

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2799

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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

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

39 7-1-35. (1) The Governor shall fill by appointment, with
40 the advice and consent of the Senate, all offices subject to such
41 appointment when the term of the incumbent will expire within nine
42 (9) months after the meeting of the Legislature, and also
43 vacancies in such offices occurring from any cause during the
44 session of the Senate or during the vacation of that body. All
45 such appointments to offices made in vacation shall be reported to



46 the Senate within ten (10) days after the commencement of the
47 session of that body for its advice and consent to the
48 appointment, and the vacancy shall not be filled if caused by the
49 Senate's refusal to confirm any appointment or nomination, or if
50 it * * * does not occur during the last five (5) days of the
51 session, by the appointment of the Governor in the vacation of the
52 Senate, without its concurrence. Any appointment in vacation to
53 which the Senate shall refuse to consent shall be thereby annulled
54 from that date, but the acts of the appointee prior thereto shall
55 not be affected thereby.

56 (2) The Secretary of State shall be the records repository
57 for all appointments to boards, commissions, executive directors
58 and agency directors. Appointing authorities shall notify the
59 Secretary of State prior to submitting the appointment to the
60 Senate. The Secretary of State shall send a list of the required
61 appointments to boards, commissions, executive directors and
62 agency directors whose terms are expiring or have been vacated
63 prior to the next legislative session to the appointing
64 authorities by December 15 preceding the legislative session. The
65 Secretary of State shall also compile and issue a report to the
66 Governor, Lieutenant Governor and Speaker of the House annually,
67 detailing the number of official meetings each board and
68 commission has held in the previous years.

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



71 7-1-35. (1) Unless otherwise provided by law, all
72 appointments to agencies, boards, commissions, director and
73 executive director positions in the executive branch of
74 Mississippi government shall be made with the advice and consent
75 of the Senate for terms of office of four (4) years commencing on
76 the day of appointment, and continuing until December 31 of the
77 final year of the term of office as provided in the applicable
78 statute, unless another term of office is prescribed by the
79 Mississippi Constitution of 1890.

80 (2) All appointments to agencies, boards, commissions,
81 director or executive director positions whose term is expiring
82 shall serve until his or her successor is appointed and qualified,
83 but in no event shall he or she serve past the July 1 occurring
84 after the end of his term, unless he shall be reappointed by the
85 Governor or other appointing authority.

86 (3) To allow geographic representation, all appointments to
87 boards and commissions shall be made from Mississippi Supreme
88 Court Districts as they exist at the time of the appointment, as
89 specifically provided in the code section which establishes the
90 board or commission.

91 (4) All appointments to boards and commissions shall be made
92 in a staggered fashion where a majority of the membership of the
93 board or commission shall be appointed at the beginning of the
94 four-year cycle for elected officials and the remainder of the
95 membership of the board or commission shall be appointed at the



96 beginning of the third year of the four-year cycle for elected
97 officials. Appointments made at the beginning of the four-year
98 cycle shall be made to fill any member's term which actually
99 expires that year and any member's term which expires next until
100 the majority of the membership of the board or commission is
101 reached. Appointments made at the beginning of the third year of
102 the four-year cycle shall be made for the remainder of the
103 membership positions irrespective of the time of their prior
104 appointment. Any question regarding the order of appointments
105 shall be determined by the Secretary of State in accordance with
106 the specific statute.

107 (5) The Secretary of State shall be the records repository
108 for all appointments to boards, commissions, executive directors
109 and agency directors. Appointing authorities shall notify the
110 Secretary of State prior to submitting the appointment to the
111 Senate. The Secretary of State shall send a list of the required
112 appointments to boards, commissions, executive directors and
113 agency directors whose terms are expiring or have been vacated
114 prior to the next legislative session to the appointing
115 authorities by December 15 preceding the legislative session. The
116 Secretary of State shall also compile and issue a report to the
117 Governor, Lieutenant Governor and Speaker of the House annually,
118 detailing the number of official meetings each board and
119 commission has held in the previous years.



120 (6) Unless otherwise provided by statute, every appointment
121 to an agency, board, commission, executive director or director
122 position required by statute shall be made by July 1 of the first
123 year of the appointing authorities' term or July 1 of the third
124 year in the appointing authorities' term, as the case may be. In
125 the event an appointment is not made on or before July 1 as
126 required herein, the appointment shall be made by the next elected
127 official in the following order: Governor, Lieutenant Governor,
128 Secretary of State. The elected officials in this order shall
129 have one hundred twenty (120) days to make appointments or else
130 the appointment shall fall to the next elected official in this
131 order. In the event an appointment is not made on or before July
132 1 as required, by an appointing authority other than the three (3)
133 named above, the appointment shall be made by the next official in
134 the following order: Governor, Lieutenant Governor, Secretary of
135 State.

136 (7) If, for any cause, a vacancy occurs in the office of an
137 appointed agency, board, or commission member, executive director
138 or director position, the appointing authority shall make an
139 appointment to fill the vacancy for the unexpired term within one
140 hundred twenty (120) days of the date the vacancy occurs. If the
141 appointment is not made within one hundred twenty (120) days as
142 required herein, the appointment shall be in the manner prescribed
143 in subsection (6) of this section.



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

149 (9) An appointed agency, board or commission member may be
150 removed by the Governor or other appointing authority for chronic
151 absenteeism, which shall consist of more than three (3) unexcused
152 absences in any one (1) year, and such person shall not be
153 reappointed until their original term has expired. This provision
154 is not applicable to meetings where a designee has attended in
155 place of the agency, board or commission member if the attendance
156 by a designee is authorized by law.

157 (10) All appointments to an agency, board, commission or
158 director position made in vacation of the legislative session
159 shall be reported to the Senate within ten (10) days after the
160 commencement of the next regular session of that body for its
161 advice and consent to the appointment. Any vacancy to an agency,
162 board, commission, executive director or director position shall
163 not be filled if caused by the Senate's refusal to confirm or the
164 Senate's inaction on the nomination, unless the vacancy occurs
165 during the last five (5) days of the session. Any appointment in
166 vacation of the Senate to which the Senate shall refuse to consent
167 or takes no action shall be thereby annulled from the date of sine



168 die adjournment, but the acts of the appointee prior thereto shall
169 not be affected thereby.

170 (11) All appointment procedures, term of office provisions,
171 vacancy provisions, interim appointment provisions and removal
172 provisions specifically provided for in this Section 7-1-35 shall
173 be fully applicable to the appointment of agency directors by the
174 Governor or by the respective board or commission.

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

177 43-28-7. (1) * * * The Mississippi ABLE Board of
178 Directors * * *, created by former Section 43-28-7, is continued
179 and reconstituted. The ABLE Board of Directors shall consist of
180 nine (9) members as follows:

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

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

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

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

191 (e) The Executive Director, or his or her designee, of
192 an advocacy organization for citizens of all ages with cognitive,



193 intellectual and developmental disabilities and their families, to
194 be appointed by the Governor;

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

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

202 (2) * * * Effective January 1, 2028, the six (6) appointed
203 members shall be appointed by the Governor * * *, with the advice
204 and consent of the Senate, for a term of office of four (4) years,
205 provided that four (4) such members shall be appointed in 2028 to
206 a term ending December 31, 2031, and two (2) such members shall be
207 appointed in 2030 to a term ending December 31, 2033.

208 Appointments made at the beginning of the four-year cycle shall be
209 made to fill any member's term which actually expires that year
210 and any member's term which expires next until the majority of the
211 membership of the board or commission is reached. Appointments
212 made at the beginning of the third year of the four-year cycle
213 shall be made for the remainder of the membership positions
214 irrespective of the time of their prior appointment. Any question
215 regarding the order of appointments shall be determined by the
216 Secretary of State in accordance with the specific statute. All
217 appointment procedures, vacancy provisions, interim appointment



218 provisions and removal provisions specifically provided for in
219 Section 7-1-35, Mississippi Code of 1972, shall be fully
220 applicable to appointments to the Mississippi ABLE Board of
221 Directors.

222 * * *

223 (* * *3) Members of the board of directors shall serve
224 without compensation, but shall be reimbursed for each day's
225 official duties of the board at the same per diem as established
226 by Section 25-3-69, and actual travel and lodging expenses as
227 established by Section 25-3-41.

228 (* * *4) The board of directors shall annually elect one
229 (1) member to serve as chairman of the board and one (1) member to
230 serve as vice chairman. The vice chairman shall act as chairman
231 in the absence of, or upon the disability of the chairman, or in
232 the event of a vacancy of the office of chairman.

233 (* * *5) A majority of the currently serving members of the
234 board shall constitute a quorum for the purposes of conducting
235 business and exercising its official powers and duties. Any
236 action taken by the board shall be upon the vote of a majority of
237 the members present.

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

240 73-33-3. (1) There shall be a board of public accountancy,
241 consisting of seven (7) members, who are qualified electors of
242 this state; their duties, powers and qualifications are herein



243 prescribed by this chapter. The members of the Mississippi State
244 Board of Public Accountancy shall be appointed from holders of
245 certificates issued under and by virtue of this chapter.

246 (2) Effective January 1, 2028, the * * * Mississippi State
247 Board of Public Accountancy * * *, created by former Section
248 73-33-3, is continued and reconstituted as follows:

249 The Governor shall appoint * * * two (2) members from * * *
250 each Mississippi Supreme Court District and one (1) from the state
251 at large. The members shall be appointed by the Governor, with
252 the advice and consent of the Senate, for a term of office of four
253 (4) years, commencing on the day of appointment or on July 1 of
254 the year in which the Governor is inaugurated, whichever comes
255 first, provided that four (4) such members shall be appointed in
256 2028 to a term ending December 31, 2031, and three (3) such
257 members shall be appointed in 2030 to a term ending December 31,
258 2033. Appointments made at the beginning of the four-year cycle
259 shall be made to fill any member's term which actually expires
260 that year and any member's term which expires next until the
261 majority of the membership of the board or commission is reached.
262 Appointments made at the beginning of the third year of the
263 four-year cycle shall be made for the remainder of the membership
264 positions irrespective of the time of their prior appointment.
265 Any question regarding the order of appointments shall be
266 determined by the Secretary of State in accordance with the
267 specific statute. All appointment procedures, vacancy provisions,



268 interim appointment provisions and removal provisions specifically
269 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
270 fully applicable to appointments to the Mississippi State Board of
271 Public Accountancy.

272 * * *

273 (3) Each member of the board shall take the oath prescribed
274 by Section 268 of the Mississippi Constitution. The board shall
275 elect from among its membership, to serve one (1) year terms, a
276 chairman who shall preside over meetings and a vice chairman who
277 shall preside in the absence of the chairman or when the chairman
278 shall be excused. A majority of the membership of the board shall
279 constitute a quorum for the transaction of any business. Any
280 board member who shall not attend three (3) consecutive regular
281 meetings of the board for reasons other than illness of said
282 member shall be subject to removal by a majority vote of the board
283 members.

284 (4) The board shall hold regular meetings and special
285 meetings as may be necessary for the purposes of conducting such
286 business as may be required. The board shall adopt rules and
287 regulations governing times and places for meetings, and governing
288 the manner of conducting its business. All meetings of the board
289 shall be open to the public.

290 **SECTION 4.** Section 73-33-5, Mississippi Code of 1972, is
291 amended as follows:



292 73-33-5. The Mississippi State Board of Public Accountancy
293 is hereby authorized with the following powers and duties:

294 (a) To adopt a seal;

295 (b) To govern its proceedings;

296 (c) To set the fees and to regulate the time, manner
297 and place of conducting examinations to be held under this
298 chapter. To be admitted to the examination, a candidate must have
299 completed a baccalaureate degree of at least one hundred twenty
300 (120) collegiate-level semester hours of education or its
301 equivalent at a college or university acceptable to the board.

302 The education program shall include an accounting concentration or
303 the equivalent as determined by the board to be appropriate in its
304 rules and regulations. The examination shall cover branches of
305 knowledge pertaining to accountancy as the board may deem proper.
306 A total of one hundred fifty (150) collegiate-level semester hours
307 of education shall be required before the board shall accept an
308 application for a certified public accountant license under this
309 chapter;

310 (d) To initiate investigations of certified public
311 accountant and certified public accountant firm practices;

312 (e) To notify applicants who have failed an examination
313 of such failure and in what branch or branches deficiency was
314 found;

315 (f) To adopt and enforce such rules and regulations
316 concerning certified public accountant examinee and licensee



317 qualifications and practices and certified public accountant firm
318 permits and practices as the board considers necessary to maintain
319 the highest standard of proficiency in the profession of certified
320 public accounting and for the protection of the public interest.
321 The standards of practice by certified public accountants and
322 certified public accountant firms shall include generally accepted
323 auditing and accounting standards as recognized by the Mississippi
324 State Board of Public Accountancy;

325 (g) To issue certified public accountant licenses under
326 the signature and the official seal of the board as provided in
327 this chapter; and to issue permits to practice public accounting
328 to certified public accountant firms pursuant to such rules and
329 regulations as may be promulgated by the board;

330 (h) To employ personnel;

331 (i) To appoint an executive director for a term of four
332 (4) years subject to the advice and consent of the Senate, and
333 consistent with the provisions of Section 7-1-35, Mississippi Code
334 of 1972;

335 (* * *j) To contract for services and rent; and

336 (* * *k) To adopt and enforce all such rules and
337 regulations as shall be necessary for the administration of this
338 chapter; provided, however, no adoption or modification of any
339 rules or regulations of the board shall become effective unless
340 any final action of the board approving such adoption or
341 modification shall occur at a time and place which is open to the



342 public and for which notice by mail or electronic mail of such
343 time and place and the rules and regulations proposed to be
344 adopted or modified has been given at least thirty (30) days prior
345 thereto to every person who is licensed and registered with the
346 board.

347 Each application or filing made under this section shall
348 include the social security number(s) of the applicant in
349 accordance with Section 93-11-64, Mississippi Code of 1972.

350 **SECTION 5.** Section 49-15-301, Mississippi Code of 1972, is
351 amended as follows:

352 49-15-301. (1) The Mississippi Advisory Commission on
353 Marine Resources is hereby established and full power is vested in
354 the advisory commission to advise the Executive Director of the
355 Department of Marine Resources on all matters pertaining to all
356 saltwater aquatic life and marine resources. The advisory
357 commission shall advise the Executive Director of the Department
358 of Marine Resources on the administration of the Coastal Wetlands
359 Protection Law and the Public Trust Tidelands Act.

360 Notwithstanding any other provision of law to the contrary, the
361 commission shall only be an advisory commission to the Department
362 of Marine Resources and shall not have independent authority to
363 take official action on behalf of the Mississippi Department of
364 Marine Resources and its actions are purely advisory in nature.
365 Whenever the terms "Mississippi Commission on Marine Resources,"
366 "Commission on Marine Resources" and "commission" when referring



367 to the Mississippi Commission on Marine Resources appear in any
368 state law, they shall mean the "Mississippi Advisory Commission on
369 Marine Resources."

370 (2) The reconstituted Mississippi Advisory Commission on
371 Marine Resources shall consist of five (5) members to be appointed
372 as follows:

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

380 (b) The advisory commission shall be composed as
381 follows:

382 (i) One (1) member shall be a commercial seafood
383 processor.

384 (ii) One (1) member shall be a commercial
385 fisherman.

386 (iii) One (1) member shall be a recreational
387 sports fisherman.

388 (iv) One (1) member shall be a charter boat
389 operator.

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



392 (c) * * * The Mississippi Advisory Commission on Marine
393 Resources, created by former Section 49-15-301, is continued and
394 reconstituted as follows: Effective January 1, 2028, the members
395 designated in paragraph (b) of this subsection shall be appointed
396 by the Governor, with the advice and consent of the Senate,
397 provided that three (3) such members shall be appointed in 2028 to
398 a term ending December 31, 2031, and two (2) such members shall be
399 appointed in 2030 to a term ending December 31, 2033.
400 Appointments made at the beginning of the four-year cycle shall be
401 made to fill any member's term which actually expires that year
402 and any member's term which expires next until the majority of the
403 membership of the board or commission is reached. Appointments
404 made at the beginning of the third year of the four-year cycle
405 shall be made for the remainder of the membership positions
406 irrespective of the time of their prior appointment. Any question
407 regarding the order of appointments shall be determined by the
408 Secretary of State in accordance with the specific statute. All
409 appointment procedures, vacancy provisions, interim appointment
410 provisions and removal provisions specifically provided for in
411 Section 7-1-35, Mississippi Code of 1972, shall be fully
412 applicable to appointments to the Mississippi Advisory Commission
413 on Marine Resources.

414 * * *

415 (3) Each member shall have a demonstrated history of
416 involvement in the matter of jurisdiction for which he is



417 appointed to represent and his employment and activities must not
418 conflict with the matter of jurisdiction represented. A member
419 shall not have a record of conviction of violation of fish and
420 game or seafood laws or regulations within the five (5) years
421 preceding his appointment or a record of any felony conviction.
422 After July 1, * * * 2028, if a member is convicted of a violation
423 of the seafood laws during his term, his office shall be deemed
424 vacant and the Governor shall fill the vacancy as provided
425 in * * * Section 7-1-35.

426 (4) The advisory commission shall elect a chairman who shall
427 preside at all meetings of the commission, and the advisory
428 commission shall also elect a vice chairman who shall serve in the
429 absence or inability of the chairman.

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

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

437 (7) The advisory commission shall not take any action
438 without the approval of the Department of Marine Resources, and
439 such action shall be included in the minutes of the advisory
440 commission. A majority of the members shall constitute a quorum
441 of the advisory commission.



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

445 (9) (a) There is hereby created a Marine Resources
446 Technical Advisory Council composed of the Executive Director of
447 the Gulf Coast Research Lab, or his designee; the Executive
448 Director of the Department of Environmental Quality, or his
449 designee; and the Executive Director of the Department of
450 Wildlife, Fisheries and Parks, or his designee.

451 (b) The council shall give technical assistance to the
452 department.

453 (10) For purposes of this section the following definitions
454 apply:

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

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

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



467 (d) "Incorporated environmental nonprofit organization"
468 means an organization duly incorporated in any state as a
469 nonprofit organization and whose stated goals and purposes are the
470 conservation of natural resources.

471 (e) "Recreational sports fisherman" means an individual
472 who catches or harvests marine species only for recreation or
473 personal consumption and not for sale. The individual must
474 possess a saltwater sports fishing license, be a member of an
475 incorporated nonprofit sports fishing organization and not possess
476 a commercial fishing or seafood processor license.

