 35-7-7, Mississippi Code of 1972, is
7851 amended as follows:

7852 35-7-7. The administration of the provisions hereof is
7853 vested in a Veterans' Home Purchase Board consisting of six (6)
7854 members who shall be appointed, or reappointed, by the Governor,
7855 with the advice and consent of the Senate. Members appointed to
7856 the board shall be veterans of either World War II, the Korean
7857 Conflict, the Southeast Asia Conflict, the Persian Gulf Conflict



7858 or have served in active duty for at least one hundred eighty
7859 (180) days during a time of war or a conflict in which a campaign
7860 ribbon or medal was issued and shall possess a background in
7861 business, banking, real estate or the legal profession which
7862 enables them to carry out the duties of the board. No
7863 state/department commander of any federally recognized veterans
7864 organization, no national officer of any federally recognized
7865 veterans organization and no member of the Mississippi Council of
7866 Veterans Organizations shall be eligible for appointment to the
7867 board until the expiration of a period of three (3) years after
7868 the termination of his or her service in such disqualifying
7869 positions. Appointments shall be staggered, with each Governor
7870 appointing or reappointing two (2) members in the first year of
7871 his or her administration * * *, one (1) member in the second
7872 year, two (2) members in the third year, and one (1) member in the
7873 fourth year. Appointments for terms that expire in 1988 shall be
7874 made as follows: one (1) shall be made for a term ending on July
7875 1, 1989; one (1) shall be made for a term ending on July 1, 1991;
7876 and two (2) shall be made for a term ending on July 1, 1992.
7877 Persons appointed to succeed the two (2) members whose terms
7878 expired in 1986, or any such member holding over after 1986
7879 because no successor was appointed, shall serve until July 1,
7880 1990. After the expiration of the foregoing terms, all
7881 appointments shall be for a term of four (4) years from the
7882 expiration date of the previous term. From and after July 1,



7883 1988, one (1) appointee shall be selected from each of the five
7884 (5) congressional districts of this state as such districts are
7885 composed on May 1, 1987, and one (1) appointee shall be selected
7886 from the state at large. Any vacancy occurring during a term
7887 shall be filled by appointment of a member for the unexpired
7888 portion of the term.

7889 The Veterans' Home Purchase Board, created by former Section
7890 35-7-7, is continued and reconstituted as follows: Effective
7891 January 1, 2028, the appointed members of the board designated in
7892 this section, shall be appointed by the Governor, with the advise
7893 and consent of the Senate, provided that three (3) such members
7894 shall be appointed July 1, 2028, to a term ending in 2032, and
7895 three (3) such members shall be appointed in 2030 to a term ending
7896 July 1, 2034. All appointment procedures, vacancy provisions,
7897 interim appointment provisions and removal provisions specifically
7898 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
7899 fully applicable to appointments to the Veterans' Home Purchase
7900 Board.

7901 The board is hereby authorized and empowered to make and
7902 promulgate such reasonable rules and regulations under this
7903 chapter as it shall deem to be necessary or advisable and to
7904 enforce the same. The board shall have authority to render the
7905 final decision on the purchase application process, approval of
7906 purchases, funding of purchase commitments, servicing loans and
7907 default, property security, management, resale, release from



7908 security, and all other matters relating to the purchases and
7909 loans made under this law. The board shall likewise, by an order
7910 spread on its minutes, elect a chairman and vice chairman to serve
7911 for one-year terms, and all such officers are eligible to succeed
7912 themselves in such offices. The chairman may appoint a
7913 three-member loan committee from the membership of the board and
7914 shall specify the conditions, responsibilities and authority of
7915 such committee.

7916 Each member of the board and his or her successor shall be
7917 reimbursed all of his or her actual and necessary traveling and
7918 other expenses incurred in the attendance of the meetings of the
7919 board or in the performance of other duties in connection with the
7920 business of the board as provided for state officers and employees
7921 in Section 25-3-41, and shall be allowed a per diem as provided in
7922 Section 25-3-69 for such attendance; provided that the number of
7923 days per diem shall not exceed sixty-six (66) days for the
7924 chairman and fifty (50) days for other members of the board during
7925 any one (1) fiscal year. The above limitation of days per year
7926 shall not apply to board members appointed on a full-time basis to
7927 the loan committee.

7928 The director, or other executive officer employed by the
7929 board, shall execute a surety bond in the sum of One Hundred
7930 Thousand Dollars (\$100,000.00), conditioned upon the faithful
7931 performance of his or her duties and upon his or her accounting
7932 for all monies coming into his or her hands; and each employee



7933 handling funds shall execute a like bond in the sum of Fifteen
7934 Thousand Dollars (\$15,000.00), and the premiums thereon shall be
7935 paid from the funds provided for administering this chapter.

7936 The board may designate one (1) of its employees as the
7937 acting director or executive officer by a vote of the majority of
7938 the members of the board, officially recorded in the minutes of a
7939 regular or special meeting, and such acting director shall be
7940 vested with all the authority conferred upon the director by the
7941 provisions of this chapter; but such acting director may not serve
7942 for a continuous period of time in excess of six (6) months, and
7943 the acting director, when so designated, will be required to
7944 furnish surety bond in the same amount and under the same
7945 conditions as the director. The purpose of this provision is to
7946 designate an executive officer during any temporary illness,
7947 absence or incapacity of the regularly designated director.

7948 The board may designate one (1) of its employees by a vote of
7949 the majority of the members of the board, officially recorded in
7950 the minutes of a regular or special meeting, to be authorized to
7951 sign a Deed of Conveyance or other closing documents necessary as
7952 to not delay the closing or settlement of a home purchase during
7953 the absence or unavailability of the director.

7954 The board may select and employ such expert, technical and
7955 clerical assistance as in its judgment may be necessary in the
7956 proper administration of said board and fix the salaries of such
7957 employees.



7958 The board is empowered to employ auditors and accountants to
7959 examine the books, accounts and records of the board if it so
7960 desires, and the board is also authorized to employ legal counsel
7961 if it deems such a course necessary in the proper administration
7962 of its affairs.

7963 **SECTION 119.** Section 73-39-55, Mississippi Code of 1972, is
7964 amended as follows:

7965 73-39-55. (1) A Board of Veterinary Medicine shall be
7966 appointed by the Governor and shall consist of five (5) licensed
7967 veterinarians, with at least one (1) member from each of the
7968 Supreme Court districts of the state and not more than two (2)
7969 members from the same Supreme Court district. All members of the
7970 Board of Veterinary Medicine shall be veterinarians who have
7971 practiced in this state for a period of not less than five (5)
7972 years and shall be graduates of a school of veterinary medicine
7973 recognized by the American Veterinary Medical Association.
7974 Appointments shall be for a five-year term or to fill an unexpired
7975 term. The Governor shall fill all vacancies on the board as they
7976 shall occur by appointment from a list of three (3) eligible
7977 veterinarians submitted by the Mississippi Veterinary Medical
7978 Association for each vacancy. If the vacancy to be filled is
7979 caused by expiration of the term, death, resignation or inability
7980 to serve as a board member whose residence is in a Supreme Court
7981 district having two (2) members on the board, the Mississippi
7982 Veterinary Medical Association shall submit six (6) names: three



7983 (3) from the Supreme Court district in which the former board
7984 member resided and three (3) from the Supreme Court district which
7985 had only one (1) member on the board, and the Governor shall fill
7986 the vacancy by appointment of one (1) of the six (6) nominees.
7987 All appointments shall be with the advice and consent of the
7988 Senate.

7989 Members of the board serving on the predecessor board under
7990 Section 73-39-5 on July 1, 2005, may continue as members of the
7991 board until the expiration of the term for which they were
7992 appointed. Vacancies due to death, resignation or removal shall
7993 be filled for the remainder of the unexpired term in the same
7994 manner as regular appointments.

7995 (a) A licensed veterinarian shall be qualified to serve
7996 as a member of the board if he or she has been licensed to
7997 practice veterinary medicine in this state for the five (5) years
7998 immediately preceding the time of his or her appointment.