477 **SECTION 6.** Section 49-15-305, Mississippi Code of 1972, is
478 amended as follows:

479 49-15-305. (1) Effective July 1, 2028, the Governor shall
480 appoint the Executive Director of the Department of Marine
481 Resources for a term of four (4) years, with the advice and
482 consent of the Senate, * * * and consistent with the provisions of
483 Section 7-1-35, Mississippi Code of 1972. The executive director
484 shall be knowledgeable and experienced in marine resources
485 management.

486 (2) The executive director of the department shall have the
487 following powers and duties:

488 (a) To supervise and direct all administrative,
489 inspection and technical activities and personnel of the
490 department;



491 (b) To employ qualified professional personnel in the
492 subject matter or fields, and any other technical and clerical
493 staff as may be required for the operation of the department;

494 (c) To coordinate all studies in the State of
495 Mississippi concerned with the supply, development, use and
496 conservation of marine resources;

497 (d) To prepare and deliver to the Legislature and the
498 Governor on or before January 1 of each year, and at any other
499 times as may be required by the Legislature or Governor, a full
500 report of the work of the department, including a detailed
501 statement of expenditures of the department and any
502 recommendations the department may have;

503 (e) To enter into cooperative agreements with any
504 federal or state agency or subdivision thereof, or any public or
505 private institution located inside or outside the State of
506 Mississippi, or any person, corporation or association in
507 connection with studies and investigations pertaining to marine
508 resources, provided the agreements do not have a financial cost in
509 excess of the amounts appropriated for the purposes by the
510 Legislature; and

511 (f) To carry out all regulations and rules adopted by
512 the department and enforce all licenses and permits issued by the
513 department.

514 **SECTION 7.** Section 69-15-2, Mississippi Code of 1972, is
515 amended as follows:



516 69-15-2. (1) The Mississippi Board of Animal Health is to
517 be composed of the Commissioner of Agriculture and Commerce, the
518 Dean of the College of Veterinary Medicine and the heads of the
519 Animal and Dairy Science and Poultry Science Departments at
520 Mississippi State University of Agriculture and Applied Science,
521 and one (1) person appointed by the President of Alcorn State
522 University from its land grant staff as five (5) ex officio
523 members with full voting rights, and ten (10) other members of the
524 board to be appointed by the Governor as hereinafter provided.
525 The board shall select annually a chairman and vice chairman from
526 any members of the board.

527 (2) The Governor, with the advice and consent of the Senate,
528 shall appoint eleven (11) other members from the following groups
529 or associations from a written list of recommendations from such
530 groups or associations:

531 One (1) licensed and practicing veterinarian who holds a
532 Doctor of Veterinary Medicine Degree, from a written list of three
533 (3) recommendations submitted by the Mississippi State Veterinary
534 Medical Association;

535 One (1) general farmer from a written list of three (3)
536 recommendations submitted by the Mississippi Farm Bureau
537 Federation;

538 One (1) poultry breeder and producer from a written list of
539 three (3) recommendations submitted by the Mississippi Poultry
540 Association;



541 One (1) small ruminant breeder and producer from a written
542 list of three (3) recommendations, one (1) recommendation
543 submitted by each of the following: the Mississippi Sheep
544 Producers' Association, the Mississippi Club Goat Association, and
545 the Mississippi Goat Association. If an association fails to
546 timely submit its recommendation, the Governor may appoint the
547 member from the list of recommendations submitted by the other
548 associations;

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

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

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

558 One (1) horse breeder and producer from a written list of
559 four (4) recommendations, one (1) recommendation submitted by each
560 of the following: the Mississippi Quarter Horse Association,
561 Tennessee Walking Horse Association, Mississippi Cutting Horse
562 Association and Mississippi State Equine Association. If an
563 association fails to timely submit its recommendation, the
564 Governor may appoint the member from the list of recommendations
565 submitted by the other associations;



566 One (1) catfish breeder and producer from a written list of
567 three (3) recommendations submitted by the Mississippi Catfish
568 Association; and

569 One (1) member of the Mississippi Livestock Auction
570 Association from a written list of three (3) recommendations
571 submitted by the Mississippi Livestock Auction Association.

572 All members shall take and subscribe to the general oath of
573 office as provided in Section 268, Mississippi Constitution of
574 1890, and file the same with the Commissioner of Agriculture and
575 Commerce.

576 (3) * * * The Mississippi Board of Animal Health, created by
577 former Section 69-15-2, is continued and reconstituted as follows:
578 Effective January 1, 2028, the board members shall be appointed by
579 the Governor, with the advice and consent of the Senate, for a
580 term of office of four (4) years, provided that six (6) such
581 members shall be appointed in 2028 to a term ending December 31,
582 2031, and five (5) such members shall be appointed in 2030 to a
583 term ending December 31, 2033. Appointments made at the beginning
584 of the four-year cycle shall be made to fill any member's term
585 which actually expires that year and any member's term which
586 expires next until the majority of the membership of the board or
587 commission is reached. Appointments made at the beginning of the
588 third year of the four-year cycle shall be made for the remainder
589 of the membership positions irrespective of the time of their
590 prior appointment. Any question regarding the order of



591 appointments shall be determined by the Secretary of State in
592 accordance with the specific statute. All appointment procedures,
593 vacancy provisions, interim appointment provisions and removal
594 provisions specifically provided for in Section 7-1-35,
595 Mississippi Code of 1972, shall be fully applicable to
596 appointments to the Mississippi Board of Animal Health, and to the
597 position of State Veterinarian.

598 (4) (a) "Commissioner" means the Commissioner of
599 Agriculture and Commerce.

600 (b) "Department" means the Department of Agriculture
601 and Commerce.

602 (5) On or before July 1, * * * 2028, the board shall
603 appoint, with the advice and consent of the Senate, from a written
604 list of not less than three (3) licensed veterinarians submitted
605 by the commissioner, the State Veterinarian, to serve for a term
606 of four (4) years.

607 (6) There is created an advisory council to advise the Board
608 of Animal Health on matters concerning the board. The council
609 shall be composed of the Chairman of the Senate Agriculture
610 Committee, the Chairman of the House Agriculture Committee, and
611 one (1) appointee of the Lieutenant Governor and one (1) appointee
612 of the Speaker of the House of Representatives. The members of
613 the advisory council shall serve in an advisory capacity only.
614 For attending meetings of the council, such legislators shall
615 receive per diem and expenses which shall be paid from the



616 contingent expense funds of their respective houses in the same
617 amounts provided for committee meetings when the Legislature is
618 not in session; however, no per diem or expenses for attending
619 meetings of the council shall be paid while the Legislature is in
620 session. No per diem and expenses shall be paid except for
621 attending meetings of the council without prior approval of the
622 proper committee in their respective houses.

623 **SECTION 8.** Section 73-1-5, Mississippi Code of 1972, is
624 amended as follows:

625 73-1-5. The State Board of Architecture is composed of five
626 (5) members who are licensed architects residing in this state and
627 who have been engaged in the practice of architecture not less
628 than seven (7) years. It is the duty of the board to carry out
629 the purposes of this chapter as herein provided.

630 * * *

631 The State Board of Architecture, created by former Section
632 73-1-5, is continued and reconstituted as follows: Effective
633 January 1, 2028, the board members shall be appointed by the
634 Governor, with the advice and consent of the Senate, one (1) from
635 each Mississippi Supreme Court District and two (2) from the state
636 at large for a term of office of four (4) years, provided that
637 three (3) such members shall be appointed in 2028 to a term ending
638 December 31, 2031, and two (2) such members shall be appointed in
639 2030 to a term ending December 31, 2033. Appointments made at the
640 beginning of the four-year cycle shall be made to fill any



641 member's term which actually expires that year and any member's
642 term which expires next until the majority of the membership of
643 the board or commission is reached. Appointments made at the
644 beginning of the third year of the four-year cycle shall be made
645 for the remainder of the membership positions irrespective of the
646 time of their prior appointment. Any question regarding the order
647 of appointments shall be determined by the Secretary of State in
648 accordance with the specific statute. All appointment procedures,
649 vacancy provisions, interim appointment provisions and removal
650 provisions specifically provided for in Section 7-1-35,
651 Mississippi Code of 1972, shall be fully applicable to
652 appointments to the State Board of Architecture, and to the
653 position of executive director.

654 **SECTION 9.** Section 73-1-11, Mississippi Code of 1972, is
655 amended as follows:

656 73-1-11. The board is hereby authorized to pay from
657 registration and other fees provided for herein the expenses of
658 said board and the office thereof, the examinations held by said
659 board, the bond premium of the treasurer, the pay of clerks or
660 assistants hired by the board in the performance of its duties,
661 attorney's fees for services rendered in connection with the
662 affairs of the board, and fees and necessary expenses incident to
663 cooperation with national boards and like boards of other states,
664 and in no case shall any of such fees or expenses be paid by the
665 state of Mississippi or be charged against said state.



666 The board is authorized to appoint an executive director for
667 a term of four (4) years, with the advice and consent of the
668 Senate, and consistent with the provisions of Section 7-1-35,
669 Mississippi Code of 1972.

670 The members of the board shall be entitled to receive a per
671 diem in such amount as shall be set by resolution of the board but
672 not to exceed the amount provided for in Section 25-3-69, and
673 shall be entitled to be reimbursed for their traveling expenses
674 and hotel expenses incurred in the pursuance of their duties. The
675 secretary and treasurer of said board shall receive such annual
676 compensation as shall, by resolution adopted by the board, be
677 provided by the board, subject to the approval of the state
678 personnel board.

679 **SECTION 10.** Section 39-11-1, Mississippi Code of 1972, is
680 amended as follows:

681 39-11-1. (1) There is hereby created and established a
682 state commission to be known as the Mississippi Arts Commission,
683 to consist of fifteen (15) members broadly representative of all
684 fields of the performing, visual, literary arts, and the business
685 community, and who are to be appointed by the Governor from among
686 citizens of the state who have demonstrated a vital interest in
687 the performing, visual, or literary arts. These members shall
688 also be representative of the different geographical areas of the
689 state, with not more than five (5) members to be appointed from
690 any Mississippi Supreme Court District.



691 (2) The Mississippi Arts Commission, created by former
692 Section 39-11-1, is continued and reconstituted as follows:
693 Effective January 1, 2028, each member shall be appointed by the
694 Governor, with the advice and consent of the Senate, for a term of
695 office of four (4) years, provided that eight (8) such members
696 shall be appointed in 2028 to a term ending December 31, 2031, and
697 seven (7) such members shall be appointed in 2030 to a term ending
698 December 31, 2033. Appointments made at the beginning of the
699 four-year cycle shall be made to fill any member's term which
700 actually expires that year and any member's term which expires
701 next until the majority of the membership of the board or
702 commission is reached. Appointments made at the beginning of the
703 third year of the four-year cycle shall be made for the remainder
704 of the membership positions irrespective of the time of their
705 prior appointment. Any question regarding the order of
706 appointments shall be determined by the Secretary of State in
707 accordance with the specific statute. All appointment procedures,
708 vacancy provisions, interim appointment provisions and removal
709 provisions specifically provided for in Section 7-1-35,
710 Mississippi Code of 1972, shall be fully applicable to
711 appointments to the Mississippi Arts Commission, and to the
712 position of executive director.

713 **SECTION 11.** Section 39-11-5, Mississippi Code of 1972, is
714 amended as follows:



715 39-11-5. The chairman shall employ, with the approval of the
716 commission, an executive director as administrative officer, who
717 shall serve a term of four (4) years, with the advice and consent
718 of the Senate, and consistent with the provisions of Section
719 7-1-5, Mississippi Code of 1972. The executive director shall
720 employ other officers, experts and employees as may be needed and
721 shall fix their compensation within the amounts made available for
722 such purposes. Employment of staff members is subject to the
723 approval of the commission. The commission may also, at its
724 discretion, form advisory panels from qualified persons within the
725 state to obtain their advice and counsel on matters pertaining to
726 the arts. Members of these panels shall serve at the will and
727 pleasure of the commission and will receive no compensation.

728 **SECTION 12.** Section 75-75-103, Mississippi Code of 1972, is
729 amended as follows:

730 75-75-103. There is hereby created the Mississippi Athletic
731 Commission, hereinafter referred to as the commission. The
732 commission shall consist of three (3) members, each of whom shall
733 be a qualified voter and at least thirty (30) years of age. The
734 membership of the commission shall consist of a chairman of the
735 commission and two (2) associate commissioners, appointed by the
736 Governor, with the advice and consent of the Senate, to be
737 appointed from each of the three (3) Mississippi Supreme Court
738 Districts. * * * The Mississippi Athletic Commission, created by
739 former Section 75-75-103, is continued and reconstituted as



740 follows: Effective January 1, 2028, the commissioners shall be
741 appointed by the Governor, with the advice and consent of the
742 Senate, for a term of office of four (4) years, provided that two
743 (2) such members shall be appointed in 2028 to a term ending
744 December 31, 2031, and one (1) such member shall be appointed to a
745 term ending December 31, 2033. Appointments made at the beginning
746 of the four-year cycle shall be made to fill any member's term
747 which actually expires that year and any member's term which
748 expires next until the majority of the membership of the board or
749 commission is reached. Appointments made at the beginning of the
750 third year of the four-year cycle shall be made for the remainder
751 of the membership positions irrespective of the time of their
752 prior appointment. Any question regarding the order of
753 appointments shall be determined by the Secretary of State in
754 accordance with the specific statute. All appointment procedures,
755 vacancy provisions, interim appointment provisions and removal
756 provisions specifically provided for in Section 7-1-5, Mississippi
757 Code of 1972, shall be fully applicable to appointments to the
758 Mississippi Athletic Commission.

759 **SECTION 13.** Section 73-4-7, Mississippi Code of 1972, is
760 amended as follows:

761 73-4-7. (1) The Mississippi Auctioneer Commission is
762 created, and it shall have the authority to make such rules and
763 regulations as are reasonable and necessary for the orderly
764 regulation of the auctioneering profession and the protection of



765 the public, which rules and regulations are not inconsistent with
766 the Mississippi Constitution of 1890 and state laws. The
767 commission shall have the following powers:

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

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

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

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

780 (2) The Mississippi Auctioneer Commission shall consist of
781 five (5) members, one (1) from each * * * Mississippi Supreme
782 Court District and two (2) from the state at large, who shall be
783 appointed by the Governor, with the advice and consent of the
784 Senate. All appointees shall possess the following minimum
785 qualifications:

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

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



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

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

796 (3) * * * The Mississippi Auctioneer Commission, created by
797 former Section 73-4-7, is continued and reconstituted as follows:
798 Effective January 1, 2028, each commissioner shall be appointed by
799 the Governor, with the advice and consent of the Senate, for a
800 term of office of four (4) years, provided that three (3) such
801 members shall be appointed in 2028 to a term ending December 31,
802 2031, and two (2) such members shall be appointed in 2030 to a
803 term ending December 31, 2033. Appointments made at the beginning
804 of the four-year cycle shall be made to fill any member's term
805 which actually expires that year and any member's term which
806 expires next until the majority of the membership of the board or
807 commission is reached. Appointments made at the beginning of the
808 third year of the four-year cycle shall be made for the remainder
809 of the membership positions irrespective of the time of their
810 prior appointment. Any question regarding the order of
811 appointments shall be determined by the Secretary of State in
812 accordance with the specific statute. All appointment procedures,
813 vacancy provisions, interim appointment provisions and removal
814 provisions specifically provided for in Section 7-1-35,



815 Mississippi Code of 1972, shall be fully applicable to
816 appointments to the Mississippi Auctioneer Commission, and to the
817 position of executive director.

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

822 **SECTION 14.** Section 73-4-11, Mississippi Code of 1972, is
823 amended as follows:

824 73-4-11. (1) At the meeting to be held each January, the
825 commission shall elect from its membership a chairman and a vice
826 chairman. Each officer shall serve a term of one (1) year and
827 shall not vacate office until a successor is elected.

828 (2) The chairman shall preside at all meetings of the
829 commission.

830 (3) The vice chairman shall act as presiding officer in the
831 absence of the chairman and shall perform such other duties as the
832 chairman may direct.

833 (4) The commission shall appoint an executive director who
834 shall not be a member of the commission, to a term of four (4)
835 years, with the advice and consent of the Senate, consistent with
836 the provisions of Section 7-1-35, Mississippi Code of 1972.

837 (5) The executive director shall:

838 (a) Notify all members of meetings;



839 (b) Keep a record of all meetings of the commission,
840 votes taken by the commission and other proceedings, transactions,
841 communications, official acts and records of the commission; and

842 (c) Perform such other duties as the chairman directs.

843 **SECTION 15.** Section 37-169-3, Mississippi Code of 1972, is
844 amended as follows:

845 37-169-3. (1) Members of the Mississippi Autism Advisory
846 Committee shall be composed of the following:

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

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

854 (c) The State Superintendent of Public Education or the
855 Associate Superintendent of the Office of Special Education;

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

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

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



864 (g) Two (2) Mississippi licensed psychologists who
865 perform evaluation or consultation with Mississippi schools, to be
866 appointed by the Mississippi Association of Psychology in the
867 Schools;

868 (h) The project director of the Mississippi Parent
869 Training and Information Center;

870 (i) Two (2) persons who are representatives of autism
871 advocacy groups or professionals who work with the advocacy groups
872 and provide services to individuals with autism or ASD, to be
873 appointed by the Executive Director of the Department of Mental
874 Health;

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

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

882 (l) One (1) person who is a representative of the
883 University of Mississippi Medical Center and who provides medical
884 or other services to individuals with autism or ASD, to be
885 appointed by the Vice Chancellor of the University of Mississippi
886 Medical Center;



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

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

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

894 (p) One (1) representative of the Mississippi
895 Department of Rehabilitation Services;

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

899 (r) One (1) person who is a representative of the
900 Mississippi Department of Insurance, to be appointed by the
901 commissioner; and

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

905 (2) The Mississippi Autism Advisory Committee, created by
906 former Section 37-169-3, is continued and reconstituted as
907 follows: Effective January 1, 2028, each member appointed by the
908 Governor or an official in the executive branch of government or a
909 private sector association shall be appointed, with the advice and
910 consent of the Senate, for a term of office of four (4) years,
911 provided that a majority of the membership of the committee as



912 designated by the Secretary of State shall be appointed in 2028 to
913 a term ending December 31, 2031, and the remainder of the
914 committee as designated by the Secretary of State shall be
915 appointed in 2030 to a term ending December 31, 2033.
916 Appointments made at the beginning of the four-year cycle shall be
917 made to fill any member's term which actually expires that year
918 and any member's term which expires next until the majority of the
919 membership of the board or commission is reached. Appointments
920 made at the beginning of the third year of the four-year cycle
921 shall be made for the remainder of the membership positions
922 irrespective of the time of their prior appointment. Any question
923 regarding the order of appointments shall be determined by the
924 Secretary of State in accordance with the specific statute. All
925 appointment procedures, vacancy provisions, interim appointment
926 provisions and removal provisions specifically provided for in
927 Section 7-1-35, Mississippi Code of 1972, shall be fully
928 applicable to appointments to the Mississippi Autism Advisory
929 Committee.

930 **SECTION 16.** Section 73-75-7, Mississippi Code of 1972, is
931 amended as follows:

932 73-75-7. (1) The Mississippi Autism Board shall consist of
933 five (5) members, three (3) to be appointed by the Governor, with
934 the advice and consent of the Senate, one (1) from each of the
935 three (3) Mississippi Supreme Court Districts and two (2) to be
936 appointed by the Lieutenant Governor, with the advice and consent



937 of the Senate, from the state at large. The Governor shall
938 appoint one (1) licensed psychologist practicing in the area of
939 applied behavior analysis, one (1) licensed behavior analyst, and
940 one (1) public member who is not licensed in behavior analysis and
941 who is the family member of a recipient of applied behavior
942 analysis services. The Lieutenant Governor shall appoint two (2)
943 licensed behavior analysts.

944 (2) * * * The Mississippi Autism Board, created by former
945 Section 73-75-7, is continued and reconstituted as follows:
946 Effective January 1, 2028, each board member shall be appointed,
947 with the advice and consent of the Senate, for a term of office of
948 four (4) years, provided that two (2) of the Governor's
949 appointments, as designated by the Secretary of State, shall be
950 appointed in 2028 to a term ending December 31, 2031, and one (1)
951 of the Governor's appointments, as designated by the Secretary of
952 State, shall be appointed in 2030 to a term ending December 31,
953 2033. Appointments made at the beginning of the four-year cycle
954 shall be made to fill any member's term which actually expires
955 that year and any member's term which expires next until the
956 majority of the membership of the board or commission is reached.
957 Appointments made at the beginning of the third year of the
958 four-year cycle shall be made for the remainder of the membership
959 positions irrespective of the time of their prior appointment.
960 Any question regarding the order of appointments shall be
961 determined by the Secretary of State in accordance with the



962 specific statute. All appointment procedures, vacancy provisions,
963 interim appointment provisions and removal provisions specifically
964 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
965 fully applicable to appointment to the Mississippi Autism Board.

966 * * *

967 (* * *3) Each board member shall serve without
968 compensation, but shall receive actual traveling and incidental
969 expenses necessarily incurred while engaged in the discharge of
970 official duties.

971 **SECTION 17.** Section 81-1-61, Mississippi Code of 1972, is
972 amended as follows:

973 81-1-61. The management, control and direction of the
974 department shall be vested in the Commissioner of Banking and
975 Consumer Finance, who shall be directly responsible for the proper
976 functioning of the department. The commissioner shall be a banker
977 who possesses not less than ten (10) consecutive years of active
978 banking experience of which five (5) years' experience were
979 performed in a major policy-making function as an executive
980 officer, or shall be a person who possesses fifteen (15) years of
981 active experience as a state or federal financial institutions
982 examiner. The commissioner shall have been active in such major
983 policy-making function or actively employed by the state or
984 federal financial institutions regulatory authority within the
985 previous five (5) years of his appointment. Effective July 1,
986 2028, the commissioner shall be appointed by the Governor, with



987 the advice and consent of the Senate, for a term of office of four
988 (4) years, commencing on the day of appointment or on July 1 of
989 the year in which the Governor is inaugurated, whichever comes
990 first. The commissioner shall serve until his successor is
991 appointed and qualified, but in no event shall he serve past the
992 July 1 occurring after the end of the term of the Governor who
993 appointed him, unless he shall be reappointed by the new Governor.
994 If, for any cause, a vacancy occurs in the office of the
995 commissioner, the Governor shall make the appointment for the
996 unexpired term.

997 The commissioner shall be of good moral character, thoroughly
998 understanding the theory and practice of banking, and must be a
999 qualified elector of the State of Mississippi. The commissioner
1000 shall not be an officer, director or employee of any banking
1001 corporation during his entire term as commissioner, effective from
1002 the time of his appointment.

1003 The commissioner may be removed by the Governor for good
1004 cause, but only after notice and a hearing.

1005 All appointment procedures, vacancy provisions, interim
1006 appointment provisions and removal provisions specifically
1007 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
1008 fully applicable to appointments to the position of commissioner.

1009 **SECTION 18.** Section 81-3-12, Mississippi Code of 1972, is
1010 amended as follows:



1011 81-3-12. (1) There is created the State Board of Banking
1012 Review, which shall be composed of five (5) members appointed by
1013 the Governor as provided in this section, one (1) of whom shall be
1014 from the First Supreme Court District, one (1) of whom shall be
1015 from the Second Supreme Court District, one (1) of whom shall be
1016 from the Third Supreme Court District, and two (2) of whom shall
1017 be from the state at large. The members appointed from the state
1018 at large shall be designated as representatives of the banks and
1019 shall be active executive officers or directors of state chartered
1020 banks with actual practical experience of at least five (5) years
1021 therein. The members appointed from each Supreme Court District
1022 shall be persons knowledgeable in economic affairs and of
1023 recognized ability in a trade or business, with at least three (3)
1024 years' actual experience therein, but shall not presently be
1025 officers or directors in any banking corporation, shall not have
1026 been officers or directors in any banking corporation for the past
1027 five (5) years immediately prior to their appointment to the
1028 board, shall not become officers or directors of any banking
1029 corporation while serving on the board, and shall not be the
1030 beneficial owner, directly or indirectly, of five percent (5%) or
1031 more of the capital stock in any banking corporation; such persons
1032 shall be designated representatives of borrowers and depositors.
1033 Each member shall be eligible for reappointment at the discretion
1034 of the Governor. The board shall elect from its number a chairman
1035 and a vice chairman. Each member of the board shall be a citizen



1036 of the United States, a resident of the State of Mississippi and a
1037 qualified elector therein, of integrity and sound and nonpartisan
1038 judgment. Each member shall qualify by taking the oath of office
1039 and shall hold office until his successor is appointed and
1040 qualified.

1041 (2) * * * The State Board of Banking Review, created by
1042 former Section 81-3-12, is continued and reconstituted as follows:
1043 Effective January 1, 2028, the members of the board shall be
1044 appointed by the Governor, with the advice and consent of the
1045 Senate, for a term of office of four (4) years, provided that
1046 three (3) such members shall be appointed in 2028 to a term ending
1047 December 31, 2031, and two (2) such members shall be appointed in
1048 2030 to a term ending December 31, 2033. Appointments made at the
1049 beginning of the four-year cycle shall be made to fill any
1050 member's term which actually expires that year and any member's
1051 term which expires next until the majority of the membership of
1052 the board or commission is reached. Appointments made at the
1053 beginning of the third year of the four-year cycle shall be made
1054 for the remainder of the membership positions irrespective of the
1055 time of their prior appointment. Any question regarding the order
1056 of appointments shall be determined by the Secretary of State in
1057 accordance with the specific statute. All appointment procedures,
1058 vacancy provisions, interim appointment provisions and removal
1059 provisions specifically provided for in Section 7-1-35,



1060 Mississippi Code of 1972, shall be fully applicable to
1061 appointments to the State Board of Banking Review.

1062 (3) The members of the board shall serve without
1063 compensation except that members shall be paid their actual and
1064 necessary expenses in connection with the performance of their
1065 duties as members of the board, including mileage, as authorized
1066 in Section 25-3-41, plus a per diem as is authorized by law while
1067 engaged in the performance of such duties. Such expenses, mileage
1068 and per diem allowance shall be paid out of the maintenance fund
1069 of the Department of Banking and Consumer Finance.

1070 (4) If an application for authority to establish a bank,
1071 branch bank or branch office be filed with the commissioner for
1072 consideration from any municipality or county of which the member
1073 of the board who is a representative of the banks is a resident,
1074 or if such application is filed from any county in which the
1075 member's bank has a branch bank or branch office, such member
1076 shall be ineligible to serve in consideration and determination of
1077 such application, and the commissioner shall certify such fact to
1078 the Governor who shall thereupon appoint another banker from the
1079 same geographical location as the member who is ineligible to
1080 serve on the board in the place and stead of such member during
1081 consideration of such application.

1082 (5) In addition to its other duties and powers, the board
1083 may adopt reasonable rules or regulations, consistent with
1084 applicable provisions of law, concerning the conduct of board



1085 meetings and hearings and all formal and informal board procedures
1086 relating to such meetings and hearings. The board shall have
1087 authority, with respect to its hearings or meetings, to determine
1088 the order and form in which evidence may be presented and to
1089 impose reasonable time limitations on presentation of evidence.

1090 **SECTION 19.** Section 73-5-1, Mississippi Code of 1972, is
1091 amended as follows:

1092 73-5-1. The State Board of Barber Examiners is continued and
1093 reconstituted as follows: The Board of Barber Examiners shall
1094 consist of five (5) members, to be appointed by the Governor, with
1095 the advice and consent of the Senate, one (1) member to be
1096 appointed from each of the Mississippi Supreme Court
1097 Districts * * * and two (2) from the state at large. Each member
1098 shall be a practical barber and a qualified elector of this state.
1099 He shall have been engaged in the practice of barbering in the
1100 State of Mississippi for at least five (5) years immediately
1101 before the time of his appointment and shall be a person of good
1102 moral character. * * * From and after July 1, 2002, no member of
1103 the board who is connected in any way with any barbering school
1104 shall participate in the administration of examinations of barber
1105 applicants. From and after July 1, 2004, no member of the board
1106 shall be connected in any way with any school in which barbering
1107 is taught.

1108 * * *



1109 Effective January 1, 2028, the members of the Board of Barber
1110 Examiners shall be appointed by the Governor, with the advice and
1111 consent of the Senate, for a term of office of four (4) years,
1112 provided that three (3) such members shall be appointed in 2028 to
1113 a term ending December 31, 2031, and two (2) such members shall be
1114 appointed in 2030 to a term ending December 31, 2033.
1115 Appointments made at the beginning of the four-year cycle shall be
1116 made to fill any member's term which actually expires that year
1117 and any member's term which expires next until the majority of the
1118 membership of the board or commission is reached. Appointments
1119 made at the beginning of the third year of the four-year cycle
1120 shall be made for the remainder of the membership positions
1121 irrespective of the time of their prior appointment. Any question
1122 regarding the order of appointments shall be determined by the
1123 Secretary of State in accordance with the specific statute. All
1124 appointment procedures, vacancy provisions, interim appointment
1125 provisions and removal provisions specifically provided for in
1126 Section 7-1-35, Mississippi Code of 1972, shall be fully
1127 applicable to appointments to the Mississippi Board of Barber
1128 Examiners, and to the position of executive director.

1129 **SECTION 20.** Section 73-5-3, Mississippi Code of 1972, is
1130 amended as follows:

1131 73-5-3. The board shall elect a president and secretary and
1132 shall adopt and use a common seal for the authentication of its
1133 records and orders. The secretary shall keep a record of all



1134 proceedings and acts of the board and an accurate account of all
1135 funds received and disbursed, which shall be considered as public
1136 records.

1137 The secretary shall execute and file with the Secretary of
1138 State a bond in the sum of Ten Thousand Dollars (\$10,000.00)
1139 conditioned according to law, the bond to be made in a surety
1140 company authorized to do business in this state and approved by
1141 the Governor. The premium for the bond shall be paid out of the
1142 funds in the board's special fund in the State Treasury.

1143 A majority of the board shall constitute a quorum, and it is
1144 authorized to perform the requirements of this chapter at any
1145 regular or special meeting called for that purpose.

1146 Each member of the board shall receive per diem in accordance
1147 with Section 25-3-69 when actually attending to the work of the
1148 board or any of its committees, and shall be reimbursed for
1149 traveling expenses in accordance with Section 25-3-41 in carrying
1150 out the provisions of this chapter. The board shall employ an
1151 executive director with compensation to be established by the
1152 State Personnel Board, and the executive director shall devote his
1153 or her full time to oversee all day-to-day operations of the
1154 board. The executive director shall be appointed to a term of
1155 four (4) years, with the advice and consent of the Senate,
1156 consistent with the provisions of Section 7-1-35., The board may
1157 employ four (4) inspectors, one (1) to be appointed from each of
1158 the four (4) congressional districts, to make periodic inspections



1159 of all barbershops throughout the state and one (1) chief
1160 inspector to be appointed from the state at large to supervise
1161 inspections and investigations statewide. The board shall employ
1162 the necessary personnel to carry out the provisions of this
1163 chapter, and maintain and pay the expenses of an office to be
1164 located in the City of Jackson. All per diem, salaries and
1165 expenses shall be paid exclusively from the funds in the board's
1166 special fund, and salaries and expenses of personnel may be
1167 disbursed monthly.

1168 The board shall require such of its employees as it may
1169 consider necessary to make bond and file same with the Secretary
1170 of State in such sums as it may consider necessary to protect the
1171 interests of the barbers of the State of Mississippi and require
1172 the faithful performance of their duties.

1173 **SECTION 21.** Section 43-3-103, Mississippi Code of 1972, is
1174 amended as follows:

1175 43-3-103. (1) From and after July 1, 1997, the MIB shall be
1176 governed by a board of directors hereby created, to consist of
1177 four (4) persons appointed by the Governor, and three (3) by the
1178 Lieutenant Governor, with the advice and consent of the Senate,
1179 each of whom shall be a qualified elector of the State of
1180 Mississippi. The members of the board of directors appointed by
1181 the Governor shall include the following:

1182 (a) One (1) legally blind individual;



1183 (b) One (1) educator with expertise in rehabilitation
1184 or the field of blindness;

1185 (c) One (1) individual with at least five (5) years'
1186 actual experience in finance or a related field;

1187 (d) One (1) individual with at least five (5) years'
1188 actual experience in manufacturing or a related field.

1189 The members of the board of directors appointed by the
1190 Lieutenant Governor shall include the following:

1191 (a) One (1) legally blind individual;

1192 (b) One (1) individual with at least five (5) years'
1193 actual experience in marketing or a related field; and

1194 (c) One (1) individual who is a licensed practicing
1195 attorney.

1196 * * *

1197 The MIB Board of Directors, created by former Section
1198 43-3-103, is continued and reconstituted as follows: Effective
1199 January 1, 2028, the board of directors shall be appointed by the
1200 Governor and Lieutenant Governor, with the advice and consent of
1201 the Senate, for a term of office of four (4) years, provided that
1202 two (2) appointments by the Governor and two (2) appointments by
1203 the Lieutenant Governor as designated by the Secretary of State
1204 shall be appointed in 2028 to terms ending December 31, 2031, and
1205 the remainder of the board of directors as designated by the
1206 Secretary of State shall be appointed in 2030 to terms ending
1207 December 31, 2033. Appointments made at the beginning of the



1208 four-year cycle shall be made to fill any member's term which
1209 actually expires that year and any member's term which expires
1210 next until the majority of the membership of the board or
1211 commission is reached. Appointments made at the beginning of the
1212 third year of the four-year cycle shall be made for the remainder
1213 of the membership positions irrespective of the time of their
1214 prior appointment. Any question regarding the order of
1215 appointments shall be determined by the Secretary of State in
1216 accordance with the specific statute. All appointment procedures,
1217 vacancy provisions, interim appointment provisions and removal
1218 provisions specifically provided for in Section 7-1-35,
1219 Mississippi Code of 1972, shall be fully applicable to
1220 appointments to the MIB Board of Directors, and to the position of
1221 executive director.

1222 (2) The board of directors shall organize by selecting
1223 annually from its members a chairman and a vice chairman, and may
1224 do all things necessary and convenient for carrying into effect
1225 the provisions of this chapter. Each member of the board shall
1226 receive a per diem as provided in Section 25-3-69, Mississippi
1227 Code of 1972, plus travel and reasonable and necessary expenses
1228 incidental to the attendance at each meeting as provided in
1229 Section 25-3-41, including mileage.

1230 (3) The Lieutenant Governor may designate the Chairman of
1231 the Senate Committee on Public Health and Welfare and another
1232 member of the Senate and the Speaker of the House of



1233 Representatives may designate the Chairman of the House Committee
1234 on Public Health and Human Services and another member of the
1235 House to attend any meeting of the Board of Directors of the MIB.
1236 The appointing authorities may designate alternate members from
1237 their respective houses to serve when the regular designees are
1238 unable to attend such meetings of the board. Such legislative
1239 designees shall have no jurisdiction or vote on any matter within
1240 the jurisdiction of the board. For attending meetings of the
1241 board, such legislators shall receive per diem and expenses which
1242 shall be paid from the contingent expense funds of their
1243 respective houses in the same amounts as provided for committee
1244 meetings when the Legislature is not in session; however, no per
1245 diem and expenses for attending meetings of the board will be paid
1246 while the Legislature is in session. No per diem and expenses
1247 will be paid except for attending meetings of the board without
1248 prior approval of the proper committee in their respective houses.

1249 (4) It shall be the duty of the Board of Directors of MIB
1250 to:

1251 (a) Appoint and employ an executive director to a term
1252 of office of four (4) years, with the advice and consent of the
1253 Senate, consistent with the provisions of Section 7-1-35,
1254 Mississippi Code of 1972, who shall be the executive and
1255 administrative head of MIB and who shall serve at the pleasure of
1256 the board of directors. The Board of Directors of MIB shall set
1257 the compensation of the executive director.



1258 (b) Make and publish policies, rules and regulations,
1259 not inconsistent with the terms of this chapter, as may be
1260 necessary for the efficient administration and operation of MIB.

1261 (c) Adopt and publish rules and regulations, in its
1262 discretion, to establish a policy of sick leave with pay and
1263 personal leave with pay for MIB employees and to require that MIB
1264 offices be opened and staffed on legal holidays as determined
1265 necessary by the board of directors.