7999 (b) Each member of the board shall be paid in
8000 accordance with Section 25-3-69 for each day or substantial
8001 portion thereof if he or she is engaged in the work of the board,
8002 in addition to such reimbursement for travel and other expenses as
8003 is allowed under Section 25-3-41.

8004 The Board of Veterinary Medicine, created by former Section
8005 73-39-55, is continued and reconstituted as follows: Effective
8006 January 1, 2028, the appointed members of the board designated in
8007 this section, shall be appointed by the Governor, with the advise



8008 and consent of the Senate, provided that three (3) such members
8009 shall be appointed July 1, 2028, to a term ending in 2032, and two
8010 (2) such members shall be appointed in 2030 to a term ending July
8011 1, 2034. All appointment procedures, vacancy provisions, interim
8012 appointment provisions and removal provisions specifically
8013 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
8014 fully applicable to appointments to the Board of Veterinary
8015 Medicine.

8016 (2) The board shall meet at least once each year at the time
8017 and place fixed by rule of the board. Other necessary meetings
8018 may be called by the board by giving notice as may be required by
8019 rule. Except as may otherwise be provided, a majority of the
8020 board constitutes a quorum. Meetings shall be open and public
8021 except that the board may meet in closed session to prepare,
8022 approve, administer or grade examinations or to deliberate the
8023 qualification of an applicant for license or the disposition of a
8024 proceeding to discipline a licensed veterinarian in accordance
8025 with Section 25-41-7.

8026 (3) The board annually shall elect officers from its
8027 membership as may be prescribed by rule. Officers of the board
8028 serve for terms of one (1) year and until a successor is elected,
8029 without limitation on the number of terms an officer may serve.
8030 The duties of officers shall be prescribed by rule.

8031 **SECTION 120.** Section 43-55-5, Mississippi Code of 1972, is
8032 amended as follows:



8033 43-55-5. (1) Members of the Commission for Volunteer
8034 Service shall be appointed by the Governor. The commission shall
8035 consist of no fewer than fifteen (15) and no more than twenty-five
8036 (25) members.

8037 (2) The commission members shall include as voting members,
8038 except as otherwise indicated, at least one (1) of each of the
8039 following:

8040 (a) An individual with expertise in the educational,
8041 training, and developmental needs of youth, particularly
8042 disadvantaged youth.

8043 (b) An individual with experience in promoting service
8044 and volunteerism among older adults.

8045 (c) A representative of a community-based agency.

8046 (d) The superintendent of the State Department of
8047 Education, or his or her designee.

8048 (e) A representative of local government.

8049 (f) A representative of local labor organizations.

8050 (g) A representative of business.

8051 (h) An individual between the ages of sixteen (16) and
8052 twenty-five (25) who is a participant or supervisor in a program
8053 as defined in Section 101 of Title I, 42 USCS 12511.

8054 (i) A representative of a national service program
8055 described in Section 122(a) of Title I, 42 USCS 12572.



8056 (j) The employee of the corporation designated under
8057 Section 195 of Title I, 42 USCS 12651f, as the representative of
8058 the corporation in this state, as a nonvoting member.

8059 (3) In addition to the members described in subsection (2),
8060 the commission may include as voting members any of the following:

8061 (a) Local educators.

8062 (b) Experts in the delivery of human, educational,
8063 environmental, or public safety services to communities and
8064 persons.

8065 (c) Representative of Native American tribes.

8066 (d) Out-of-school youth or other at-risk youth.

8067 (e) Representatives of entities that receive assistance
8068 under the Domestic Volunteer Service Act of 1973, Public Law
8069 93-113, 87 Stat. 394.

8070 (f) A member of the Board of Trustees of State
8071 Institutions of Higher Learning.

8072 (4) Not more than twenty-five percent (25%) of the voting
8073 commission members shall be officers or employees of this state.
8074 The Governor may appoint additional officers or employees of state
8075 agencies operating community service, youth service, education,
8076 social service, senior service, and job training programs, as
8077 nonvoting, ex officio members of the commission.

8078 (5) The Governor shall ensure, to the maximum extent
8079 possible, that the commission membership is diverse with respect



8080 to race, ethnicity, age, gender * * * and disability
8081 characteristics.

8082 (6) Except as provided in this subsection, members of the
8083 commission shall serve for staggered three-year terms expiring on
8084 October 1. The members constituting the Mississippi Commission
8085 for Volunteer Service under Executive Order No. 1994-742 on March
8086 28, 1996, shall serve on the commission for the remainder of the
8087 terms for which they were appointed. Of the additional members,
8088 the Governor shall appoint one-third (1/3) of the initial members
8089 for a term of one (1) year; one-third (1/3) for a term of two (2)
8090 years; and one-third (1/3) for a term of three (3) years.

8091 Following expiration of these initial terms, all appointments
8092 shall be for three-year renewable terms. Members of the
8093 commission may not serve more than two (2) consecutive terms.

8094 (7) A vacancy on the commission shall be filled in the same
8095 manner as the original appointments, and any member so appointed
8096 shall serve during the remainder of the term for which the vacancy
8097 occurred. The vacancy shall not affect the power of the remaining
8098 commission members to execute the duties of the commission.

8099 (8) The Commission for Volunteer Service, created by former
8100 Section 43-55-5, is continued and reconstituted as follows:
8101 Effective January 1, 2028, the appointed members of the commission
8102 designated in this section, shall be appointed by the Governor,
8103 with the advise and consent of the Senate, provided that at least
8104 eight (8) such members shall be appointed July 1, 2028, to a term



8105 ending in 2032, and seven (7) such members shall be appointed in
8106 2030 to a term ending July 1, 2034. All appointment procedures,
8107 vacancy provisions, interim appointment provisions and removal
8108 provisions specifically provided for in Section 7-1-35,
8109 Mississippi Code of 1972, shall be fully applicable to
8110 appointments to the Commission for Volunteer Service.

8111 **SECTION 121.** Section 35-3-24, Mississippi Code of 1972, is
8112 amended as follows:

8113 35-3-24. There is hereby created a War Veterans Memorial
8114 Commission, which is hereby charged with the duty of carrying out
8115 the provisions as hereinafter set forth, and it shall be referred
8116 to in the succeeding sections hereof as the "commission." The
8117 commission shall consist of seven (7) commissioners, one (1)
8118 member each from the American Legion, the Veterans of Foreign
8119 Wars, Disabled American Veterans, American Ex-Prisoners of War,
8120 Veterans of World War I, Sons of Confederate Veterans, and the
8121 Mississippi National Guard. The commissioners shall be appointed
8122 by the Governor on the recommendation of the state executive
8123 governing body of each respective organization entitled to a
8124 member of the commission. The initial terms of the members shall
8125 be as follows, to be designated by the Governor at the time of
8126 appointment: (a) two (2) members shall be appointed for terms of
8127 two (2) years each; (b) two (2) members for terms of four (4)
8128 years each; (c) two (2) members for terms of six (6) years each;
8129 and (d) the member from the American Ex-Prisoners of War for a



8130 term of four (4) years. Thereafter, each term shall be for six
8131 (6) years or until a successor in office has been appointed and
8132 qualified. In the event of any vacancy on the commission, the
8133 Governor shall, within thirty (30) days, designate a successor in
8134 the same manner as the original appointment was made. No member
8135 of either branch of the Legislature nor any state officer or
8136 employee shall serve on the commission.

8137 The War Veterans Memorial Commission, created by former
8138 Section 35-3-24, is continued and reconstituted as follows:
8139 Effective January 1, 2028, the appointed members of the commission
8140 designated in this section, shall be appointed by the Governor,
8141 with the advise and consent of the Senate, provided that four (4)
8142 such members shall be appointed July 1, 2028, to a term ending in
8143 2032, and three (3) such members shall be appointed in 2030 to a
8144 term ending July 1, 2034. All appointment procedures, vacancy
8145 provisions, interim appointment provisions and removal provisions
8146 specifically provided for in Section 7-1-35, Mississippi Code of
8147 1972, shall be fully applicable to appointments to the War
8148 Veterans Memorial Commission.