1266 (5) There is created a revolving fund in the State Treasury,
1267 which shall be used by the Mississippi Industries for the Blind
1268 for the purpose of taking advantage of contractual opportunities
1269 that would not be available to MIB without those funds and for the
1270 purpose of meeting the obligations of those types of contracts.
1271 The fund shall consist of monies that are specifically made
1272 available by the Legislature for the purpose of the fund. MIB
1273 shall not be authorized to expend any monies in the fund until it
1274 has received the prior written approval of the Executive Director
1275 of the Department of Finance and Administration and the State
1276 Treasurer. MIB shall repay to the fund all monies that it expends
1277 from the fund, which monies then may be used by MIB for future
1278 contractual opportunities and obligations. Monies in the fund at
1279 the end of a fiscal year shall not lapse into the State General
1280 Fund, and all interest earned on monies in the fund shall be
1281 credited to the fund.



1282 **SECTION 22.** Section 39-27-1, Mississippi Code of 1972, is
1283 amended as follows:

1284 39-27-1. (1) There is created the Mississippi Blues
1285 Commission, hereinafter referred to as the "commission." The
1286 commission may accept and expend grants and private donations from
1287 any source, including federal, state, public and private entities,
1288 to assist it to carry out its functions.

1289 (2) For purposes of this chapter, the term "blues" shall
1290 mean African-American roots music and the culture that created it.

1291 (3) The powers, functions and duties of the commission shall
1292 include, but shall not be limited to, the following:

1293 (a) To study, deliberate and report to the Governor and
1294 the Legislature on the best method or plan to market and foster an
1295 appreciation of the blues, to include tourism, academic study and
1296 blues archives, blues historical preservation, blues cultural
1297 education and the support of performing artists. The marketing
1298 plan shall be designed to attract tourists, conferences, music
1299 performances, filmmakers and others for the purpose of economic
1300 development of all geographic areas of the state, through the
1301 promotion of the blues and the heritage and culture that produced
1302 the blues, and to analyze the tourism potential of the blues for
1303 Mississippi.

1304 (b) To make an inventory of blues "assets" that make up
1305 the blues and blues culture that could be developed into a program



1306 for domestic and international tourism, and opportunities for
1307 investment.

1308 (c) To establish a statewide Mississippi "Blues Trail"
1309 infrastructure to offer to tourists and targeted groups a
1310 structured tour of Mississippi blues historical sites and
1311 performance venues.

1312 (d) To coordinate with the Division of Tourism of the
1313 Mississippi Development Authority, the Department of Archives and
1314 History, the Mississippi Department of Transportation, the
1315 Mississippi Educational Television Authority, the State
1316 Institutions of Higher Learning, the Center for the Study of
1317 Southern Culture at the University of Mississippi, the University
1318 Center for Economic Development at Mississippi Valley State
1319 University, the Delta Center for Culture and Learning at Delta
1320 State University, the Delta Blues Museum, the Delta Music
1321 Institute, the Mississippi Arts Commission and similar
1322 organizations in the sharing of resources and information in order
1323 to ensure a comprehensive approach to marketing the blues and
1324 blues culture in Mississippi.

1325 (e) To make recommendations regarding the establishment
1326 of, and budgeting for, a permanent Mississippi Office of the Blues
1327 as an agency of state government with an executive director and
1328 appropriate staff to carry out the marketing plan developed by the
1329 commission. To the extent practical, any office shall be located
1330 at an existing public or private location which is appropriate to



1331 the blues or blues culture in Mississippi, with minimal cost to
1332 the state.

1333 (f) To coordinate the blues marketing plan with any
1334 existing state historic preservation programs, in order to:

1335 (i) Identify and preserve blues historic
1336 properties or sites;

1337 (ii) Determine the eligibility of those properties
1338 or sites for listing on the National Register;

1339 (iii) Prepare nominations of those properties or
1340 sites for inclusion on the National Register;

1341 (iv) Maintain blues historical and archaeological
1342 data bases; and

1343 (v) Evaluate those properties and sites for
1344 eligibility for state and federal preservation incentives.

1345 (g) To raise and expend grant funds to provide
1346 assistance to any blues musicians in need.

1347 (h) To appoint and employ an executive director to a
1348 term of four (4) years, with the advice and consent of the Senate,
1349 consistent with the provisions of Section 7-1-35, Mississippi Code
1350 of 1972.

1351 (4) The commission shall be composed of the following
1352 members:

1353 (a) The Director of the Division of Tourism of the
1354 Mississippi Development Authority;



1355 (b) The Executive Director of the Mississippi
1356 Department of Archives and History, or his designee;

1357 (c) The Executive Director of the Mississippi Arts
1358 Commission, or his designee;

1359 (d) The Executive Director of the Mississippi
1360 Educational Television Authority, or his designee;

1361 (e) The Director of the Center for the Study of
1362 Southern Culture at the University of Mississippi;

1363 (f) Until April 10, 2008, the Director of the
1364 University Center for Economic Development at Mississippi Valley
1365 State University, and after April 10, 2008, a person designated by
1366 the President of Mississippi Valley State University;

1367 (g) The Director of the Delta Center for Culture and
1368 Learning at Delta State University;

1369 (h) The President of the B.B. King Museum and Delta
1370 Interpretive Center;

1371 (i) The State Director of the USDA Rural Development
1372 Agency;

1373 (j) Two (2) members of the Mississippi Senate
1374 designated by the Lieutenant Governor, who shall serve on a
1375 nonvoting basis;

1376 (k) Two (2) members of the Mississippi House of
1377 Representatives designated by the Speaker of the House, who shall
1378 serve on a nonvoting basis;



1379 (1) Two (2) members appointed by the Governor, who
1380 shall have experience in cultural affairs or tourism development
1381 in the Mississippi Delta; and

1382 (m) Four (4) members appointed by the Governor from the
1383 state at large, who shall have demonstrated a commitment to the
1384 understanding and promotion of the blues.

1385 (5) The Mississippi Blues Commission, created by former
1386 Section 39-27-1, is continued and reconstituted as follows:
1387 Effective January 1, 2028, the commission members appointed by the
1388 Governor shall be appointed, with the advice and consent of the
1389 Senate, for a term of office of four (4) years, provided that four
1390 (4) such members shall be appointed in 2028 to a term ending
1391 December 31, 2031, and two (2) such members shall be appointed in
1392 2030 to a term ending December 31, 2033. Appointments made at the
1393 beginning of the four-year cycle shall be made to fill any
1394 member's term which actually expires that year and any member's
1395 term which expires next until the majority of the membership of
1396 the board or commission is reached. Appointments made at the
1397 beginning of the third year of the four-year cycle shall be made
1398 for the remainder of the membership positions irrespective of the
1399 time of their prior appointment. Any question regarding the order
1400 of appointments shall be determined by the Secretary of State in
1401 accordance with the specific statute. All appointment procedures,
1402 vacancy provisions, interim appointment provisions and removal
1403 provisions specifically provided for in Section 7-1-35,



1404 Mississippi Code of 1972, shall be fully applicable to
1405 gubernatorial appointments to the Mississippi Blues Commission.

1406 (* * *6) The Governor shall designate one (1) commission
1407 member to serve as chairman for a term concurrent with that of the
1408 Governor. The commission shall meet upon the call of the chairman
1409 not later than August 1, 2004, and shall organize for business by
1410 adopting internal organizational procedures necessary for
1411 efficient operation of the commission, including officers, quorum
1412 requirements and policies for any commission staff. Each member
1413 of the commission shall designate necessary staff of his or her
1414 respective agency, department, university or business entity, as
1415 the case may be, to provide administrative support to assist the
1416 commission in performing its duties and responsibilities. The
1417 commission shall meet and conduct business at least quarterly each
1418 year. Meetings of the commission shall be open to the public and
1419 opportunity for public comment shall be made available.

1420 (* * *7) Members of the commission shall receive no
1421 compensation for their services.

1422 (* * *8) The commission shall submit a report, including
1423 any proposed legislation, to the Governor and to the Legislature
1424 before the convening of the 2009 Regular Session. The report
1425 shall include a comprehensive state plan for marketing the blues
1426 as specifically provided above.

1427 (* * *9) All departments, boards, agencies, officers and
1428 institutions of the state, and all subdivisions thereof, shall



1429 cooperate with the commission in carrying out its purposes under
1430 this chapter.

1431 (* * *10) Any funds or donations received by the commission
1432 shall be deposited into a special fund which is created in the
1433 State Treasury. The fund shall be maintained by the State
1434 Treasurer as a special fund, separate and apart from the General
1435 Fund of the state. Unexpended amounts remaining in the special
1436 fund at the end of a fiscal year shall not lapse into the State
1437 General Fund, and any interest earned or investment earnings on
1438 amounts in the fund shall be deposited to the credit of the
1439 special fund.

1440 Monies in the fund shall be expended by the Department of
1441 Finance and Administration after receipt of requisitions submitted
1442 by the appropriate person designated by the commission. Monies in
1443 the special fund may be used by the commission in carrying out its
1444 responsibilities under this chapter.

1445 **SECTION 23.** Section 31-13-1, Mississippi Code of 1972, is
1446 amended as follows:

1447 31-13-1. The Governor, with the advice and consent of the
1448 Senate, shall appoint a qualified and practicing attorney at law,
1449 to be known as the State Bond Attorney, who shall possess the same
1450 qualifications for office as the Attorney General, * * * and whose
1451 duties shall be those hereinafter specified. Effective July 1,
1452 2028, the State Bond Attorney shall be appointed by the Governor,
1453 with the advice and consent of the Senate, for a term of office of



1454 four (4) years, commencing on the day of appointment or on July 1
1455 of the year in which the Governor is inaugurated, whichever comes
1456 first. All appointment procedures, vacancy provisions, interim
1457 appointment provisions and removal provisions specifically
1458 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
1459 fully applicable to appointments to the position of State Bond
1460 Attorney.

1461 **SECTION 24.** Section 57-10-167, Mississippi Code of 1972, is
1462 amended as follows:

1463 57-10-167. There is hereby established the Certified
1464 Development Company of Mississippi, a public corporation, which
1465 shall be an incorporated certified development company pursuant to
1466 Section 503 of the Small Business Investment Act of 1958, as
1467 amended.

1468 The Certified Development Company of Mississippi, Inc.,
1469 hereinafter referred to as the "committee" unless the context
1470 clearly indicates otherwise, shall be composed of twenty-five (25)
1471 members as follows:

1472 (a) The State Treasurer; the Executive Director of the
1473 University Research Center or his designee; the Executive Director
1474 of the Mississippi Development Authority; the Executive Director
1475 of the Small Business Development Center; six (6) persons
1476 associated with small business to be appointed by the
1477 Governor * * *; three (3) persons associated with small business
1478 to be appointed by the Lieutenant Governor * * *; five (5) persons



1479 involved in banking or small business to be appointed by the
1480 Governor * * *; and two (2) persons involved in banking or small
1481 business to be appointed by the Lieutenant Governor * * *.

1482 (b) * * * The Central Development Company of
1483 Mississippi, created by former Section 57-10-167, is continued and
1484 reconstituted as follows: Effective January 1, 2028, the members
1485 shall be appointed by the Governor and Lieutenant Governor, with
1486 the advice and consent of the Senate, for a term of office of four
1487 (4) years, provided that of the appointees of the Governor, six
1488 (6) shall be appointed in 2028 to a term ending December 31, 2031,
1489 and five (5) shall be appointed in 2030 to a term ending December
1490 31, 2033, and of the appointees of the Lieutenant Governor, three
1491 (3) shall be appointed in 2028 to a term ending December 31, 2031,
1492 and two (2) shall be appointed in 2030 to a term ending December
1493 31, 2033. Appointments made at the beginning of the four-year
1494 cycle shall be made to fill any member's term which actually
1495 expires that year and any member's term which expires next until
1496 the majority of the membership of the board or commission is
1497 reached. Appointments made at the beginning of the third year of
1498 the four-year cycle shall be made for the remainder of the
1499 membership positions irrespective of the time of their prior
1500 appointment. Any question regarding the order of appointments
1501 shall be determined by the Secretary of State in accordance with
1502 the specific statute. All appointment procedures, vacancy
1503 provisions, interim appointment provisions and removal provisions



1504 specifically provided for in Section 7-1-35, Mississippi Code of
1505 1972, shall be fully applicable to appointments by the Governor
1506 and Lieutenant Governor to the Central Development Company of
1507 Mississippi committee. Members serving by reason of their ex
1508 officio designation shall continue to serve as long as they occupy
1509 the position which entitles them to membership.

1510 Members who are officers or employees of the state shall
1511 receive no compensation for their services, and other committee
1512 members shall receive a per diem as provided in Section 25-3-69,
1513 Mississippi Code of 1972. All members shall receive reimbursement
1514 for actual traveling and subsistence expenses incurred in the
1515 performance of their duties under this article, such reimbursement
1516 to be as provided in Section 25-3-41, Mississippi Code of 1972.

1517 The Certified Development Company of Mississippi, Inc., shall
1518 have an executive director who shall be appointed by the board of
1519 directors.

1520 The Certified Development Company of Mississippi, Inc., shall
1521 elect from among its membership a nine-member board of directors,
1522 a majority of whom shall be a quorum, a president and vice
1523 president and may appoint a secretary and a treasurer.

1524 From and after July 1, 1989, the Certified Development
1525 Company of Mississippi, Inc., shall be known as the Mississippi
1526 Business Finance Corporation, and wherever the term "Certified
1527 Development Company of Mississippi, Inc.," appears in the laws of



1528 this state it shall mean the Mississippi Business Finance
1529 Corporation.

1530 **SECTION 25.** Section 29-5-213, Mississippi Code of 1972, is
1531 amended as follows:

1532 29-5-213. (1) Effective January 1, 2028, the Capitol
1533 Complex Improvement District Project Advisory Committee shall be
1534 continued and reconstituted as follows: There is created the
1535 Capitol Complex Improvement District Project Advisory Committee
1536 composed of the following nine (9) members:

1537 (a) The Mayor of the City of Jackson or his or her
1538 designee;

1539 (b) One (1) member appointed by the City Council of the
1540 City of Jackson with an initial term of one (1) year and
1541 subsequent regular terms of four (4) years;

1542 (c) Two (2) members appointed by the Governor, with the
1543 advice and consent of the Senate, one (1) for an initial term of
1544 two (2) years and one (1) for an initial term of four (4) years,
1545 both with subsequent regular terms of four (4) years;

1546 (d) One (1) member appointed by the Lieutenant
1547 Governor, with the advice and consent of the Senate, for an
1548 initial term of four (4) years and subsequent regular terms of
1549 four (4) years;

1550 (e) One (1) member appointed by the Speaker of the
1551 House of Representatives, with the advice and consent of the



1552 Senate, for an initial term of two (2) years and subsequent
1553 regular terms of four (4) years;

1554 (f) One (1) member appointed by the President of
1555 Jackson State University, with the advice and consent of the
1556 Senate;

1557 (g) One (1) member appointed by the Vice Chancellor for
1558 Health Affairs of University of Mississippi Medical Center, with
1559 the advice and consent of the Senate; and

1560 (h) The Director of the City of Jackson Department of
1561 Public Works or his or her designee.

1562 All appointment procedures, vacancy provisions, interim
1563 appointment provisions and removal provisions specifically
1564 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
1565 fully applicable to appointments to the Capitol Complex
1566 Improvement District Project Advisory Committee.

1567 The member appointed under paragraph (b) of this subsection
1568 (1) shall be a resident of the City of Jackson in Hinds County.

1569 (2) Members appointed to the committee shall not also serve
1570 as members of the commission established by the City of Jackson
1571 pursuant to Section 27-65-241. Appointed members shall serve
1572 without compensation at the will and pleasure of the appointing
1573 authority.

1574 (3) The committee shall elect a chairman and such other
1575 officers as it considers necessary from among its members.



1576 (4) A majority of the members of the committee shall
1577 constitute a quorum for the conduct of meetings and all actions of
1578 the committee shall be by a majority vote.

1579 (5) The committee shall consult with the Department of
1580 Finance and Administration and advise the department in the
1581 development of comprehensive plans for improvement projects in the
1582 city and any changes to such plans.

1583 (6) The committee shall meet, subject to call by the
1584 Executive Director of the Department of Finance and
1585 Administration, at least quarterly to conduct business.

1586 **SECTION 26.** Section 37-28-7, Mississippi Code of 1972, is
1587 amended as follows:

1588 37-28-7. (1) There is created the Mississippi Charter
1589 School Authorizer Board as a state agency with exclusive
1590 chartering jurisdiction in the State of Mississippi. Unless
1591 otherwise authorized by law, no other governmental agency or
1592 entity may assume any charter authorizing function or duty in any
1593 form.

1594 (2) (a) The mission of the Mississippi Charter School
1595 Authorizer Board is to authorize high-quality charter schools,
1596 particularly schools designed to expand opportunities for
1597 underserved students, consistent with the purposes of this
1598 chapter. Subject to the restrictions and conditions prescribed in
1599 this subsection, the Mississippi Charter School Authorizer Board



1600 may authorize charter schools within the geographical boundaries
1601 of any school district.

1602 (b) The Mississippi Charter School Authorizer Board may
1603 approve a maximum of fifteen (15) qualified charter applications
1604 during a fiscal year.

1605 (c) In any school district designated as an "A," "B" or
1606 "C" school district by the State Board of Education under the
1607 accreditation rating system at the time of application, the
1608 Mississippi Charter School Authorizer Board may authorize charter
1609 schools only if a majority of the members of the local school
1610 board votes at a public meeting to endorse the application or to
1611 initiate the application on its own initiative.

1612 (3) The Mississippi Charter School Authorizer Board shall
1613 consist of seven (7) members, to be appointed as follows:

1614 (a) Three (3) members appointed by the Governor, with
1615 one (1) member being from each of the Mississippi Supreme Court
1616 Districts.

1617 (b) Three (3) members appointed by the Lieutenant
1618 Governor, with one (1) member being from each of the Mississippi
1619 Supreme Court Districts.

1620 (c) One (1) member appointed by the State
1621 Superintendent of Public Education.

1622 All appointments must be made with the advice and consent of
1623 the Senate. In making the appointments, the appointing authority



1624 shall ensure diversity among members of the Mississippi Charter
1625 School Authorizer Board.

1626 (4) Members appointed to the Mississippi Charter School
1627 Authorizer Board collectively must possess strong experience and
1628 expertise in public and nonprofit governance, management and
1629 finance, public school leadership, assessment, curriculum and
1630 instruction, and public education law. Each member of the
1631 Mississippi Charter School Authorizer Board must have demonstrated
1632 an understanding of and commitment to charter schooling as a
1633 strategy for strengthening public education.