8149 **SECTION 122.** Section 59-7-125, Mississippi Code of 1972, is
8150 amended as follows:

8151 59-7-125. (1) All improvements constructed by the board of
8152 supervisors under the provisions of this article shall be operated
8153 and maintained by a port commission composed of five (5) residents
8154 of such county who shall be qualified electors therein. Such



8155 commission shall have jurisdiction over the port, terminals,
8156 harbors and passes leading thereto, and all vessels, boats and
8157 wharves, common carriers, and public utilities therein, using the
8158 same, within their respective counties. Such port commission
8159 shall be appointed as follows: one (1) member shall be appointed
8160 by the Governor, two (2) shall be appointed by the board of
8161 supervisors of the county, and two (2) shall be appointed by the
8162 governing body of the municipality which is the county seat of
8163 such county in such cases where the county seat of such county
8164 is * * * situated on or adjacent to such port facilities,
8165 otherwise, four (4) members shall be appointed by the board of
8166 supervisors. A county and a municipality may by joint resolution
8167 dissolve a port commission created under this section which is
8168 governed by a commission with two (2) commissioners appointed by
8169 each. The joint resolution must provide that the municipality
8170 relinquishes its duties and obligations related to the port, and
8171 that the county assumes all duties and obligations related to the
8172 port. Any commission so dissolved shall be reconstituted to
8173 consist of five (5) members, one (1) member appointed from each
8174 supervisor district. The board of supervisors shall provide for
8175 staggered terms in its order providing for the appointment of the
8176 reconstituted port commission. Before entering upon the duties of
8177 the office, each of such commissioners shall take and subscribe to
8178 the oath of office required by Section 268 of the Constitution of
8179 the State of Mississippi, and shall give bond, to be approved by



8180 the board of supervisors, in the sum of Five Thousand Dollars
8181 (\$5,000.00), conditioned upon the faithful performance of their
8182 duties. Such bond shall be made payable to the county and in case
8183 of breach thereof, suit may be brought on the relation of the
8184 county for the benefit of such port commission. Such
8185 commissioners shall hold office for a term of four (4) years from
8186 the date of their appointment and qualification and until their
8187 successor or successors shall be appointed and qualified as set
8188 out herein. Three (3) members of the port commission shall be
8189 necessary to constitute a quorum for the conducting of business.

8190 (2) The Port Commission, created by former Section 59-7-125,
8191 is continued and reconstituted as follows: Effective January 1,
8192 2028, the appointed members of the commission designated in this
8193 section, shall be appointed by the Governor, with the advise and
8194 consent of the Senate, provided that three (3) such members shall
8195 be appointed July 1, 2028, to a term ending in 2032, and two (2)
8196 such members shall be appointed in 2030 to a term ending July 1,
8197 2034. All appointment procedures, vacancy provisions, interim
8198 appointment provisions and removal provisions specifically
8199 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
8200 fully applicable to appointments to the Port Commission.

8201 (* * *3) The members of the board of supervisors shall be
8202 ex officio members of the port commission, but no bond shall be
8203 required of them in such capacity; provided, however, the members
8204 of the board of supervisors shall be nonvoting members of the port



8205 commission and shall not be included or counted for the
8206 determination of a quorum for conducting of business by the port
8207 commission unless and until the board of supervisors of a
8208 particular county, by order entered on its minutes, expressly
8209 provides that the members of the board of supervisors shall be
8210 voting members of the port commission and the number of members
8211 required for a quorum to conduct business of the port commission,
8212 but in no event shall the number required for a quorum to conduct
8213 business of the port commission be less than three (3).

8214 (* * *4) All actions heretofore taken by the various port
8215 commissions at which at least three (3) members were present and
8216 which would otherwise have been legal actions except for the
8217 absence of a legal quorum being present and voting are hereby
8218 ratified, confirmed and approved.

8219 **SECTION 123.** Section 49-4-4, Mississippi Code of 1972, is
8220 amended as follows:

8221 49-4-4. (1) There is hereby created the Mississippi
8222 Commission on Wildlife, Fisheries and Parks, to be composed of
8223 five (5) persons appointed by the Governor, with the advice and
8224 consent of the Senate, for a term of five (5) years. One (1)
8225 person shall be appointed from each congressional district. The
8226 initial terms of the members shall be one (1), two (2), three (3),
8227 four (4) and five (5) years, respectively. Thereafter, all terms
8228 shall be for five (5) years. An appointment to fill a vacancy
8229 which arises for reasons other than by expiration of a term of



8230 office shall be made from the respective congressional district
8231 for the unexpired term only.

8232 The Mississippi Commission on Wildlife, Fisheries and Parks,
8233 created by former Section 49-4-4, is continued and reconstituted
8234 as follows: Effective January 1, 2028, the appointed members of
8235 the commission designated in this section, shall be appointed by
8236 the Governor, with the advise and consent of the Senate, provided
8237 that three (3) such members shall be appointed July 1, 2028, to a
8238 term ending in 2032, and two (2) such members shall be appointed
8239 in 2030 to a term ending July 1, 2034. All appointment
8240 procedures, vacancy provisions, interim appointment provisions and
8241 removal provisions specifically provided for in Section 7-1-35,
8242 Mississippi Code of 1972, shall be fully applicable to
8243 appointments to the Mississippi Commission on Wildlife, Fisheries
8244 and Parks.

8245 (2) The commission shall elect from its membership a
8246 chairman who shall preside over meetings and a vice chairman who
8247 shall preside in the absence of the chairman or when the chairman
8248 shall be excused.

8249 (3) The commission shall adopt rules and regulations
8250 governing times and places for meetings and governing the manner
8251 of conducting its business. Each member of the commission shall
8252 take the oath prescribed by Section 268 of the Mississippi
8253 Constitution, and shall enter into bond in the amount of Thirty
8254 Thousand Dollars (\$30,000.00) to be approved by the Secretary of



8255 State, conditioned according to law, and payable to the State of
8256 Mississippi before assuming the duties of office. Any member who
8257 shall not attend three (3) consecutive regular meetings of the
8258 commission shall be subject to removal by a majority vote of the
8259 commission members.

8260 (4) The members of the commission shall receive no annual
8261 salary but shall receive per diem compensation as authorized by
8262 law for each day devoted to the discharge of official duties and
8263 shall be entitled to reimbursement for all actual and necessary
8264 expenses incurred in the discharge of their duties, including
8265 mileage as authorized by law.

8266 The commission shall be composed of persons with a
8267 demonstrated history of involvement in at least one (1) of the
8268 matters of jurisdiction of the commission and whose employment and
8269 activities are not in conflict. All of the commissioners shall be
8270 an active outdoorsman holding a resident hunting or fishing
8271 license in at least five (5) of the ten (10) years preceding
8272 appointment. A member shall not have a record of conviction of
8273 violation of fish or game laws and regulations within five (5)
8274 years preceding appointment or a record of any felony conviction.

8275 (5) The commission shall have the power to adopt, amend and
8276 repeal such regulations and rules as may be necessary for the
8277 operation of the department.



8278 (6) The commission shall have the power and authority to
8279 issue all licenses and permits under the jurisdiction of the
8280 department.

8281 (7) In the furtherance of its duties and responsibilities,
8282 the commission may conduct hearings, gather testimony and perform
8283 other functions required to carry out its powers and duties as
8284 prescribed by statute.

8285 (8) The commission shall have all power for conserving,
8286 managing and developing wildlife and fishery resources except for
8287 saltwater aquatic life and marine resources under the jurisdiction
8288 of the Mississippi Commission on Marine Resources.