1634 (5) * * * The Mississippi Charter School Authorizer Board,
1635 created by former Section 37-28-7, is continued and reconstituted
1636 as follows: Effective January 1, 2028, the Mississippi Charter
1637 School Authorizer Board members shall be appointed by the
1638 prescribed appointing authority, with the advice and consent of
1639 the Senate, for a term of office of four (4) years, provided that
1640 four (4) such members shall be appointed in 2028 to a term ending
1641 December 31, 2031, and three (3) such members shall be appointed
1642 in 2030 to a term ending December 31, 2033. Appointments made at
1643 the beginning of the four-year cycle shall be made to fill any
1644 member's term which actually expires that year and any member's
1645 term which expires next until the majority of the membership of
1646 the board or commission is reached. Appointments made at the
1647 beginning of the third year of the four-year cycle shall be made
1648 for the remainder of the membership positions irrespective of the



1649 time of their prior appointment. Any question regarding the order
1650 of appointments shall be determined by the Secretary of State in
1651 accordance with the specific statute. All appointment procedures,
1652 vacancy provisions, interim appointment provisions and removal
1653 provisions specifically provided for in Section 7-1-35,
1654 Mississippi Code of 1972, shall be fully applicable to
1655 appointments to the Mississippi Charter School Authorizer Board,
1656 and to the position of executive director.

1657 (6) The Mississippi Charter School Authorizer Board shall
1658 meet as soon as practical after September 1, 2013, upon the call
1659 of the Governor, and shall organize for business by selecting a
1660 chairman and adopting bylaws. Subsequent meetings shall be called
1661 by the chairman.

1662 * * *

1663 (* * *7) No member of the Mississippi Charter School
1664 Authorizer Board or employee, agent or representative of the board
1665 may serve simultaneously as an employee, trustee, agent,
1666 representative, vendor or contractor of a charter school
1667 authorized by the board.

1668 (* * *8) The Mississippi Charter School Authorizer Board
1669 shall appoint an individual to serve as the Executive Director of
1670 the Mississippi Charter School Authorizer Board, with the advice
1671 and consent of the Senate, for a term of four (4) years consistent
1672 with the provisions of Section 7-1-35, Mississippi Code of 1972.

1673 The executive director shall possess the qualifications



1674 established by the board which are based on national best
1675 practices, and shall possess an understanding of state and federal
1676 education law. The executive director, who shall serve at the
1677 will and pleasure of the board, shall devote his full time to the
1678 proper administration of the board and the duties assigned to him
1679 by the board and shall be paid a salary established by the board,
1680 subject to the approval of the State Personnel Board. Subject to
1681 the availability of funding, the executive director may employ
1682 such administrative staff as may be necessary to assist the
1683 director and board in carrying out the duties and directives of
1684 the Mississippi Charter School Authorizer Board.

1685 (* * *9) The Mississippi Charter School Authorizer Board is
1686 authorized to obtain suitable office space for administrative
1687 purposes. In acquiring a facility or office space, the authorizer
1688 board shall adhere to all policies and procedures required by the
1689 Department of Finance and Administration and the Public
1690 Procurement Review Board.

1691 **SECTION 27.** Section 73-6-3, Mississippi Code of 1972, is
1692 amended as follows:

1693 73-6-3. There is hereby created a State Board of
1694 Chiropractic Examiners. This board shall consist of six (6)
1695 members; one (1) of whom shall be the executive officer of the
1696 State Board of Health, or his designee, and one (1) from
1697 each * * * Mississippi Supreme Court District as presently
1698 constituted and two (2) from the state at large, to be appointed



1699 by the Governor with the advice and consent of the Senate. Each
1700 member except the executive officer of the State Board of Health
1701 shall be a qualified elector of the State of Mississippi having
1702 been continuously engaged in the practice of chiropractic in
1703 Mississippi for at least five (5) years prior to appointment. No
1704 member shall be a stockholder in or member of the faculty or board
1705 of trustees of any school of chiropractic. * * * The State Board
1706 of Chiropractic Examiners, created by former Section 73-6-3, is
1707 continued and reconstituted as follows: Effective January 1,
1708 2028, the State Board of Chiropractic Examiners shall be appointed
1709 by the Governor, with the advice and consent of the Senate, for a
1710 term of office of four (4) years, provided that three (3) members
1711 shall be appointed in 2028 to a term ending December 31, 2031, and
1712 two (2) such members shall be appointed in 2030 to a term ending
1713 December 31, 2033. Appointments made at the beginning of the
1714 four-year cycle shall be made to fill any member's term which
1715 actually expires that year and any member's term which expires
1716 next until the majority of the membership of the board or
1717 commission is reached. Appointments made at the beginning of the
1718 third year of the four-year cycle shall be made for the remainder
1719 of the membership positions irrespective of the time of their
1720 prior appointment. Any question regarding the order of
1721 appointments shall be determined by the Secretary of State in
1722 accordance with the specific statute. All appointment procedures,
1723 vacancy provisions, interim appointment provisions, and removal



1724 provisions specifically provided for in Section 7-1-35,
1725 Mississippi Code of 1972, shall be fully applicable to
1726 appointments to the State Board of Chiropractic Examiners, and to
1727 the position of executive secretary.

1728 **SECTION 28.** Section 73-6-5, Mississippi Code of 1972, is
1729 amended as follows:

1730 73-6-5. (1) The State Board of Chiropractic Examiners shall
1731 select by election from its membership a chairman and vice
1732 chairman who shall hold their respective offices for a period of
1733 one (1) year. A majority of the members of the board may select
1734 an executive secretary for a term of four (4) years, with the
1735 advice and consent of the Senate, and consistent with the
1736 provisions of Section 7-1-35, Mississippi Code of 1972; and may
1737 hire such other employees, including an attorney, needed to
1738 implement the provisions of this chapter. The board shall hold
1739 regular meetings for examination beginning on the second week of
1740 January and July of each year; and may hold additional meetings at
1741 such times and places as it deems necessary, but not to exceed
1742 twelve (12) times during its initial calendar year and at least
1743 four (4) times during any subsequent calendar year but may hold
1744 meetings at such times and places as it deems necessary. The July
1745 meeting shall be held in the Jackson Metropolitan area. A
1746 majority of the board shall constitute a quorum, and the
1747 concurrence of a majority of the members of the board shall be
1748 required to grant or revoke a license. The board shall make such



1749 rules and regulations as is necessary to carry out the provisions
1750 of this chapter; however, the board shall not adopt any rule or
1751 regulation or impose any requirement regarding the licensing of
1752 chiropractors that conflicts with the prohibitions in Section
1753 73-49-3. A copy of these rules and regulations as well as all
1754 changes thereto shall, upon passage, be sent to all practitioners
1755 licensed under this chapter.

1756 (2) The State Board of Chiropractic Examiners shall be
1757 authorized to certify to the State Department of Health those
1758 chiropractic assistants who are exempt from registration under
1759 Section 41-58-3(7) (d) as having completed continuing education
1760 requirements and charge a fee of not more than Fifty Dollars
1761 (\$50.00) annually to each individual whom the board certifies, as
1762 required under Section 41-58-5(4) and (6). The board shall be
1763 authorized to establish educational qualifications and continuing
1764 education requirements for chiropractic assistants that
1765 participate in direct patient care. This section does not
1766 prohibit a chiropractic assistant from rendering ancillary
1767 services or procedures used in chiropractic practice, other than
1768 the adjustments or manipulative techniques, if those services are
1769 rendered under the supervision and control of a licensed
1770 chiropractor as long as the chiropractic assistant has
1771 successfully completed a training program recognized by the board.
1772 "Supervision and control" may not be construed as requiring the
1773 personal presence of the supervising and controlling chiropractor



1774 at the place where those services are rendered, unless physical
1775 presence is necessary to provide patient care of the same quality
1776 as provided by the chiropractor. This section does not prohibit a
1777 chiropractor from delegating to a chiropractic assistant certain
1778 activities relating to patient care and treatment when those
1779 activities are under supervision or direct order of the
1780 chiropractor. The chiropractor delegating those activities to an
1781 employee, to a program graduate, or to a participant in an
1782 approved training program is legally liable for those activities
1783 performed by such a chiropractic assistant and that chiropractic
1784 assistant is considered to be the chiropractor's agent. The board
1785 shall charge a fee not to exceed Fifty Dollars (\$50.00) annually
1786 for this certification and annual renewal. Likewise, a late fee
1787 of One Hundred Dollars (\$100.00) shall be charged on all
1788 chiropractic assistants and chiropractic radiological
1789 technologists not renewing on or before July 1 of each year.
1790 Chiropractic radiological technologists are not exempt from these
1791 continuing education requirements.

1792 **SECTION 29.** Section 39-5-91, Mississippi Code of 1972, is
1793 amended as follows:

1794 39-5-91. (1) There is hereby created a Mississippi Civil
1795 War Battlefield Commission consisting of the following fifteen
1796 (15) members:

1797 (a) Nine (9) members appointed by the Governor with
1798 three (3) serving for an initial term concluding on March 1, 1998,



1799 three (3) serving for an initial term concluding on March 1, 2000,
1800 and three (3) serving for an initial term concluding on March 1,
1801 2002;

1802 (b) One (1) member appointed by the Lieutenant Governor
1803 for an initial term concluding on March 1, 2002;

1804 (c) One (1) member appointed by the Speaker of the
1805 Mississippi House of Representatives for an initial term
1806 concluding on March 1, 2002;

1807 (d) One (1) member appointed by the Jackson Civil War
1808 Roundtable for an initial term concluding on March 1, 2002; and

1809 (e) Three (3) members appointed by the Board of
1810 Trustees of the Department of Archives and History for an initial
1811 term concluding on March 1, 2002.

1812 * * *

1813 The Mississippi Civil War Battlefield Commission, created by
1814 former Section 39-5-91, is continued and reconstituted as follows:
1815 Effective January 1, 2028, the members of the Civil War
1816 Battlefield Commission shall be appointed by the prescribed
1817 appointing authority, with the advice and consent of the Senate,
1818 for a term of office of four (4) years, provided that eight (8) of
1819 such members designated by the Secretary of State shall be
1820 appointed in 2028 to a term ending December 31, 2031, and seven
1821 (7) of such members designated by the Secretary of State shall be
1822 appointed in 2030 to a term ending December 31, 2033.
1823 Appointments made at the beginning of the four-year cycle shall be



1824 made to fill any member's term which actually expires that year
1825 and any member's term which expires next until the majority of the
1826 membership of the board or commission is reached. Appointments
1827 made at the beginning of the third year of the four-year cycle
1828 shall be made for the remainder of the membership positions
1829 irrespective of the time of their prior appointment. Any question
1830 regarding the order of appointments shall be determined by the
1831 Secretary of State in accordance with the specific statute. All
1832 appointment procedures, vacancy provisions, interim appointment
1833 provisions and removal provisions specifically provided for in
1834 Section 7-1-35, Mississippi Code of 1972, shall be fully
1835 applicable to appointments to the Mississippi Civil War
1836 Battlefield Commission.

1837 (2) The commission shall elect from its membership a
1838 chairman who shall preside over meetings and a vice chairman who
1839 shall preside in the absence of the chairman or when the chairman
1840 shall be excused.

1841 (3) The commission shall adopt rules and regulations
1842 governing times and places for meetings. A majority of members of
1843 the commission shall constitute a quorum for the transaction of
1844 any business. The commission shall meet at least quarterly. The
1845 commission may form subcommittees to address specific issues
1846 concerning preservation and enhancement of Civil War sites and
1847 structures. The commission may adopt other procedures necessary
1848 to ensure the orderly transaction of business.



1849 (4) The members of the commission shall receive no
1850 compensation for their services.

1851 (5) Principal staff support for the commission shall be
1852 provided by the Department of Archives and History. Other
1853 agencies shall assist when requested by the commission.

1854 (6) The commission shall have the following duties:

1855 (a) Identify and prioritize for protecting
1856 Mississippi's Civil War sites and structures;

1857 (b) Identify, analyze and enhance preservation
1858 opportunities for Mississippi's Civil War sites and structures;

1859 (c) Review existing local, state and federal plans,
1860 programs and policies related to Mississippi's Civil War sites and
1861 structures;

1862 (d) Develop relationships with federal and local
1863 officials and private conservation organizations which facilitate
1864 protection and enhancement of Civil War sites and structures;

1865 (e) Coordinate Mississippi's participation with the
1866 federal government and private foundations to secure support and
1867 financial resources for the protection and enhancement of Civil
1868 War sites and structures;

1869 (f) Advise state agencies on matters relating to Civil
1870 War sites and structures; and

1871 (g) Perform any other such duties or actions in an
1872 effort to advance Civil War history in Mississippi.



1873 (7) The commission shall submit to the Governor an annual
1874 report by December 1 of each year which shall include
1875 recommendations for any legislative, administrative or other
1876 changes the commission deems necessary to further Civil War
1877 history in Mississippi.

1878 (8) State agencies shall consider the impact of their
1879 actions on Civil War sites and structures as identified by the
1880 commission whenever permitting, planning, funding or undertaking
1881 any construction projects.

1882 **SECTION 30.** Section 37-155-7, Mississippi Code of 1972, is
1883 amended as follows:

1884 37-155-7. (1) The board of directors shall consist of
1885 thirteen (13) members as follows:

1886 (a) Nine (9) voting members as follows: the State
1887 Treasurer; the Commissioner of Higher Education, or his designee;
1888 the Executive Director of the Community and Junior College Board,
1889 or his designee; the Department of Finance and Administration
1890 Executive Director, or his designee; and one (1) member from
1891 each * * * Mississippi Supreme Court District and two (2) from the
1892 state at large to be appointed by the Governor with the advice and
1893 consent of the Senate. * * * The MPACT Board of Directors,
1894 created by former Section 37-155-7, is continued and reconstituted
1895 as follows: Effective January 1, 2028, the appointed MPACT Board
1896 members shall be appointed by the Governor, with the advice and
1897 consent of the Senate, for a term of office of four (4) years,



1898 provided that three (3) such members shall be appointed in 2028 to
1899 a term ending December 31, 2031, and two (2) such members shall be
1900 appointed in 2030 to a term ending December 31, 2033.
1901 Appointments made at the beginning of the four-year cycle shall be
1902 made to fill any member's term which actually expires that year
1903 and any member's term which expires next until the majority of the
1904 membership of the board or commission is reached. Appointments
1905 made at the beginning of the third year of the four-year cycle
1906 shall be made for the remainder of the membership positions
1907 irrespective of the time of their prior appointment. Any question
1908 regarding the order of appointments shall be determined by the
1909 Secretary of State in accordance with the specific statute. All
1910 appointment procedures, vacancy provisions, interim appointment
1911 provisions and removal provisions specifically provided for in
1912 Section 7-1-35, Mississippi Code of 1972, shall be fully
1913 applicable to appointments to the MPACT Board of Directors. Ex
1914 officio members of the board may be represented at official
1915 meetings by their deputy, or other designee, and such designees
1916 shall have full voting privileges and shall be included in the
1917 determination of a quorum for conducting board business.

1918 (b) Two (2) nonvoting, advisory members of the board
1919 shall be appointed by each of the following officers: the
1920 Lieutenant Governor and the Speaker of the House of
1921 Representatives.

1922 * * *



1923 (* * *2) Each member appointed shall possess knowledge,
1924 skill and experience in business or financial matters commensurate
1925 with the duties and responsibilities of the trust fund.

1926 (* * *3) Members of the board of directors shall serve
1927 without compensation, but shall be reimbursed for each day's
1928 official duties of the board at the same per diem as established
1929 by Section 25-3-69 and actual travel and lodging expenses as
1930 established by Section 25-3-41.

1931 (* * *4) The board of directors shall annually elect one
1932 (1) member to serve as chairman of the board and one (1) member to
1933 serve as vice chairman. The vice chairman shall act as chairman
1934 in the absence of or upon the disability of the chairman or in the
1935 event of a vacancy of the office of chairman.

1936 (* * *5) A majority of the currently serving members of the
1937 board shall constitute a quorum for the purposes of conducting
1938 business and exercising its official powers and duties. Any
1939 action taken by the board shall be upon the vote of a majority of
1940 the members present.

1941 **SECTION 31.** Section 65-1-46, Mississippi Code of 1972, is
1942 amended as follows:

1943 65-1-46. (1) There is created an Appeals Board of the
1944 Mississippi Transportation Commission. If any person feels
1945 aggrieved by a penalty for excess weight assessed against him by
1946 an agent or employee of the Mississippi Department of
1947 Transportation pursuant to Section 27-19-89, he may apply to the



1948 appeals board. Beginning July 1, 2021, the Appeals Board shall be
1949 administratively located within the Commercial Transportation
1950 Enforcement Division of the Mississippi Department of Public
1951 Safety and shall receive appeals with respect to penalties for
1952 excess weight assessed by agents or employees of the Commercial
1953 Transportation Enforcement Division.

1954 (2) The members serving on the appeals board on April 7,
1955 1995, shall continue to serve until July 1, 1995. On July 1,
1956 1995, the appeals board shall be reconstituted to be composed of
1957 five (5) qualified people. The initial appointments to the
1958 reconstituted board shall be made no later than June 30, 1995, for
1959 terms to begin July 1, 1995, as follows: One (1) member shall be
1960 appointed by the Governor for a term ending on June 30, 1996, one
1961 (1) member shall be appointed by the Lieutenant Governor for a
1962 term ending on June 30, 1997, one (1) member shall be appointed by
1963 the Attorney General for a term ending on June 30, 1998, one (1)
1964 member shall be appointed by the * * * Commissioner of Revenue for
1965 a term ending on June 30, 1999, and one (1) member shall be
1966 appointed by the Executive Director of the Mississippi Department
1967 of Transportation for a term ending on June 30, 2000. After the
1968 expiration of the initial terms of the members of the
1969 reconstituted board, all subsequent appointments shall be made for
1970 terms of four (4) years from the expiration date of the previous
1971 term. Any member serving on the appeals board before July 1,
1972 1995, may be reappointed to the reconstituted appeals board.



1973 Appointments to the board shall be with the advice and consent of
1974 the Senate; however, the advice and consent of the Senate shall
1975 not be required for the appointment of a person to the
1976 reconstituted appeals board for a term beginning on July 1, 1995,
1977 if such person was serving as a member of the appeals board on
1978 June 30, 1995, and such person received the advice and consent of
1979 the Senate for that appointment. The term of the member appointed
1980 by the Executive Director of the Mississippi Department of
1981 Transportation shall end on June 30, 2021, and the vacancy shall
1982 be filled by a member appointed by the Commissioner of Public
1983 Safety for a term ending on June 30, 2024, after which the
1984 position shall be for a four-year term.

1985 (3) The Appeals Board of the Mississippi Transportation
1986 Commission, created by former Section 65-1-46, is continued and
1987 reconstituted as follows: Effective January 1, 2028, the Appeals
1988 Board of the Mississippi Transportation Commission shall consist
1989 of five (5) members, one (1) appointed by each of the following:
1990 the Governor from the Central Supreme Court District, the
1991 Lieutenant Governor from the state at large, the Attorney General
1992 from the state at large, the Executive Director of the Department
1993 of Revenue from the Southern Supreme Court District, and the
1994 Commissioner of Public Safety from the Northern Supreme Court
1995 District. Said members shall be appointed by the appointing
1996 authority, with the advice and consent of the Senate, for a term
1997 of office of four (4) years, provided that three (3) members



1998 designated by the Secretary of State shall be appointed in 2028 to
1999 a term ending December 31, 2031, and two (2) such members
2000 designated by the Secretary of State shall be appointed in 2030 to
2001 a term ending December 31, 2033. Appointments made at the
2002 beginning of the four-year cycle shall be made to fill any
2003 member's term which actually expires that year and any member's
2004 term which expires next until the majority of the membership of
2005 the board or commission is reached. Appointments made at the
2006 beginning of the third year of the four-year cycle shall be made
2007 for the remainder of the membership positions irrespective of the
2008 time of their prior appointment. Any question regarding the order
2009 of appointments shall be determined by the Secretary of State in
2010 accordance with the specific statute. All appointment procedures,
2011 vacancy provisions, interim appointment provisions and removal
2012 provisions specifically provided for in Section 7-1-35,
2013 Mississippi Code of 1972, shall be fully applicable to
2014 appointments to the Appeals Board of the Mississippi
2015 Transportation Commission.

2016 (* * *4) There shall be a chairman and vice chairman of the
2017 board who shall be elected by and from the membership of the
2018 board. Any member who fails to attend three (3) consecutive
2019 regular meetings of the board shall be subject to removal by a
2020 majority vote of the board. A majority of the members of the
2021 board shall constitute a quorum. The chairman, or a majority of
2022 the members of the board, may call meetings as may be required for



2023 the proper discharge of the board's duties. Members of the board,
2024 except a member who is an officer or employee of the Mississippi
2025 Department of Transportation or, beginning July 1, 2021, is an
2026 officer or employee of the Department of Public Safety, shall
2027 receive per diem in the amount authorized by Section 25-3-69, for
2028 each day spent in the actual discharge of their duties and shall
2029 be reimbursed for mileage and actual expenses incurred in the
2030 performance of their duties in accordance with the provisions of
2031 Section 25-3-41.

2032 Application shall be made by petition in writing, within
2033 thirty (30) days after assessment of the penalty, for a hearing
2034 and a review of the amount of the assessment. At the hearing the
2035 appeals board shall try the issues presented according to the law
2036 and the facts and within guidelines set by the Transportation
2037 Commission or, beginning July 1, 2021, by the Department of Public
2038 Safety. Upon due consideration of all the facts relating to the
2039 assessment of the penalty, the appeals board, except as otherwise
2040 provided under this section or under Section 27-19-89, may require
2041 payment of the full amount of the assessment, may reduce the
2042 amount of the assessment or may dismiss imposition of the penalty
2043 entirely. The appeals board shall dismiss in its entirety the
2044 imposition of any penalty imposed against the holder of a harvest
2045 permit if the permittee proves to the appeals board, by clear and
2046 convincing evidence, that the average load transported by the
2047 permittee during the permittee's last five (5) haul days



2048 immediately preceding the day upon which the penalty appealed from
2049 was assessed did not exceed eighty thousand (80,000) pounds. The
2050 appeals board shall reduce the penalty assessed against the holder
2051 of a harvest permit to a maximum of Two Cents (2¢) per pound of
2052 overweight if the permittee proves to the appeals board, by clear
2053 and convincing evidence, that the average load transported by the
2054 permittee during the permittee's last five (5) haul days
2055 immediately preceding the day upon which the penalty appealed from
2056 was assessed exceeded seventy-nine thousand nine hundred
2057 ninety-nine (79,999) pounds but did not exceed a gross vehicle
2058 weight tolerance of ten percent (10%), not to exceed eighty-eight
2059 thousand (88,000) pounds. The board shall make such orders in the
2060 matter as appear to it just and lawful and shall furnish copies
2061 thereof to the petitioner. If the appeals board orders the
2062 payment of the penalty, the petitioner shall pay the penalty,
2063 damages and interest, if any, within ten (10) days after the order
2064 is issued unless there is an application for appeal from the
2065 decision of the board as provided in the succeeding paragraph.
2066 Interest shall accrue on the penalty at the rate of one percent
2067 (1%) per month, or part of a month, beginning immediately after
2068 the expiration of the ten-day period.

2069 If any person feels aggrieved by the decision of the appeals
2070 board, he may appeal the decision to the Chancery Court of the
2071 First Judicial District of Hinds County.



2072 **SECTION 32.** Section 19-5-333, Mississippi Code of 1972, is
2073 amended as follows:

2074 19-5-333. (1) There is created a Commercial Mobile Radio
2075 Service (CMRS) Board, consisting of eight (8) members to be
2076 appointed by the Governor with the advice and consent of the
2077 Senate. The members of the board shall be appointed as follows:

2078 (a) One (1) member from the Northern Public Service
2079 Commission District selected from two (2) nominees submitted to
2080 the Governor by the Mississippi 911 Coordinators Association;

2081 (b) One (1) member from the Central Public Service
2082 Commission District selected from two (2) nominees submitted to
2083 the Governor by the Mississippi Chapter of the Association of
2084 Public Safety Communication Officers;

2085 (c) One (1) member from the Southern Public Service
2086 Commission District selected from two (2) nominees submitted to
2087 the Governor by the National Emergency Numbering Association;

2088 (d) Two (2) members who are wireless provider
2089 representatives;

2090 (e) One (1) member who is a consumer representing the
2091 state at large with no affiliation to the three (3) trade
2092 associations or the wireless providers;

2093 (f) One (1) member who is a member of the Mississippi
2094 Law Enforcement Officers Association selected from two (2)
2095 nominees submitted to the Governor by the association; and



2096 (g) One (1) member who is a member of the Mississippi
2097 Association of Supervisors selected from two (2) nominees
2098 submitted to the Governor by the association.

2099 * * *

2100 The CMRS Board, created by former Section 19-5-333, is
2101 continued and reconstituted as follows: Effective January 1,
2102 2028, the Governor shall make the prescribed appointments, with
2103 the advice and consent of the Senate, for a term of office of four
2104 (4) years, provided that five (5) such members shall be appointed
2105 in 2028 to a term ending December 31, 2031, and three (3) such
2106 members shall be appointed in 2030 to a term ending December 31,
2107 2033. Appointments made at the beginning of the four-year cycle
2108 shall be made to fill any member's term which actually expires
2109 that year and any member's term which expires next until the
2110 majority of the membership of the board or commission is reached.
2111 Appointments made at the beginning of the third year of the
2112 four-year cycle shall be made for the remainder of the membership
2113 positions irrespective of the time of their prior appointment.
2114 Any question regarding the order of appointments shall be
2115 determined by the Secretary of State in accordance with the
2116 specific statute. All appointment procedures, vacancy provisions,
2117 interim appointment provisions and removal provisions specifically
2118 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
2119 fully applicable to appointments to the CMRS Board.

2120 (2) The board shall have the following powers and duties:



2121 (a) To collect and distribute a CMRS emergency
2122 telephone service charge on each CMRS customer whose place of
2123 primary use is within the state. The rate of such CMRS service
2124 charge shall be One Dollar (\$1.00) per month per CMRS connection.
2125 In the case of prepaid wireless service, the rate and methodology
2126 for collecting and remitting the 911 charge is governed by Section
2127 19-5-343. The CMRS service charge shall have uniform application
2128 and shall be imposed throughout the state. The board is
2129 authorized to receive all revenues derived from the CMRS service
2130 charge levied on CMRS connections in the state and collected
2131 pursuant to Section 19-5-335.

2132 (b) To establish and maintain the CMRS Fund as an
2133 insured, interest-bearing account into which the board shall
2134 deposit all revenues derived from the CMRS service charge levied
2135 on CMRS connections in the state and collected pursuant to Section
2136 19-5-335. The revenues which are deposited into the CMRS Fund
2137 shall not be monies or property of the state and shall not be
2138 subject to appropriation by the Legislature. Interest derived
2139 from the CMRS Fund shall be divided equally to pay reasonable
2140 costs incurred by providers in compliance with the requirements of
2141 Sections 19-5-331 through 19-5-341 and to compensate those
2142 persons, parties or firms employed by the CMRS Board as
2143 contemplated in paragraph (d) of this subsection. The interest
2144 income is not subject to the two percent (2%) cap on
2145 administrative spending established in Section 19-5-335(3).



2146 (c) To establish a distribution formula by which the
2147 board will make disbursements of the CMRS service charge in the
2148 following amounts and in the following manner:

2149 (i) Out of the funds collected by the board,
2150 thirty percent (30%) shall be deposited into the CMRS Fund, and
2151 shall be used to defray the administrative expenses of the board
2152 in accordance with Section 19-5-335(3) and to pay the actual costs
2153 incurred by such CMRS providers in complying with the wireless
2154 E911 service requirements established by the FCC Order and any
2155 rules and regulations which are or may be adopted by the FCC
2156 pursuant to the FCC Order, including, but not limited to, costs
2157 and expenses incurred for designing, upgrading, purchasing,
2158 leasing, programming, installing, testing or maintaining all
2159 necessary data, hardware and software required in order to provide
2160 such service as well as the incremental costs of operating such
2161 service. Sworn invoices must be presented to the board in
2162 connection with any request for payment and approved by a majority
2163 vote of the board prior to any such disbursement, which approval
2164 shall not be withheld or delayed unreasonably. In no event shall
2165 any invoice for payment be approved for the payment of costs that
2166 are not related to compliance with the wireless E911 service
2167 requirements established by the FCC Order and any rules and
2168 regulations which are or may be adopted by the FCC pursuant to the
2169 FCC Order, and any rules and regulations which may be adopted by
2170 the FCC with respect to implementation of wireless E911 services.



2171 (ii) The remainder of all funds collected by the
2172 board, which shall not be less than seventy percent (70%) of the
2173 total funds collected by the board, shall be distributed by the
2174 board monthly based on the number of CMRS connections in each ECD
2175 for use in providing wireless E911 service, including capital
2176 improvements, and in their normal operations. For purposes of
2177 distributing the funds to each ECD, every CMRS provider shall
2178 identify to the CMRS Board the ECD to which funds should be
2179 remitted based on zip code plus four (4) designation, as required
2180 by the federal Uniform Sourcing Act.

2181 An ECD board that has within its jurisdiction zip code
2182 designations that do not adhere to county lines shall assist CMRS
2183 providers in determining the appropriate county to which funds
2184 should be distributed.

2185 (d) To contract for the services of accountants,
2186 attorneys, consultants, engineers and any other persons, firms or
2187 parties the board deems necessary to effectuate the purposes of
2188 Sections 19-5-331 through 19-5-341.

2189 (e) To obtain from an independent, third-party auditor
2190 retained by the board annual reports to the board no later than
2191 sixty (60) days after the close of each fiscal year, which shall
2192 provide an accounting for all CMRS service charges deposited into
2193 the CMRS Fund during the preceding fiscal year and all
2194 disbursements to ECDs during the preceding fiscal year. The board
2195 shall provide a copy of the annual reports to the Chairmen of the



2196 Public Utilities Committees of the House of Representatives and
2197 Senate.

2198 (f) To retain an independent, third-party accountant
2199 who shall audit CMRS providers at the discretion of the CMRS Board
2200 to verify the accuracy of each CMRS providers' service charge
2201 collection. The information obtained by the audits shall be used
2202 solely for the purpose of verifying that CMRS providers accurately
2203 are collecting and remitting the CMRS service charge and may be
2204 used for any legal action initiated by the board against CMRS
2205 providers.

2206 (g) To levy interest charges at the legal rate of
2207 interest established in Section 75-17-1 on any amount due and
2208 outstanding from any CMRS provider who fails to remit service
2209 charges in accordance with Section 19-5-335(1).

2210 (h) To promulgate such rules and regulations as may be
2211 necessary to effect the provisions of Sections 19-5-331 through
2212 19-5-341.

2213 (i) To make the determinations and disbursements as
2214 provided by Section 19-5-333(2)(c).

2215 (j) To maintain a registration database of all CMRS
2216 providers and to impose an administrative fine on any provider
2217 that fails to comply with the registration requirements in Section
2218 19-5-335.

2219 (3) The CMRS service charge provided in subsection (2)(a) of
2220 this section and the service charge provided in Section 19-5-357



2221 to fund the training of public safety telecommunicators shall be
2222 the only charges assessed to CMRS customers relating to emergency
2223 telephone services.

2224 (4) The board shall serve without compensation; however,
2225 members of the board shall be entitled to be reimbursed for actual
2226 expenses and travel costs associated with their service in an
2227 amount not to exceed the reimbursement authorized for state
2228 officers and employees in Section 25-3-41, Mississippi Code of
2229 1972.

2230 (5) It is the Legislature's intent to ensure that the State
2231 of Mississippi shall be Phase I compliant by July 1, 2005. For
2232 purposes of this subsection, Phase I compliant means the mandate
2233 by the FCC that requires any carrier when responding to a PSAP to
2234 define and deliver data related to the cell site location and the
2235 caller's call-back number.

2236 **SECTION 33.** Section 37-4-3, Mississippi Code of 1972, is
2237 amended as follows:

2238 37-4-3. (1) From and after July 1, 1986, there shall be a
2239 Mississippi Community College Board which shall receive and
2240 distribute funds appropriated by the Legislature for the use of
2241 the public community and junior colleges and funds from federal
2242 and other sources that are transmitted through the state
2243 governmental organization for use by said colleges. This board
2244 shall provide general coordination of the public community and



2245 junior colleges, assemble reports and such other duties as may be
2246 prescribed by law.

2247 (2) The board shall consist of ten (10) members of which
2248 none shall be an elected official. Until January 1, 2028, the
2249 Governor shall appoint two (2) members from the First Mississippi
2250 Congressional District, one (1) who shall serve an initial term of
2251 two (2) years and one (1) who shall serve an initial term of five
2252 (5) years; two (2) members from the Second Mississippi
2253 Congressional District, one (1) who shall serve an initial term of
2254 five (5) years and one (1) who shall serve an initial term of
2255 three (3) years; and two (2) members from the Third Mississippi
2256 Congressional District, one (1) who shall serve an initial term of
2257 four (4) years and one (1) who shall serve an initial term of two
2258 (2) years; two (2) members from the Fourth Mississippi
2259 Congressional District, one (1) who shall serve an initial term of
2260 three (3) years and one (1) who shall serve an initial term of
2261 four (4) years; and two (2) members from the Fifth Mississippi
2262 Congressional District, one (1) who shall serve an initial term of
2263 five (5) years and one (1) who shall serve an initial term of two
2264 (2) years. All subsequent appointments shall be for a term of six
2265 (6) years and continue until their successors are appointed and
2266 qualify. An appointment to fill a vacancy which arises for
2267 reasons other than by expiration of a term of office shall be for
2268 the unexpired term only. All members shall be appointed with the
2269 advice and consent of the Senate.



2270 The Mississippi Community College Board, created by former
2271 Section 37-4-3, is continued and reconstituted as follows:
2272 Effective January 1, 2028, the Governor shall appoint three (3)
2273 members from each Mississippi Supreme Court District and one (1)
2274 from the state at large. The members shall be appointed by the
2275 Governor, with the advice and consent of the Senate, for a term of
2276 office of four (4) years, provided that six (6) members shall be
2277 appointed in 2028 to a term ending December 31, 2031, and four (4)
2278 members shall be appointed in 2030 to a term ending December 31,
2279 2033. Appointments made at the beginning of the four-year cycle
2280 shall be made to fill any member's term which actually expires
2281 that year and any member's term which expires next until the
2282 majority of the membership of the board or commission is reached.
2283 Appointments made at the beginning of the third year of the
2284 four-year cycle shall be made for the remainder of the membership
2285 positions irrespective of the time of their prior appointment.
2286 Any question regarding the order of appointments shall be
2287 determined by the Secretary of State in accordance with the
2288 specific statute. All appointment procedures, vacancy provisions,
2289 interim appointment provisions and removal provisions specifically
2290 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
2291 fully applicable to appointments to the Mississippi Community
2292 College Board, and to the position of executive director.

2293 (3) There shall be a chairman and vice chairman of the
2294 board, elected by and from the membership of the board; and the



2295 chairman shall be the presiding officer of the board. The board
2296 shall adopt rules and regulations governing times and places for
2297 meetings and governing the manner of conducting its business.

2298 (4) The members of the board shall receive no annual salary,
2299 but shall receive per diem compensation as authorized by Section
2300 25-3-69, Mississippi Code of 1972, for each day devoted to the
2301 discharge of official board duties and shall be entitled to
2302 reimbursement for all actual and necessary expenses incurred in
2303 the discharge of their duties, including mileage as authorized by
2304 Section 25-3-41, Mississippi Code of 1972.

2305 (5) Effective July 1, 2028, the board shall name a director
2306 for the state system of public junior and community colleges, with
2307 the advice and consent of the Senate, who shall serve * * * for a
2308 term of four (4) years consistent with the provisions of Section
2309 7-1-35. Such director shall be the chief executive officer of the
2310 board, give direction to the board staff, carry out the policies
2311 set forth by the board, and work with the presidents of the
2312 several community and junior colleges to assist them in carrying
2313 out the mandates of the several boards of trustees and in
2314 functioning within the state system and policies established by
2315 the Mississippi Community College Board. The Mississippi
2316 Community College Board shall set the salary of the director of
2317 the board. The Legislature shall provide adequate funds for the
2318 Mississippi Community College Board, its activities and its staff.