8289 **SECTION 124.** Section 83-34-7, Mississippi Code of 1972, is
8290 amended as follows:

8291 83-34-7. (1) The Board of Directors of the Mississippi
8292 Insurance Underwriting Association as presently constituted shall
8293 serve as the temporary board of directors of the association.
8294 Such temporary board of directors shall prepare and submit a plan
8295 of operation in accordance with Section 83-34-13 and shall serve
8296 until the permanent board of directors shall take office in
8297 accordance with the plan of operation. The permanent board shall
8298 consist of five (5) representatives of the members to be appointed
8299 by the temporary board of directors subject to the approval of the
8300 commissioner and three (3) agents from the coast area to be
8301 appointed by the commissioner. The terms of the members of the
8302 board of directors in place before March 22, 2007, shall expire on



8303 March 22, 2007, and such persons shall cease to serve on the board
8304 and shall relinquish all power and control of the association.

8305 (2) (a) From and after March 22, 2007, the board of
8306 directors of the association shall consist of the following:

8307 (i) The State Treasurer;

8308 (ii) Five (5) of the assessable insurer companies,
8309 three (3) to be appointed by the commissioner, one (1) to be
8310 appointed by the Governor, and one (1) to be appointed by the
8311 Lieutenant Governor; each such assessable insurer appointed shall
8312 designate a representative knowledgeable in the matters of the
8313 association and authorize such representative to act and vote on
8314 its behalf;

8315 (iii) Three (3) agents with no less than ten (10)
8316 years' experience in the property and casualty industry, two (2)
8317 of whom are residents in the coast area, and one (1) of whom is
8318 not a resident of the coast area; one (1) such coast area agent to
8319 be appointed by the Governor, one (1) such coast area agent to be
8320 appointed by the Lieutenant Governor, and the noncoast area agent
8321 to be appointed by the commissioner; and

8322 (iv) Two (2) business leaders who have been
8323 residents of the coast area for no less than ten (10) years and
8324 who have no less than ten (10) years' experience in management of
8325 a business, one (1) to be appointed by the Governor, and one (1)
8326 to be appointed by the Lieutenant Governor.



8327 (b) Except for the State Treasurer, the board members
8328 shall serve three-year terms with each term beginning on January
8329 1, and the initial terms shall be staggered in the following
8330 manner:

8331 (i) The initial term for three (3) of the
8332 assessable insurers shall begin on March 22, 2007, and expire on
8333 December 31, 2010, thereafter to be appointed for three-year
8334 terms;

8335 (ii) The initial term for one (1) of the
8336 assessable insurers shall begin on March 22, 2007, and expire on
8337 December 31, 2009, thereafter to be appointed for three-year
8338 terms;

8339 (iii) The initial term for one (1) of the
8340 assessable insurers shall begin on March 22, 2007, and expire on
8341 December 31, 2008, thereafter to be appointed for three-year
8342 terms;

8343 (iv) The initial term for one (1) of the agents
8344 shall begin on March 22, 2007, and expire on December 31, 2010,
8345 thereafter to be appointed for three-year terms;

8346 (v) The initial term for one (1) of the agents
8347 shall begin on March 22, 2007, and expire on December 31, 2009,
8348 thereafter to be appointed for three-year terms;

8349 (vi) The initial term for one (1) of the agents
8350 shall begin on March 22, 2007, and expire on December 31, 2008,
8351 thereafter to be appointed for three-year terms;



8352 (vii) The initial term for one (1) of the business
8353 leaders shall begin on March 22, 2007, and expire on December 31,
8354 2010, thereafter to be appointed for three-year terms;

8355 (viii) The initial term for one (1) of the
8356 business leaders shall begin on March 22, 2007, and expire on
8357 December 31, 2008, thereafter to be appointed for three-year
8358 terms.

8359 (3) On or before March 22, 2007, the appropriate public
8360 official shall make such appointments and request such
8361 resignations from the existing board as are appropriate to comply
8362 with this section.

8363 (4) The Board of Directors of the Mississippi Insurance
8364 Underwriting Association, created by former Section 83-34-7, is
8365 continued and reconstituted as follows: Effective January 1,
8366 2028, the appointed members of the board designated in this
8367 section, shall be appointed by the Governor, with the advise and
8368 consent of the Senate, provided that five (5) such members shall
8369 be appointed July 1, 2028, to a term ending in 2032, and five (5)
8370 such members shall be appointed in 2030 to a term ending July 1,
8371 2034. All appointment procedures, vacancy provisions, interim
8372 appointment provisions and removal provisions specifically
8373 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
8374 fully applicable to appointments to the Board of Directors of the
8375 Mississippi Insurance Underwriting Association.



8376 (5) The board shall be staffed by as many employees as it
8377 deems necessary.

8378 (* * *6) The board of directors has the power to act and
8379 make binding decisions on behalf of the association on all issues.

8380 **SECTION 125.** Section 43-59-3, Mississippi Code of 1972, is
8381 amended as follows:

8382 43-59-3. (1) There is created the Mississippi Commission on
8383 the Status of Women. The commission shall be nonpartisan, and
8384 shall be composed of thirteen (13) members to be appointed, with
8385 the advice and consent of the Senate, as follows:

8386 (a) Four (4) members shall be appointed by the
8387 Governor, including a current or former food stamps recipient and
8388 a single parent;

8389 (b) Three (3) members shall be appointed by the
8390 Lieutenant Governor, including a current or former college
8391 educator with expertise in women's issues;

8392 (c) Three (3) members shall be appointed by the Speaker
8393 of the House of Representatives, including a health care
8394 professional knowledgeable in women's health issues; and

8395 (d) Three (3) members shall be appointed by the
8396 Attorney General, including a law professor or lawyer with
8397 expertise in women's issues.

8398 (2) The members of the commission shall be women and men of
8399 recognized ability and achievement who are representative of the
8400 ethnic, geographic, socioeconomic and cultural diversity of the



8401 population of this state, and who have a proven record of efforts
8402 to improve the status of women. The initial term of office of one
8403 (1) member appointed by the Governor shall expire on June 30,
8404 2002. The initial terms of office of the remaining members shall
8405 be fixed by the appointing authorities so that the term of office
8406 of one (1) member appointed by each appointing authority expires
8407 on June 30, 2003, the term of office of one (1) member appointed
8408 by each expires on June 30, 2004, and the terms of office of the
8409 remaining three (3) members expires on June 30, 2005. After the
8410 expiration of the initial terms, the terms of office of all
8411 members shall be four (4) years each, from the expiration date of
8412 the previous term. A member may not serve for more than two (2)
8413 consecutive terms. All vacancies shall be filled by the
8414 appointing authority for the unexpired term.

8415 (3) The Mississippi Commission on the Status of Women,
8416 created by former Section 43-59-3, is continued and reconstituted
8417 as follows: Effective January 1, 2028, the appointed members of
8418 the commission designated in subsections (1) and (2) of this
8419 section, shall be appointed by the Governor, with the advise and
8420 consent of the Senate, provided that seven (7) such members shall
8421 be appointed July 1, 2028, to a term ending in 2032, and six (6)
8422 such members shall be appointed in 2030 to a term ending July 1,
8423 2034. All appointment procedures, vacancy provisions, interim
8424 appointment provisions and removal provisions specifically
8425 provided for in Section 7-1-35, Mississippi Code of 1972, shall be



8426 fully applicable to appointments to the Mississippi Commission on
8427 the Status of Women.

8428 (4) The commission shall organize by electing a chair, vice
8429 chair and secretary from among its members for terms of two (2)
8430 years each. Any member is eligible for successive elections to
8431 office.

8432 (* * * 5) A majority of the members of the commission shall
8433 constitute a quorum for transacting business.

8434 (* * * 6) Members of the commission may be reimbursed for
8435 expenses as provided in Section 25-3-41, and may receive per diem
8436 as provided in Section 25-3-69.

8437 (* * * 7) The * * * Governor shall notify the individuals
8438 after * * * he or she has made their appointments. The Governor
8439 then shall designate a place and time for the initial
8440 organizational meeting of the commission, which meeting must be
8441 before October 1, 2001.

8442 **SECTION 126.** Section 71-3-85, Mississippi Code of 1972, is
8443 amended as follows:

8444 71-3-85. (1) There is hereby created a commission to be
8445 known as the * * * Workers' Compensation Commission, consisting of
8446 three (3) members, who shall devote their entire time to the
8447 duties of the office. The Governor shall appoint the members of
8448 the commission, by and with the consent of the Mississippi State
8449 Senate, one (1) for a term of two (2) years, one (1) for a term of
8450 four (4) years, and one (1) for a term of six (6) years. Upon the



8451 expiration of each term as above set forth, the Governor shall
8452 appoint a successor for a term of six (6) years, and thereafter
8453 the term of office of each commissioner shall be for six (6)
8454 years. One (1) member shall be a person who by reason of his or
8455 her previous vocation or affiliation can be classed as a
8456 representative of employers, and one (1) member shall be a person
8457 who by reason of his or her previous vocation or affiliation can
8458 be classed as a representative of employees. One (1) member shall
8459 be an attorney-at-law of recognized ability with at least five (5)
8460 years' active practice in Mississippi prior to his or her
8461 appointment. The Governor shall designate the chairman of the
8462 commission, whose term of chairman shall run concurrently with his
8463 or her appointment as a commissioner.

8464 The Workers' Compensation Commission, created by former
8465 Section 71-3-85, is continued and reconstituted as follows:
8466 Effective January 1, 2028, the appointed members of the commission
8467 designated in this section, shall be appointed by the Governor,
8468 with the advise and consent of the Senate, provided that two (2)
8469 such members shall be appointed July 1, 2028, to a term ending in
8470 2032, and one (1) such member shall be appointed in 2030 to a term
8471 ending July 1, 2034. All appointment procedures, vacancy
8472 provisions, interim appointment provisions and removal provisions
8473 specifically provided for in Section 7-1-35, Mississippi Code of
8474 1972, shall be fully applicable to appointments to the Workers'
8475 Compensation Commission.



8476 The chairman shall be the administrative head of the
8477 commission and shall have the final authority in all matters
8478 relating to assignment of cases for hearing and trial and the
8479 administrative work of the commission and its employees, except in
8480 the promulgation of rules and regulations wherein the commission
8481 shall act as a body, and in the trial and determination of cases
8482 as otherwise provided.

8483 Upon the expiration of the term of a commissioner, he shall
8484 continue to serve until his or her successor has been appointed.
8485 Because cumulative experience is conspicuously essential to the
8486 proper administration of a * * * Workers' Compensation Law, it is
8487 declared to be in the public interest to continue * * * Workers'
8488 Compensation Commissioners in office as long as efficiency is
8489 demonstrated. A commissioner may be removed for cause prior to
8490 the expiration of his or her term, but shall be furnished a
8491 written copy of the charges against him or her and shall be
8492 accorded a public hearing.

8493 Each member of the commission and each administrative law
8494 judge shall receive an annual salary fixed by the Legislature.

8495 (2) A vacancy in the commission, if there remain two (2)
8496 members of it, shall not impair the authority of such two (2)
8497 members to act. In case of illness or continued absence for other
8498 reasons, the same authority of such two (2) members shall apply.

8499 (3) The commission shall have the powers and duties
8500 necessary for effecting the purposes of this chapter, including



8501 the powers of a court of record for compelling the attendance of
8502 witnesses, examining them under oath, and compelling the
8503 production of books, papers, documents and objects relevant to the
8504 determination of a claim for compensation, and the power to adopt
8505 rules and regulations and make or approve the forms relating to
8506 notices of injuries, payment of claims and other purposes. The
8507 authority of the commission and its duly authorized
8508 representatives to investigate and determine claims for
8509 compensation shall include the right to enter the premises where
8510 an injury occurred, to ascertain its causes and circumstances.

8511 (4) The office of the commission shall be situated in the
8512 City of Jackson, but hearings may be held at such places as it may
8513 deem most convenient for the proper and speedy performance of its
8514 duties. The commission is authorized, if it deems it necessary
8515 for the convenient and efficient dispatch of business, to lease
8516 office space and facilities in other than publicly owned
8517 buildings.

8518 (5) The commission shall adopt detailed rules and
8519 regulations for implementing the purposes of this chapter at
8520 hearings attended by the main parties interested. Such rules,
8521 upon adoption, shall be published and be at all reasonable times
8522 made available to the public and, if not inconsistent with law,
8523 shall be binding upon those participating in the responsibilities
8524 and benefits of the * * * Workers' Compensation Law.



8525 (6) The commission shall adopt or approve the forms required
8526 for administering the chapter, such notices of injury, application
8527 for benefits, receipts for compensation and all other forms needed
8528 to assure the orderly and prompt operation of the law, and may
8529 require the exclusive use of any or all such approved forms.

8530 **SECTION 127.** Section 37-153-7, Mississippi Code of 1972, is
8531 amended as follows:

8532 37-153-7. (1) There is created the Mississippi Office of
8533 Workforce Development and the Mississippi State Workforce
8534 Investment Board, which shall serve as the advisory board for the
8535 office. The Mississippi State Workforce Investment Board shall be
8536 composed of thirty-one (31) voting members, of which a majority
8537 shall be representatives of business and industry in accordance
8538 with the federal Workforce Innovation and Opportunity Act, or any
8539 successive acts.

8540 (2) The members of the State Workforce Investment Board
8541 shall include:

8542 (a) The Governor, or his or her designee;

8543 (b) Nineteen (19) members, appointed by the Governor,
8544 of whom:

8545 (i) A majority shall be representatives of
8546 businesses in the state, who:

8547 1. Are owners of businesses, chief executives
8548 or operating officers of businesses, or other business executives
8549 or employers with optimum policymaking or hiring authority, and



8550 who, in addition, may be members of a local board described in
8551 Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and
8552 Opportunity Act. At least two (2) of the members appointed under
8553 this item 1. shall be small business owners, chief executives or
8554 operating officers of businesses with less than fifty (50)
8555 employees;

8556 2. Represent businesses, including small
8557 businesses, or organizations representing businesses, which
8558 provide employment opportunities that, at a minimum, include
8559 high-quality, work-relevant training and development in
8560 high-demand industry sectors or occupations in the state; and

8561 3. Are appointed from among individuals
8562 nominated by state business organizations and business trade
8563 associations;

8564 (ii) Not less than twenty percent (20%) shall
8565 consist of representatives of the workforce within the state,
8566 which:

8567 1. Includes labor organization
8568 representatives who have been nominated by state labor
8569 federations;

8570 2. Includes a labor organization member or
8571 training director from an apprenticeship program in the state,
8572 which shall be a joint labor-management apprenticeship program if
8573 such a program exists in the state;



8574 3. May include representatives of
8575 community-based organizations, including organizations serving
8576 veterans or providing or supporting competitive, integrated
8577 employment for individuals with disabilities, who have
8578 demonstrated experience and expertise in addressing employment,
8579 training or education needs of individuals with barriers to
8580 employment; and

8581 4. May include representatives of
8582 organizations, including organizations serving out-of-school
8583 youth, who have demonstrated experience or expertise in addressing
8584 the employment, training or education needs of eligible youth;

8585 (iii) The balance shall include government
8586 representatives, including the lead state officials with primary
8587 responsibility for core programs, and chief elected officials
8588 (collectively representing both cities and counties, where
8589 appropriate);

8590 (c) Two (2) representatives of businesses in the state
8591 appointed by the Lieutenant Governor;

8592 (d) Two (2) representatives of businesses in the state
8593 appointed by the Governor from a list of three (3) recommendations
8594 from the Speaker of the House; and

8595 (e) The following state officials:

8596 (i) The Executive Director of the Mississippi
8597 Department of Employment Security;



8598 (ii) The Executive Director of the Department of
8599 Rehabilitation Services;

8600 (iii) The State Superintendent of Public
8601 Education;

8602 (iv) The Executive Director of the Mississippi
8603 Development Authority;

8604 (v) The Executive Director of the Mississippi
8605 Community College Board;

8606 (vi) The President of the Community College
8607 Association; and

8608 (vii) The Commissioner of the Institutions of
8609 Higher Learning.