2319 (6) The powers and duties of the Mississippi Community
2320 College Board shall be:

2321 (a) To authorize disbursements of state-appropriated
2322 funds to community and junior colleges through orders in the
2323 minutes of the board.

2324 (b) To make studies of the needs of the state as they
2325 relate to the mission of the community and junior colleges.

2326 (c) To approve new, changes to and deletions of
2327 vocational and technical programs to the various colleges.

2328 (d) To require community and junior colleges to supply
2329 such information as the board may request and compile, publish and
2330 make available such reports based thereon as the board may deem
2331 advisable.

2332 (e) To approve proposed new attendance centers (campus
2333 locations) as the local boards of trustees should determine to be
2334 in the best interest of the district. Provided, however, that no
2335 new community/junior college branch campus shall be approved
2336 without an authorizing act of the Legislature.

2337 (f) To serve as the state approving agency for federal
2338 funds for proposed contracts to borrow money for the purpose of
2339 acquiring land, erecting, repairing, etc., dormitories, dwellings
2340 or apartments for students and/or faculty, such loans to be paid
2341 from revenue produced by such facilities as requested by local
2342 boards of trustees.



2343 (g) To approve applications from community and junior
2344 colleges for state funds for vocational-technical education
2345 facilities.

2346 (h) To approve any university branch campus offering
2347 lower undergraduate level courses for credit.

2348 (i) To appoint members to the Post-Secondary
2349 Educational Assistance Board.

2350 (j) To appoint members to the Authority for Educational
2351 Television.

2352 (k) To contract with other boards, commissions,
2353 governmental entities, foundations, corporations or individuals
2354 for programs, services, grants and awards when such are needed for
2355 the operation and development of the state public community and
2356 junior college system.

2357 (l) To fix standards for community and junior colleges
2358 to qualify for appropriations, and qualifications for community
2359 and junior college teachers.

2360 (m) To have sign-off approval on the State Plan for
2361 Vocational Education which is developed in cooperation with
2362 appropriate units of the State Department of Education.

2363 (n) To approve or disapprove of any proposed inclusion
2364 within municipal corporate limits of state-owned buildings and
2365 grounds of any community college or junior college and to approve
2366 or disapprove of land use development, zoning requirements,
2367 building codes and delivery of governmental services applicable to



2368 state-owned buildings and grounds of any community college or
2369 junior college. Any agreement by a local board of trustees of a
2370 community college or junior college to annexation of state-owned
2371 property or other conditions described in this paragraph shall be
2372 void unless approved by the board and by the board of supervisors
2373 of the county in which the state-owned property is located.

2374 **SECTION 34.** Section 31-3-3, Mississippi Code of 1972, is
2375 amended as follows:

2376 31-3-3. There is hereby created the State Board of
2377 Contractors of the State of Mississippi, which shall consist of
2378 ten (10) members who shall be appointed by the Governor. All
2379 appointments to the board shall be made with the advice and
2380 consent of the Senate. Two (2) road contractors; two (2) building
2381 contractors; two (2) residential builders as defined in Section
2382 73-59-1; one (1) plumbing or heating and air-conditioning
2383 contractor; one (1) electrical contractor; and one (1) water and
2384 sewer contractor shall compose the board. The Governor shall
2385 appoint one (1) additional member who shall be a roofing
2386 contractor and whose term of office shall be five (5) years. Each
2387 member shall be an actual resident of the State of Mississippi and
2388 must have been actually engaged in the contracting business for a
2389 period of not less than ten (10) years before appointment. The
2390 initial terms of the two (2) residential builders shall be for two
2391 (2) and four (4) years, respectively.



2392 * * * The State Board of Contractors, created by former
2393 Section 31-3-3, is continued and reconstituted as follows:
2394 Effective January 1, 2028, the Governor shall appoint ten (10)
2395 members, three (3) from each Mississippi Supreme Court District
2396 and one (1) from the state at large, so as to maintain on the
2397 board two (2) building contractors; two (2) road contractors; two
2398 (2) residential builders; one (1) plumbing or heating and
2399 air-conditioning contractor; one (1) electrical contractor; and
2400 one (1) water and sewer contractor; and one (1) roofing
2401 contractor. * * * Each board member shall be appointed by the
2402 Governor, with the advice and consent of the Senate, for a term of
2403 office of four (4) years, provided that six (6) members shall be
2404 appointed in 2028 to a term ending December 31, 2031, and four (4)
2405 members shall be appointed in 2030 to a term ending December 31,
2406 2033. Appointments made at the beginning of the four-year cycle
2407 shall be made to fill any member's term which actually expires
2408 that year and any member's term which expires next until the
2409 majority of the membership of the board or commission is reached.
2410 Appointments made at the beginning of the third year of the
2411 four-year cycle shall be made for the remainder of the membership
2412 positions irrespective of the time of their prior appointment.
2413 Any question regarding the order of appointments shall be
2414 determined by the Secretary of State in accordance with the
2415 specific statute. All appointment procedures, vacancy provisions,
2416 interim appointment provisions and removal provisions specifically



2417 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
2418 fully applicable to appointments to the State Board of
2419 Contractors, and to the position of executive director.

2420 **SECTION 35.** Section 31-3-11, Mississippi Code of 1972, is
2421 amended as follows:

2422 31-3-11. The board shall elect and fix the salary of an
2423 executive director * * * for a term of four (4) years, with the
2424 advice and consent of the Senate, and consistent with the
2425 provisions of Section 7-1-35, Mississippi Code of 1972. The board
2426 shall require the executive director to file bond in such amount
2427 as the board may deem necessary, and shall specify the duties of
2428 such employee. The premium on any such bond shall be paid from
2429 the funds provided by this chapter.

2430 **SECTION 36.** Section 69-44-3, Mississippi Code of 1972, is
2431 amended as follows:

2432 69-44-3. (1) The Mississippi Corn Promotion Board is
2433 hereby * * * continued and reconstituted, to be composed of twelve
2434 (12) members to be appointed by the Governor * * *, four (4) to be
2435 appointed from each Mississippi Supreme Court District. All of
2436 the twelve (12) members of the board shall be producers of corn in
2437 the State of Mississippi. * * * The Mississippi Farm Bureau
2438 Federation, Inc., the Mississippi Feed and Grains Association, the
2439 Mississippi Corn Growers Association and the Delta Council shall
2440 each submit the names of six (6) corn producers to the Governor,
2441 and he shall appoint three (3) members from the nominees of each



2442 organization to serve on the board * * *. * * * Effective January
2443 1, 2028, each board member shall be appointed by the Governor,
2444 with the advice and consent of the Senate, for a term of office of
2445 four (4) years, provided that seven (7) members shall be appointed
2446 in 2028 to a term ending December 31, 2031, and five (5) members
2447 shall be appointed in 2030 to a term ending December 31, 2033.
2448 Appointments made at the beginning of the four-year cycle shall be
2449 made to fill any member's term which actually expires that year
2450 and any member's term which expires next until the majority of the
2451 membership of the board or commission is reached. Appointments
2452 made at the beginning of the third year of the four-year cycle
2453 shall be made for the remainder of the membership positions
2454 irrespective of the time of their prior appointment. Any question
2455 regarding the order of appointments shall be determined by the
2456 Secretary of State in accordance with the specific statute. All
2457 appointment procedures, vacancy provisions, interim appointment
2458 provisions and removal provisions specifically provided for in
2459 Section 7-1-35, Mississippi Code of 1972, shall be fully
2460 applicable to appointments to the Mississippi Corn Promotion
2461 Board.

2462 (2) The members of the board shall meet and organize
2463 immediately after their appointment, and shall elect a chairman,
2464 vice chairman and secretary-treasurer from the membership of the
2465 board, whose duties shall be those customarily exercised by such
2466 officers or specifically designated by the board. The chairman,



2467 vice chairman and secretary-treasurer shall be bonded in an amount
2468 not less than Twenty Thousand Dollars (\$20,000.00). The cost of
2469 the bonds shall be paid from the funds received under this
2470 chapter. The bond shall be a security for any illegal act of such
2471 member of the board and recovery thereon may be had by the state
2472 for any injury by the illegal act of the member. The board may
2473 establish rules and regulations for its own government and the
2474 administration of the affairs of the board.

2475 **SECTION 37.** Section 47-5-8, Mississippi Code of 1972, is
2476 amended as follows:

2477 47-5-8. (1) There is created the Mississippi Department of
2478 Corrections, which shall be under the policy direction of the
2479 Governor. The chief administrative officer of the department
2480 shall be the Commissioner of Corrections. Effective July 1, 2028,
2481 the commissioner shall be appointed by the Governor, with the
2482 advice and consent of the Senate, for a four-year term of office
2483 in the manner provided in Section 47-5-24. All appointment
2484 procedures specifically provided for in Section 7-1-35,
2485 Mississippi Code of 1972, shall be fully applicable to
2486 appointments to the position of Commissioner of Corrections.

2487 (2) (a) There shall be an Executive Deputy Commissioner who
2488 shall be directly responsible to the Commissioner of Corrections
2489 within the department who shall serve as the Commissioner of
2490 Corrections in the absence of the commissioner and shall assume
2491 any and all duties that the Commissioner of Corrections assigns,



2492 including, but not limited to, supervising all other deputy
2493 commissioners. The salary of the Executive Deputy Commissioner
2494 shall not exceed the salary of the Commissioner of Corrections.

2495 (b) There shall be a Division of Administration and
2496 Finance within the department, which shall have as its chief
2497 administrative officer a Deputy Commissioner for Administration
2498 and Finance who shall be appointed by the commissioner, and shall
2499 be directly responsible to the commissioner.

2500 (c) There shall be a Division of Community Corrections
2501 within the department, which shall have as its chief
2502 administrative officer a Deputy Commissioner for Community
2503 Corrections, who shall be appointed by the commissioner, and shall
2504 be directly responsible to the commissioner. The Probation and
2505 Parole Board shall continue to exercise the authority as provided
2506 by law, but after July 1, 1976, the Division of Community
2507 Corrections shall serve as the administrative agency for the
2508 Probation and Parole Board.

2509 (d) There shall be a Division of Workforce Development
2510 within the department, which shall have as its chief
2511 administrative officer a Deputy Commissioner for Workforce
2512 Development, who shall be appointed by the commissioner, and shall
2513 be directly responsible to the commissioner.

2514 (3) The department shall succeed to the exclusive control of
2515 all records, books, papers, equipment and supplies, and all lands,
2516 buildings and other real and personal property now or hereafter



2517 belonging to or assigned to the use and benefit or under the
2518 control of the Mississippi State Penitentiary and the Mississippi
2519 Probation and Parole Board, except the records of parole process
2520 and revocation and legal matters related thereto, and shall have
2521 the exercise and control of the use, distribution and disbursement
2522 of all funds, appropriations and taxes now or hereafter in
2523 possession, levied, collected or received or appropriated for the
2524 use, benefit, support and maintenance of these two (2) agencies
2525 except as otherwise provided by law, and the department shall have
2526 general supervision of all the affairs of the two (2) agencies
2527 herein named except as otherwise provided by law, and the care and
2528 conduct of all buildings and grounds, business methods and
2529 arrangements of accounts and records, the organization of the
2530 administrative plans of each institution, and all other matters
2531 incident to the proper functioning of the two (2) agencies.

2532 (4) The commissioner may lease the lands for oil, gas,
2533 mineral exploration and other purposes, and contract with other
2534 state agencies for the proper management of lands under such
2535 leases or for the provision of other services, and the proceeds
2536 thereof shall be paid into the General Fund of the state.

2537 **SECTION 38.** Section 73-7-1, Mississippi Code of 1972, is
2538 amended as follows:

2539 73-7-1. Effective January 1, 2028, there is hereby continued
2540 and reconstituted a State Board of Cosmetology, composed of five
2541 (5) members to be appointed by the Governor, with the advice and



2542 consent of the Senate, and whose term of office shall be four (4)
2543 years from the date of appointment except as otherwise provided
2544 herein. However, no more than two (2) members shall be appointed
2545 from each Supreme Court District. Provided, however, that three
2546 (3) members shall be appointed in 2028 to a term ending December
2547 31, 2031, and two (2) members shall be appointed in 2030 to a term
2548 ending December 31, 2033. Appointments made at the beginning of
2549 the four-year cycle shall be made to fill any member's term which
2550 actually expires that year and any member's term which expires
2551 next until the majority of the membership of the board or
2552 commission is reached. Appointments made at the beginning of the
2553 third year of the four-year cycle shall be made for the remainder
2554 of the membership positions irrespective of the time of their
2555 prior appointment. Any question regarding the order of
2556 appointments shall be determined by the Secretary of State in
2557 accordance with the specific statute. All appointment procedures,
2558 vacancy provisions, interim appointment provisions and removal
2559 provisions specifically provided for in Section 7-1-35,
2560 Mississippi Code of 1972, shall be fully applicable to
2561 appointments to the State Board of Cosmetology, and to the
2562 position of executive director.

2563 There shall be a president of the board and such other
2564 officers as deemed necessary by the board elected by and from its
2565 membership, provided that the member elected as president shall
2566 have at least one (1) year of experience on the board. Any member



2567 appointed by the Governor and confirmed by the Senate for a term
2568 to begin on or after July 1, 1997, who was designated by the
2569 Governor to serve as president of the board, shall be fully
2570 qualified to serve on the board for a full term of office, but
2571 shall not serve as president of the board unless elected by the
2572 membership of the board as provided under this paragraph.

2573 To be eligible for appointment as a member of the State Board
2574 of Cosmetology, the person applying shall have been a citizen of
2575 this state for a minimum of five (5) years immediately prior to
2576 appointment. Such person shall be at least thirty (30) years of
2577 age, possess a high school education or its equivalent, and shall
2578 have been a licensed cosmetologist with not less than ten (10)
2579 years' active practice in cosmetology. No member of the board
2580 shall be connected in any way with any school wherein cosmetology
2581 is taught, nor shall any two (2) members of the board be graduates
2582 of the same school of cosmetology.

2583 However, in the event of vacancy by death or resignation of
2584 any member of the board, the Governor shall, within thirty (30)
2585 days, appoint a person possessing all qualifications required to
2586 serve the remainder of the term. Any member who shall not attend
2587 two (2) consecutive meetings of the board for reasons other than
2588 illness of such member shall be subject to removal by the
2589 Governor. The president of the board shall notify the Governor in
2590 writing when any such member has failed to attend two (2)
2591 consecutive regular meetings.



2592 The salaries of all paid employees of the board shall be paid
2593 out of funds in the board's special fund in the State Treasury.
2594 Each member of the board, excepting the inspectors provided for
2595 herein, shall receive per diem as authorized by Section 25-3-69,
2596 and shall be reimbursed for such other expenses at the same rate
2597 and under the same conditions as other state employees as provided
2598 for in Section 25-3-41.

2599 The board shall give reasonable public notice of all board
2600 meetings not less than ten (10) days prior to such meetings.

2601 **SECTION 39.** Section 73-7-3, Mississippi Code of 1972, is
2602 amended as follows:

2603 73-7-3. The board shall be authorized to employ such
2604 clerical and stenographic assistance, bookkeepers, investigators
2605 and other agents as they may deem necessary to carry out the
2606 provisions of this chapter, and to fix their tenure of employment
2607 and compensation therefor. The board shall appoint and employ an
2608 executive director for a term of four (4) years, with the advice
2609 and consent of the Senate, and consistent with the provisions of
2610 Section 7-1-35, Mississippi Code of 1972. The members of the
2611 board shall file a bond with the Secretary of State in the sum of
2612 not less than Five Thousand Dollars (\$5,000.00) payable to the
2613 State of Mississippi for the faithful performance of their duties.
2614 The bond shall be made by a surety company authorized to do
2615 business in this state, the premium of the bond to be paid out of
2616 any money in the board's special fund in the State Treasury.



2617 The office of the board shall be located in the greater
2618 metropolitan area of the City of Jackson, Mississippi, and in the
2619 event office space cannot be obtained in any state-owned building,
2620 the board is authorized to rent suitable office space and to pay
2621 therefor out of funds in the board's special fund. The board
2622 shall employ inspectors as needed, not to exceed seven (7), who
2623 shall be full-time employees and whose salaries and duties shall
2624 be fixed by the board.

2625 The salaries of all paid employees of the board shall be paid
2626 out of the funds in the board's special fund. The inspectors
2627 shall, in addition to their salaries, be reimbursed for such
2628 expenses as are allowed other state employees under the provisions
2629 of Section 25-3-41. In addition to the paying of office rent, the
2630 board is authorized to purchase necessary office furniture and
2631 equipment, stationery, books, certificates and any other equipment
2632 necessary for the proper administration of this chapter.

2633 **SECTION 40.** Section 73-30-5, Mississippi Code of 1972, is
2634 amended as follows:

2635 73-30-5. (1) There is hereby established the Mississippi
2636 State Board of Examiners for Licensed Professional Counselors
2637 which shall consist of five (5) members. * * * From and after
2638 January 1, * * * 2028, the board shall be continued and
2639 reconstituted to consist of five (5) members, one (1) member from
2640 each of the * * * three (3) Mississippi Supreme Court
2641 Districts, * * * and * * * two (2) members to be selected from the



2642 state at large, who shall be appointed by the Governor for a term
2643 of office of four (4) years, with the advice and consent of the
2644 Senate, provided that three (3) members shall be appointed in 2028
2645 to a term ending December 31, 2031, and two (2) members shall be
2646 appointed in 2030 to a term ending December 31, 2033.

2647 Appointments made at the beginning of the four-year cycle shall be
2648 made to fill any member's term which actually expires that year
2649 and any member's term which expires next until the majority of the
2650 membership of the board or commission is reached. Appointments
2651 made at the beginning of the third year of the four-year cycle
2652 shall be made for the remainder of the membership positions
2653 irrespective of the time of their prior appointment. Any question
2654 regarding the order of appointments shall be determined by the
2655 Secretary of State in accordance with the specific statute. All
2656 appointment procedures, vacancy provisions, interim appointment
2657 provisions and removal provisions specifically provided for in
2658 Section 7-1-35, Mississippi Code of 1972, shall be fully
2659 applicable to appointments to the Mississippi State Board of
2660 Examiners for Licensed Professional Counselors, and to the
2661 position of executive director. A list shall be provided to the
2662 Governor by the Mississippi Counseling Association from which the
2663 Governor may choose board members. * * *

2664 (2) * * * Of the five (5) licensed counselors, three (3) of
2665 whom * * * shall be primarily engaged as licensed counselors in
2666 private or institutional practice and two (2) who are primarily



2667 engaged in teaching, training or research in counseling at the
2668 corporate or university level. All members shall be qualified
2669 electors of the State of Mississippi.