8610 (f) One (1) senator, appointed by the Lieutenant
8611 Governor, and one (1) representative, appointed by the Speaker of
8612 the House, shall serve on the state board in a nonvoting capacity.

8613 (g) The Governor may appoint additional members if
8614 required by the federal Workforce Innovation and Opportunity Act,
8615 or any successive acts.

8616 (h) Members of the board shall serve a term of four (4)
8617 years, and shall not serve more than three (3) consecutive terms.

8618 (i) The membership of the board shall reflect the
8619 diversity of the State of Mississippi.

8620 (j) The Governor shall designate the Chairman of the
8621 Mississippi State Workforce Investment Board from among the
8622 business and industry voting members of the board, and a quorum of



8623 the board shall consist of a majority of the voting members of the
8624 board.

8625 (k) The voting members of the board who are not state
8626 employees shall be entitled to reimbursement of their reasonable
8627 expenses in the manner and amount specified in Section 25-3-41 and
8628 shall be entitled to receive per diem compensation as authorized
8629 in Section 25-3-69.

8630 (3) Members of the state board may be recalled by their
8631 appointing authority for cause, including a felony conviction,
8632 fraudulent or dishonest acts or gross abuse of discretion, failure
8633 to meet board member qualifications, or chronic failure to attend
8634 board meetings.

8635 (4) The Mississippi Workforce Development Board, created by
8636 former Section 37-153-7, is continued and reconstituted as
8637 follows: Effective January 1, 2028, the appointed members of the
8638 board designated in subsection (3)(b), (c) and (d) of this
8639 section, shall be appointed by the Governor, with the advise and
8640 consent of the Senate, provided that twelve (12) such members
8641 shall be appointed July 1, 2028, to a term ending in 2032, and
8642 eleven (11) such members shall be appointed in 2030 to a term
8643 ending July 1, 2034. All appointment procedures, vacancy
8644 provisions, interim appointment provisions and removal provisions
8645 specifically provided for in Section 7-1-35, Mississippi Code of
8646 1972, shall be fully applicable to appointments to the Mississippi
8647 Workforce Development Board.



8648 (5) The Mississippi Department of Employment Security shall
8649 establish limits on administrative costs for each portion of
8650 Mississippi's workforce development system consistent with the
8651 federal Workforce Investment Act or any future federal workforce
8652 legislation.

8653 (* * *6) The Mississippi State Workforce Investment Board
8654 shall have the following duties. These duties are intended to be
8655 consistent with the scope of duties provided in the federal
8656 Workforce Innovation and Opportunity Act, amendments and successor
8657 legislation to this act, and other relevant federal law:

8658 (a) Through the office, develop and submit to the
8659 Governor, Lieutenant Governor and Speaker of the House a strategic
8660 plan for an integrated state workforce development system that
8661 aligns resources and structures the system to more effectively and
8662 efficiently meet the demands of Mississippi's employers and job
8663 seekers. This plan will comply with the federal Workforce
8664 Investment Act of 1998, as amended, the federal Workforce
8665 Innovation and Opportunity Act of 2014 and amendments and
8666 successor legislation to these acts;

8667 (b) Assist the Governor, Lieutenant Governor and
8668 Speaker of the House in the development and continuous improvement
8669 of the statewide workforce investment system that shall include:

8670 (i) Development of linkages in order to assure
8671 coordination and nonduplication among programs and activities; and



8672 (ii) Review local workforce development plans that
8673 reflect the use of funds from the federal Workforce Investment
8674 Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser
8675 Act and the amendment or successor legislation to the acts, and
8676 the Mississippi Comprehensive Workforce Training and Education
8677 Consolidation Act;

8678 (c) Recommend to the office the designation of local
8679 workforce investment areas as required in Section 116 of the
8680 federal Workforce Investment Act of 1998 and the Workforce
8681 Innovation and Opportunity Act of 2014. There shall be four (4)
8682 workforce investment areas that are generally aligned with the
8683 planning and development district structure in Mississippi.
8684 Planning and development districts will serve as the fiscal agents
8685 to manage Workforce Investment Act funds, oversee and support the
8686 local workforce investment boards aligned with the area and the
8687 local programs and activities as delivered by the one-stop
8688 employment and training system. The planning and development
8689 districts will perform this function through the provisions of the
8690 county cooperative service districts created under Sections
8691 19-3-101 through 19-3-115; however, planning and development
8692 districts currently performing this function under the Interlocal
8693 Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may
8694 continue to do so;

8695 (d) Assist the Governor in the development of an
8696 allocation formula for the distribution of funds for adult



8697 employment and training activities and youth activities to local
8698 workforce investment areas;

8699 (e) Recommend comprehensive, results-oriented measures
8700 that shall be applied to all of Mississippi's workforce
8701 development system programs;

8702 (f) Assist the Governor in the establishment and
8703 management of a one-stop employment and training system conforming
8704 to the requirements of the federal Workforce Investment Act of
8705 1998 and the Workforce Innovation and Opportunity Act of 2014, as
8706 amended, recommending policy for implementing the Governor's
8707 approved plan for employment and training activities and services
8708 within the state. In developing this one-stop career operating
8709 system, the Mississippi State Workforce Investment Board, in
8710 conjunction with local workforce investment boards, shall:

8711 (i) Design broad guidelines for the delivery of
8712 workforce development programs;

8713 (ii) Identify all existing delivery agencies and
8714 other resources;

8715 (iii) Define appropriate roles of the various
8716 agencies to include an analysis of service providers' strengths
8717 and weaknesses;

8718 (iv) Determine the best way to utilize the various
8719 agencies to deliver services to recipients; and



8720 (v) Develop a financial plan to support the
8721 delivery system that shall, at a minimum, include an
8722 accountability system;

8723 (g) To provide authority, in accordance with any
8724 executive order of the Governor, for developing the necessary
8725 collaboration among state agencies at the highest level for
8726 accomplishing the purposes of this article;

8727 (h) To monitor the effectiveness of the workforce
8728 development centers and WIN job centers;

8729 (i) To advise the Governor, public schools,
8730 community/junior colleges and institutions of higher learning on
8731 effective school-to-work transition policies and programs that
8732 link students moving from high school to higher education and
8733 students moving between community colleges and four-year
8734 institutions in pursuit of academic and technical skills training;

8735 (j) To work with industry to identify barriers that
8736 inhibit the delivery of quality workforce education and the
8737 responsiveness of educational institutions to the needs of
8738 industry;

8739 (k) To provide periodic assessments on effectiveness
8740 and results of the overall Mississippi comprehensive workforce
8741 development system and district councils;

8742 (l) Develop broad statewide development goals,
8743 including a goal to raise the state's labor force participation
8744 rate;



8745 (m) Perform a comprehensive review of Mississippi's
8746 workforce development efforts, including the amount spent and
8747 effectiveness of programs supported by state or federal money; and

8748 (n) To assist the Governor in carrying out any other
8749 responsibility required by the federal Workforce Investment Act of
8750 1998, as amended and the Workforce Innovation and Opportunity Act,
8751 successor legislation and amendments.

8752 (* * *7) The Mississippi State Workforce Investment Board
8753 shall coordinate all training programs and funds within its
8754 purview, consistent with the federal Workforce Investment Act,
8755 Workforce Innovation and Opportunity Act, amendments and successor
8756 legislation to these acts, and other relevant federal law.

8757 Each state agency director responsible for workforce training
8758 activities shall advise the Mississippi Office of Workforce
8759 Development and the State Workforce Investment Board of
8760 appropriate federal and state requirements. Each state agency,
8761 department and institution shall report any monies received for
8762 workforce training activities or career and technical education
8763 and a detailed itemization of how those monies were spent to the
8764 state board. The board shall compile the data and provide a
8765 report of the monies and expenditures to the Chairs of the House
8766 and Senate Appropriations Committee, the Chair of the House
8767 Workforce Development Committee and the Chair of the Senate
8768 Economic and Workforce Development Committee by October 1 of each
8769 year. Each such state agency director shall remain responsible



8770 for the actions of his or her agency; however, each state agency
8771 and director shall work cooperatively to fulfill the state's
8772 goals.

8773 (* * *8) The State Workforce Investment Board shall
8774 establish an executive committee, which shall consist of the
8775 following State Workforce Investment Board members:

8776 (a) The Chair of the State Workforce Investment Board;

8777 (b) Two (2) business representatives currently serving
8778 on the state board selected by the Governor;

8779 (c) The two (2) business representatives currently
8780 serving on the state board appointed by the Lieutenant Governor;

8781 (d) The two (2) business representatives currently
8782 serving on the state board appointed by the Governor from a list
8783 of three (3) recommendations from the Speaker of the House;

8784 (e) The two (2) legislators, who shall serve in a
8785 nonvoting capacity, one (1) of whom shall be appointed by the
8786 Lieutenant Governor from the membership of the Mississippi Senate
8787 and one (1) of whom shall be appointed by the Speaker of the House
8788 of Representatives from the membership of the Mississippi House of
8789 Representatives.

8790 (* * *9) The executive committee shall select an executive
8791 director of the Office of Workforce Development, with the advice
8792 and consent of a majority of the State Workforce Investment Board.
8793 The executive committee shall seek input from economic development



8794 organizations across the state when selecting the executive
8795 director. The executive director shall:

8796 (a) Be a person with extensive experience in
8797 development of economic, human and physical resources, and
8798 promotion of industrial and commercial development. The executive
8799 director shall have a bachelor's degree from a state-accredited
8800 institution and no less than eight (8) years of professional
8801 experience related to workforce or economic development;

8802 (b) Perform the functions necessary for the daily
8803 operation and administration of the office, with oversight from
8804 the executive committee and the State Workforce Investment Board,
8805 to fulfill the duties of the state board as described in Chapter
8806 476, Laws of 2020;

8807 (c) Hire staff needed for the performance of his or her
8808 duties under Chapter 476, Laws of 2020. The executive director,
8809 with approval from the executive committee, shall set the
8810 compensation of any hired employees from any funds made available
8811 for that purpose;

8812 (d) Enter any part of the Mississippi Community College
8813 Board, individual community and junior colleges, or other
8814 workforce training facilities operated by the state or its
8815 subdivisions;

8816 (e) Serve at the will and pleasure of the executive
8817 committee;



8818 (f) Promulgate rules and regulations, subject to
8819 oversight by the executive committee, not inconsistent with this
8820 article, as may be necessary to enforce the provisions in Chapter
8821 476, Laws of 2020; and

8822 (g) Perform any other actions he or she, in
8823 consultation with the executive committee, deems necessary to
8824 fulfill the duties under Chapter 476, Laws of 2020.

8825 (* * *10) The Office of Workforce Development and
8826 Mississippi Community College Board shall collaborate in the
8827 administration and oversight of the Mississippi Workforce
8828 Enhancement Training Fund and Mississippi Works Fund, as described
8829 in Section 71-5-353. The executive director shall maintain
8830 complete and exclusive operational control of the office's
8831 functions.

8832 (* * *11) The office shall file an annual and a quarterly
8833 report with the Governor, Secretary of State, President of the
8834 Senate, Speaker of the House, Chairman of the House Workforce
8835 Development Committee and Chairman of the Senate Economic and
8836 Workforce Development Committee. The annual report shall be filed
8837 not later than October 1 of each year regarding all funds approved
8838 by the office to be expended on workforce training during the
8839 prior calendar year. The quarterly and annual reports shall
8840 include:

8841 (a) Information on the performance of the Mississippi
8842 Workforce Enhancement Training Fund and the Mississippi Works



8843 Fund, in terms of adding value to the local and state economy, the
8844 contribution to future growth of the state economy, and movement
8845 toward state goals, including increasing the labor force
8846 participation rate;

8847 (b) With respect to specific workforce training
8848 projects:

8849 (i) The location of the training;

8850 (ii) The amount allocated to the project;

8851 (iii) The purpose of the project;

8852 (iv) The specific business entity that is the
8853 beneficiary of the project;

8854 (v) The number of employees intended to be trained
8855 and actually trained, if applicable, in the course of the project;
8856 and

8857 (vi) The types of funds used for the project;

8858 (c) With respect to the grants that have been awarded
8859 under the Mississippi K-12 Workforce Development Grant Program
8860 created in Section 37-153-221:

8861 (i) The entity that was awarded the grant;

8862 (ii) The amount allocated to the grant;

8863 (iii) The purpose of the grant; * * *

8864 (iv) How the grant has been used since it was
8865 awarded; and



8866 (d) With respect to the office's authority to select
8867 tools and resources, including necessary online platforms and
8868 similar systems in furtherance of the mission of the office:

8869 (i) The policies that the office has adopted or
8870 amended on the process for the selection of tools and resources,
8871 including necessary online platforms and similar systems in
8872 furtherance of the mission of the office;

8873 (ii) The eligible entities that the office
8874 determined may provide services, such as companies, nonprofit
8875 organizations, or other similar groups;

8876 (iii) Any tools and resources, including necessary
8877 online platforms and similar systems in furtherance of the mission
8878 of the office, that have been selected by the office; and

8879 (iv) What entity received the benefit of the tools
8880 and resources that were selected.

8881 (e) All information concerning a proposed project which
8882 is provided to the executive director shall be kept confidential.
8883 Except as provided in subsections (13) and (14), such
8884 confidentiality shall not limit disclosure under the Mississippi
8885 Public Records Act of 1983 of records describing the nature,
8886 quantity, cost or other pertinent information related to the
8887 activities of, or services performed using, the Mississippi
8888 Workforce Enhancement Training Fund or the Mississippi Works Fund.



8889 (* * *12) In addition to other powers and duties provided
8890 in this section, the Office of Workforce Development shall also
8891 have the following powers and duties:

8892 (a) Direct access to accounting and banking statements
8893 for all funds under its direction to ensure accurate and efficient
8894 management of funds and to improve internal control;

8895 (b) The ability to enter into nondisclosure agreements
8896 to effectively support economic development activities and the
8897 proprietary nature of customized training for existing and new
8898 industry;

8899 (c) To adopt and promulgate such rules and regulations
8900 as may be necessary or desirable for the purpose of implementing
8901 the Mississippi K-12 Workforce Development Grant Program created
8902 in Section 37-153-221;

8903 (d) To receive contributions, donations, gifts,
8904 bequests of money, other forms of financial assistance and
8905 property, equipment, materials or manpower from persons,
8906 foundations, trust funds, corporations, organizations and other
8907 sources, public or private, made to the office, and may expend or
8908 use the same in accordance with the conditions prescribed by the
8909 donor, provided that no such condition is contrary to any
8910 provision of law;

8911 (e) To contract with state agencies, governing
8912 authorities or economic and workforce development entities for



8913 shared programmatic efforts and support service or joint
8914 employment of personnel in order to further the office's purposes;

8915 (f) To determine, subject to appropriation, the need
8916 for and, if desired, the selection of tools and resources,
8917 including necessary online platforms and similar systems in
8918 furtherance of the mission of the office, through processes
8919 established in policies adopted by the office that are deemed to
8920 be practical, feasible and in the public interest. These
8921 processes shall outline eligible entities that may provide such
8922 services, such as companies, nonprofit organizations, or other
8923 similar groups and shall ensure the office determines metrics for
8924 success, including deliverables as required by the office;

8925 (g) To implement the career coaching program provided
8926 for in Section 37-73-3;

8927 (h) To provide career coaches with access to technology
8928 to develop customized career pathways and connect students with
8929 post-secondary and employment opportunities matching their skills
8930 and interests; and

8931 (i) To implement and oversee programs providing support
8932 to community and junior colleges for training needs that may arise
8933 when new businesses locate in Mississippi, to include providing
8934 support to existing industries that may lose employees as a result
8935 of the new business.

8936 Through December 31, 2024, the provisions of Section 27-104-7
8937 related to rental agreements or leasing of real property for the



8938 purpose of conducting agency business shall not apply to the
8939 office.

8940 (* * *13) Nothing in Chapter 476, Laws of 2020 [Senate Bill
8941 No. 2564] shall void or otherwise interrupt any contract, lease,
8942 grant or other agreement previously entered into by the State
8943 Workforce Investment Board, Mississippi Community College Board,
8944 individual community or junior colleges, or other entities.

8945 (* * *14) Any records of the office which contain client
8946 information from the Mississippi Development Authority or local
8947 economic development entities concerning development projects
8948 shall be exempt from the provisions of the Mississippi Public
8949 Records Act of 1983 for a period of two (2) years after receipt of
8950 the information by the office. Confidential client information as
8951 described in this section shall not include the information which
8952 must be disclosed by the certified applicant related to a
8953 qualified economic development project in the annual report
8954 described in Section 57-1-759.

8955 (* * *15) Confidential client information in public records
8956 held by the office shall be exempt from the provisions of the
8957 Mississippi Public Records Act of 1983 during any period of review
8958 and negotiation on a project proposal facilitated by the
8959 Mississippi Development Authority or local economic development
8960 entities and for a period of thirty (30) days after approval,
8961 disapproval or abandonment of the proposal not to exceed one (1)
8962 year.



8963 **SECTION 128.** Section 59-7-125, Mississippi Code of 1972, is
8964 amended as follows:

8965 59-7-125. (1) All improvements constructed by the board of
8966 supervisors under the provisions of this article shall be operated
8967 and maintained by a port commission composed of five (5) residents
8968 of such county who shall be qualified electors therein. Such
8969 commission shall have jurisdiction over the port, terminals,
8970 harbors and passes leading thereto, and all vessels, boats and
8971 wharves, common carriers, and public utilities therein, using the
8972 same, within their respective counties. Such port commission
8973 shall be appointed as follows: one (1) member shall be appointed
8974 by the Governor, with the advice and consent of the Senate, two
8975 (2) shall be appointed by the board of supervisors of the county,
8976 and two (2) shall be appointed by the governing body of the
8977 municipality which is the county seat of such county in such cases
8978 where the county seat of such county is * * * situated on or
8979 adjacent to such port facilities, otherwise, four (4) members
8980 shall be appointed by the board of supervisors. All appointment
8981 procedures specifically provided for in Section 7-1-35,
8982 Mississippi Code of 1972, shall be fully applicable to
8983 gubernatorial appointments to a port commission under this
8984 section. A county and a municipality may by joint resolution
8985 dissolve a port commission created under this section which is
8986 governed by a commission with two (2) commissioners appointed by
8987 each. The joint resolution must provide that the municipality



8988 relinquishes its duties and obligations related to the port, and
8989 that the county assumes all duties and obligations related to the
8990 port. Any commission so dissolved shall be reconstituted to
8991 consist of five (5) members, one (1) member appointed from each
8992 supervisor district. The board of supervisors shall provide for
8993 staggered terms in its order providing for the appointment of the
8994 reconstituted port commission. Before entering upon the duties of
8995 the office, each of such commissioners shall take and subscribe to
8996 the oath of office required by Section 268 of the Constitution of
8997 the State of Mississippi, and shall give bond, to be approved by
8998 the board of supervisors, in the sum of Five Thousand Dollars
8999 (\$5,000.00), conditioned upon the faithful performance of their
9000 duties. Such bond shall be made payable to the county and in case
9001 of breach thereof, suit may be brought on the relation of the
9002 county for the benefit of such port commission. Such
9003 commissioners shall hold office for a term of four (4) years from
9004 the date of their appointment and qualification and until their
9005 successor or successors shall be appointed and qualified as set
9006 out herein. Three (3) members of the port commission shall be
9007 necessary to constitute a quorum for the conducting of business.

9008 (2) The members of the board of supervisors shall be ex
9009 officio members of the port commission, but no bond shall be
9010 required of them in such capacity; provided, however, the members
9011 of the board of supervisors shall be nonvoting members of the port
9012 commission and shall not be included or counted for the



9013 determination of a quorum for conducting of business by the port
9014 commission unless and until the board of supervisors of a
9015 particular county, by order entered on its minutes, expressly
9016 provides that the members of the board of supervisors shall be
9017 voting members of the port commission and the number of members
9018 required for a quorum to conduct business of the port commission,
9019 but in no event shall the number required for a quorum to conduct
9020 business of the port commission be less than three (3).

9021 (3) All actions heretofore taken by the various port
9022 commissions at which at least three (3) members were present and
9023 which would otherwise have been legal actions except for the
9024 absence of a legal quorum being present and voting are hereby
9025 ratified, confirmed and approved.

9026 **SECTION 129.** Section 59-17-23, Mississippi Code of 1972, is
9027 amended as follows:

9028 59-17-23. Any port or harbor, or any part thereof, and all
9029 facilities, structures, lands or other improvements, leased by,
9030 acquired by or conveyed to the state shall be operated by the
9031 board acting through a state inland port authority for such port
9032 or harbor, except as may be otherwise provided in this chapter.
9033 Such port authority shall be vested, in addition to the rights,
9034 powers and duties conferred hereunder, with the same jurisdiction,
9035 and the same rights, powers, and duties vested by law, in other
9036 port authorities within the state. _Any conflict with other laws
9037 shall be governed by this chapter.



9038 The state inland port authority shall consist of one (1)
9039 member from the county in which the port is located and one (1)
9040 member from each county that is contiguous to the county in which
9041 the port is located to be appointed for a period of four (4) years
9042 by the respective board of supervisors of each of those counties,
9043 provided each county has levied the two (2) mills required in
9044 Sections 59-17-19 and 59-17-21 and the governor shall appoint one
9045 (1) member from each participating county outlined above of which
9046 two (2) mills has been levied, plus one (1) additional member from
9047 any one (1) of the participating counties outlined above of which
9048 two (2) mills has been levied. The initial terms by the governor's
9049 appointees shall be staggered, one (1) member appointed for two
9050 (2) years and others by adding one (1) additional year; no term
9051 shall exceed five (5) years. The number of years to be served on
9052 regular terms shall be the same number as the number of governor's
9053 appointees.

9054 In the event the contracting agency is any master water
9055 management district, the board shall consist of the following: one
9056 (1) member from the county in which the port is located and one
9057 (1) member from each county that is contiguous to the county in
9058 which the port is located to be appointed by the respective boards
9059 of supervisors for a period of four (4) years, and the governor
9060 shall appoint one (1) member from each of the counties outlined
9061 above, plus one (1) additional member from any one of the counties
9062 outlined above. The governor's five (5) appointees' initial terms



9063 shall be for one (1), two (2), three (3), four (4) and five (5)
9064 years respectively, but all succeeding appointments shall be for
9065 terms of five (5) years.

9066 The Inland Port Authority, created by former Section
9067 59-17-23, is continued and reconstituted as follows: Effective
9068 January 1, 2028, the appointed members of the authority designated
9069 in this section, shall be appointed by the Governor, with the
9070 advise and consent of the Senate, provided that one-half (1/2) of
9071 such members shall be appointed July 1, 2028, to a term ending in
9072 2032, and one-half (1/2) of such members shall be appointed in
9073 2030 to a term ending July 1, 2034. All appointment procedures,
9074 vacancy provisions, interim appointment provisions and removal
9075 provisions specifically provided for in Section 7-1-35,
9076 Mississippi Code of 1972, shall be fully applicable to
9077 appointments to the Inland Port Authority.

9078 **SECTION 130.** This act shall take effect and be in force from
9079 and after July 1, 2025.