2670 * * *

2671 (* * *3) There shall be appointed to the board no more than
2672 one (1) person who is employed by, or receives compensation from,
2673 any one (1) institution, organization or partnership at the time
2674 of appointment.

2675 (* * *4) Board members shall be reimbursed for necessary
2676 and ordinary expenses and mileage incurred while performing their
2677 duties as members of the board, at the rate authorized for public
2678 employees, from fees collected for license and privilege to
2679 practice applications and renewals.

2680 **SECTION 41.** Section 73-30-7, Mississippi Code of 1972, is
2681 amended as follows:

2682 73-30-7. (1) The members of the board shall take an oath to
2683 perform faithfully the duties of their office. The oath shall be
2684 administered by a person qualified by law to administer oaths.
2685 Upon taking the oath as board members, the initial members shall
2686 be deemed licensed counselors for all purposes under this article.
2687 Within thirty (30) days after taking the oath of office, the first
2688 board appointed under this article shall meet for an
2689 organizational meeting on call by the Governor. At such meeting
2690 and at an organizational meeting in January every odd-numbered
2691 year thereafter, the board shall elect from its members a chair,



2692 vice chair and secretary-treasurer to serve for terms of two (2)
2693 years.

2694 (2) The board shall adopt rules and regulations in
2695 compliance with the Mississippi Administrative Procedures Law,
2696 using the standards of the American Counseling Association as a
2697 guide, not inconsistent with this article, for the conduct of its
2698 business and the carrying out of its duties. The board shall
2699 appoint and employ an executive director who shall serve for a
2700 term of four (4) years, with the advice and consent of the Senate,
2701 and consistent with the provisions of Section 7-1-35, Mississippi
2702 Code of 1972.

2703 (3) After a person has applied for licensure, no member of
2704 the board may supervise such applicant for a fee, nor shall any
2705 member vote on any applicant previously supervised by that member.

2706 (4) The board shall hold at least two (2) regular meetings
2707 each year, and additional meetings may be held upon the call of
2708 the chair of the board or at the written request of any four (4)
2709 members of the board.

2710 (5) The board-approved examination for licensure shall be
2711 administered at least once a year. Examinations may be written,
2712 oral, situational, or any combination thereof, and shall deal with
2713 theoretical and applied fields in counseling. In written
2714 examinations, the examinee's name shall not be disclosed to any
2715 person grading the examination until that grading is complete.



2716 (6) The board shall be empowered to make reasonable rules
2717 and regulations regarding its operation and to receive and
2718 disburse revenues derived from application, licensing, privilege
2719 to practice, examination and renewal fees. All monies received by
2720 the board shall be deposited in a special account in the State
2721 Treasury to be designated "Board of Examiners for Licensed
2722 Professional Counselors Account." This account shall fund all
2723 activities of the board.

2724 (7) Upon the filing of a complaint by any citizen of this
2725 state with the board against a licensed professional counselor,
2726 provisional licensed professional counselor or person who holds
2727 the privilege to practice or upon the board's own motion, the
2728 board may:

2729 (a) Compel the attendance of witnesses;

2730 (b) Request the production of books, documents and
2731 other papers;

2732 (c) Administer oaths to witnesses; and

2733 (d) Hear testimony and receive evidence concerning all
2734 matters within its jurisdiction.

2735 (8) The members of the board are hereby individually exempt
2736 from any civil liability as a result of any action taken by the
2737 board.

2738 **SECTION 42.** Section 45-39-3, Mississippi Code of 1972, is
2739 amended as follows:



2740 45-39-3. There is hereby created within the Department of
2741 Public Safety the Crime Stoppers Advisory Council. The council
2742 shall be composed of five (5) persons appointed by the Governor,
2743 with the advice and consent of the Senate, one (1) from each
2744 Mississippi Supreme Court District and two (2) from the state at
2745 large. At least three (3) of the foregoing appointees shall be
2746 persons who have participated in a local crime stoppers
2747 program. * * * The Crime Stoppers Advisory Council, created by
2748 former Section 45-39-3, is continued and reconstituted as follows:
2749 Effective January 1, 2028, each member shall be appointed by the
2750 Governor, with the advice and consent of the Senate, for a term of
2751 office of four (4) years, provided that three (3) members shall
2752 be appointed in 2028 to a term ending December 31, 2031, and two
2753 (2) members shall be appointed in 2030 to a term ending December
2754 31, 2033. Appointments made at the beginning of the four-year
2755 cycle shall be made to fill any member's term which actually
2756 expires that year and any member's term which expires next until
2757 the majority of the membership of the board or commission is
2758 reached. Appointments made at the beginning of the third year of
2759 the four-year cycle shall be made for the remainder of the
2760 membership positions irrespective of the time of their prior
2761 appointment. Any question regarding the order of appointments
2762 shall be determined by the Secretary of State in accordance with
2763 the specific statute. All appointment procedures, vacancy
2764 provisions, interim appointment provisions and removal provisions



2765 specifically provided for in Section 7-1-35, Mississippi Code of
2766 1972, shall be fully applicable to appointments to the Crime
2767 Stoppers Advisory Council. At the first meeting of the council,
2768 which shall be called by the Governor, and at the first meeting
2769 after the beginning of each new state fiscal year, the council
2770 shall elect from among its members a chairman and such other
2771 officers as the council deems necessary. Each member of the
2772 council shall receive per diem in the amount established in
2773 Section 25-3-69, Mississippi Code of 1972, for each day or portion
2774 thereof spent discharging his duties under this chapter and shall
2775 receive mileage and expenses as provided in Section 25-3-41,
2776 Mississippi Code of 1972.

2777 Expenses of the council shall be paid by the Department of
2778 Public Safety out of the State Crime Stoppers Fund, created in
2779 Section 45-39-5(4).

2780 **SECTION 43.** Section 73-9-7, Mississippi Code of 1972, is
2781 amended as follows:

2782 73-9-7. (1) The duties of the Mississippi State Board of
2783 Dental Examiners, or "the board," shall be to carry out the
2784 purposes and provisions of the laws pertaining to the practice of
2785 dentistry and dental hygiene. Effective January 1, 2028, the
2786 Mississippi State Board of Dental Examiners is continued and * * *
2787 reconstituted as follows: The board shall consist of seven (7)
2788 licensed and actively practicing dentists and one (1) licensed and
2789 actively practicing dental hygienist, each a graduate of an



2790 accredited college of dentistry or dental hygiene, as appropriate,
2791 and practicing within the State of Mississippi for a period of
2792 five (5) or more years next preceding his or her appointment. No
2793 dentist or dental hygienist shall be eligible for appointment who
2794 can be construed to be in violation of current state ethics laws
2795 and regulations.

2796 (2) The State Board of Dental Examiners, created under
2797 former Section 73-9-7, is continued and reconstituted as follows:
2798 The members of the board appointed and serving * * * on January 1,
2799 2028, shall * * * stand for reappointment by the Governor, with
2800 the advice and consent of the Senate, for a term of four (4)
2801 years.

2802 (3) The Governor shall appoint one (1) dentist member of the
2803 board from the state at large for a term of four (4) years. * * *
2804 The Governor shall appoint * * * six (6) members from a list of
2805 names to be submitted from districts as set out in this
2806 subsection. All appointments to the board shall be made with the
2807 advice and consent of the Senate.

2808 The board shall poll all licensed dentists in the state by
2809 dental district as follows:

2810 Dental District One: Alcorn, Benton, Calhoun, Chickasaw,
2811 Choctaw, Clay, Itawamba, Lafayette, Lee, Lowndes, Marshall,
2812 Monroe, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union,
2813 Webster;



2814 Dental District Two: Bolivar, Carroll, Coahoma, DeSoto,
2815 Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery,
2816 Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tate, Tunica,
2817 Washington, Yalobusha, Yazoo;

2818 Dental District Three: Attala, Clarke, Covington, Forrest,
2819 Jasper, Jones, Kemper, Lamar, Lauderdale, Leake, Neshoba, Newton,
2820 Noxubee, Perry, Scott, Smith, Wayne, Winston;

2821 Dental District Four: Hinds, Madison, Rankin, Warren;

2822 Dental District Five: George, Greene, Hancock, Harrison,
2823 Jackson, Pearl River, Stone;

2824 Dental District Six: Adams, Amite, Claiborne, Copiah,
2825 Franklin, Jefferson Davis, Jefferson, Lawrence, Lincoln, Marion,
2826 Pike, Simpson, Walthall, Wilkinson;

2827 and request the submission from each such dental district of three
2828 (3) nominations for appointment as members of the board from the
2829 six (6) districts. * * * On January 1, 2028, and every four (4)
2830 years thereafter, the board shall list all nominations by district
2831 according to the number of votes each received. The top three (3)
2832 names from each district shall then be considered as a list of
2833 names to be submitted to the Governor * * * for the six (6)
2834 positions appointed from districts * * *. * * * On January 1,
2835 2028, and every four (4) years thereafter, the board shall take
2836 like polls of all licensed dentists practicing in each dental
2837 district, and shall prepare new lists therefrom to be submitted to



2838 the Governor, which shall be used in the appointment of the six
2839 (6) members appointed from districts.

2840 It is the purpose of this section that no more than one (1)
2841 appointee of the six (6) members appointed from districts shall
2842 serve from any district at any one time. The names on the lists
2843 shall be given priority in accordance with the votes for each
2844 nominee. In case of a tie, the persons receiving tie votes shall
2845 have their names placed on the list even though it results in more
2846 than three (3) names on the list from that district.

2847 (4) The one (1) dental hygienist member shall be appointed
2848 by the Governor from the state at large from a list of six (6)
2849 dental hygienists, each of whom being the dental hygienist
2850 receiving the highest number of votes in his or her individual
2851 district from a poll conducted and compiled by the board. The
2852 poll shall consist of a blank ballot with three (3) spaces for
2853 nomination provided to all licensed dental hygienists in the
2854 state. * * * On January 1, 2028, and every four (4) years
2855 thereafter, the board shall take like polls of all licensed dental
2856 hygienists practicing in the state, and shall prepare a new list
2857 of six (6) dental hygienists, the list to consist of the dental
2858 hygienists receiving the highest number of votes in each district,
2859 to be submitted to the Governor, which shall be used in the
2860 appointment of the dental hygienist member from the state at
2861 large. In case of a tie, the persons receiving tie votes shall
2862 have their names placed on the list even though it results in more



2863 than six (6) names on the list. The board shall poll all licensed
2864 dental hygienists in the state by dental district as that
2865 enumerated in subsection (3) of this section.

2866 (5) * * * The members of the State Board of Dental Examiners
2867 shall be selected in the manner prescribed in this section for a
2868 term of office of four (4) years, provided that four (4) of such
2869 members shall be selected in 2028 to a term ending December 31,
2870 2031, and two (2) such members shall be selected in 2030 to a term
2871 ending December 31, 2033. Appointments made at the beginning of
2872 the four-year cycle shall be made to fill any member's term which
2873 actually expires that year and any member's term which expires
2874 next until the majority of the membership of the board or
2875 commission is reached. Appointments made at the beginning of the
2876 third year of the four-year cycle shall be made for the remainder
2877 of the membership positions irrespective of the time of their
2878 prior appointment. Any question regarding the order of
2879 appointments shall be determined by the Secretary of State in
2880 accordance with the specific statute. All vacancy provisions, and
2881 removal provisions specifically provided for in Section 7-1-35,
2882 Mississippi Code of 1972, shall be applicable to selections for
2883 the State Board of Dental Examiners, and to the position of
2884 executive director.

2885 (6) A vote for an individual dentist or dental hygienist in
2886 all polls may be counted only once for each ballot no matter how
2887 many times the name is listed on the ballot.



2888 (7) The Secretary of State shall, at his discretion, at any
2889 time there is sufficient cause, investigate the method and
2890 procedure of taking those polls and establishing those lists, and
2891 the board shall make available to him all records involved
2892 therein; and if the Secretary of State should find cause therefor
2893 he may, upon specifying the cause, declare the list invalid,
2894 whereupon the board shall follow the procedure set out above to
2895 establish a new list. If a vacancy exists and no list is
2896 available, the * * * Governor is to follow the above-described
2897 procedure in establishing a new list for the appropriate * * *
2898 appointment.

2899 **SECTION 44.** Section 73-9-13, Mississippi Code of 1972, is
2900 amended as follows:

2901 73-9-13. The State Board of Dental Examiners shall each year
2902 elect from their number a president, vice president and
2903 secretary-treasurer to serve for the coming year and until their
2904 successors are qualified. Only dentist members of the board may
2905 hold the offices of president and vice president. The board shall
2906 have a seal with appropriate wording to be kept at the offices of
2907 the board. The secretary and the executive director of the board
2908 shall be required to make bond in such sum and with such surety as
2909 the board may determine. The board shall appoint and employ an
2910 executive director who shall serve for a term of four (4) years,
2911 with the advice and consent of the Senate, and consistent with the
2912 provisions of Section 7-1-35, Mississippi Code of 1972. It shall



2913 be the duty of the executive director to keep a complete record of
2914 the acts and proceedings of the board and to preserve all papers,
2915 documents and correspondence received by the board relating to its
2916 duties and office.

2917 The board shall have the following powers and duties:

2918 (a) To carry out the purposes and provisions of the
2919 state laws pertaining to dentistry and dental hygiene, and the
2920 practice thereof and matters related thereto, particularly
2921 Sections 73-9-1 through 73-9-117, together with all amendments and
2922 additions thereto.

2923 (b) To regulate the practice of dentistry and dental
2924 hygiene and to promulgate reasonable regulations as are necessary
2925 or convenient for the protection of the public; however, the board
2926 shall not adopt any rule or regulation or impose any requirement
2927 regarding the licensing of dentists that conflicts with the
2928 prohibitions in Section 73-49-3.

2929 (c) To make rules and regulations by which clinical
2930 facilities within institutions, schools, colleges, universities
2931 and other agencies may be recognized and approved for the practice
2932 of dentistry or of dental hygiene by unlicensed persons therein,
2933 as a precondition to their being excepted from the dental practice
2934 act and authorized in accordance with Section 73-9-3(g) and (h).

2935 (d) To provide for the enforcement of and to enforce
2936 the laws of the State of Mississippi and the rules and regulations
2937 of the State Board of Dental Examiners.



2938 (e) To compile at least once each calendar year and to
2939 maintain an adequate list of prospective dentist and dental
2940 hygienist appointees for approval by the Governor as provided for
2941 elsewhere by law.

2942 (f) To issue licenses and permits to applicants when
2943 found to be qualified.

2944 (g) To provide for reregistration of all licenses and
2945 permits duly issued by the board.

2946 (h) To maintain an up-to-date list of all licensees and
2947 permit holders in the state, together with their addresses.

2948 (i) To examine applicants for the practice of dentistry
2949 or dental hygiene at least annually.

2950 (j) To issue licenses or duplicates and
2951 reregistration/renewal certificates, and to collect and account
2952 for fees for same.

2953 (k) To maintain an office adequately staffed insofar as
2954 funds are available for the purposes of carrying out the powers
2955 and duties of the board.

2956 (l) To provide by appropriate rules and regulations,
2957 within the provisions of the state laws, for revoking or
2958 suspending licenses and permits and a system of fines for lesser
2959 penalties.

2960 (m) To prosecute, investigate or initiate prosecution
2961 for violations of the laws of the state pertaining to practice of



2962 dentistry or dental hygiene, or matters affecting the rights and
2963 duties, or related thereto.

2964 (n) To provide by rules for the conduct of as much
2965 board business as practicable by mail, which, when so done, shall
2966 be and have the same force and effect as if done in a regular
2967 meeting duly organized.

2968 (o) To adopt rules and regulations providing for the
2969 reasonable regulation of advertising by dentists and dental
2970 hygienists.

2971 (p) To employ, in its discretion, a duly licensed
2972 attorney to represent the board in individual cases.

2973 (q) To employ, in its discretion, technical and
2974 professional personnel to conduct dental office sedation site
2975 visits, administer and monitor state board examinations and carry
2976 out the powers and duties of the board.

2977 **SECTION 45.** Section 43-26-1, Mississippi Code of 1972, is
2978 amended as follows:

2979 43-26-1. (1) There is created a Mississippi Department of
2980 Child Protection Services.

2981 (2) Effective July 1, 2028, the Chief Administrative Officer
2982 of the Department of Child Protection Services shall be the
2983 Commissioner of Child Protection Services who shall be appointed
2984 by the Governor for a term of four (4) years, with the advice and
2985 consent of the Senate. The commissioner shall possess the
2986 following qualifications:



2987 (a) A bachelor's degree from an accredited institution
2988 of higher learning and ten (10) years' experience in management,
2989 public administration, finance or accounting; or

2990 (b) A master's or doctoral degree from an accredited
2991 institution of higher learning and five (5) years' experience in
2992 management, public administration, finance, law or accounting.

2993 All appointment procedures, vacancy provisions, interim
2994 appointment provisions and removal provisions specifically
2995 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
2996 fully applicable to appointments to the position of commissioner.

2997 (3) The Department of Child Protection Services shall
2998 provide the services authorized by law to every individual
2999 determined to be eligible therefor, and in carrying out the
3000 purposes of the department, the commissioner is authorized:

3001 (a) To formulate the policy of the department regarding
3002 child welfare services within the jurisdiction of the department;

3003 (b) To adopt, modify, repeal and promulgate, after due
3004 notice and hearing, and where not otherwise prohibited by federal
3005 or state law, to make exceptions to and grant exemptions and
3006 variances from, and to enforce rules and regulations implementing
3007 or effectuating the powers and duties of the department under any
3008 and all statutes within the department's jurisdiction;

3009 (c) To apply for, receive and expend any federal or
3010 state funds or contributions, gifts, devises, bequests or funds
3011 from any other source;



3012 (d) To enter into and execute contracts, grants and
3013 cooperative agreements with any federal or state agency or
3014 subdivision thereof, or any public or private institution located
3015 inside or outside the State of Mississippi, or any person,
3016 corporation or association in connection with carrying out the
3017 programs of the department; and

3018 (e) To discharge such other duties, responsibilities,
3019 and powers as are necessary to implement the programs of the
3020 department.

3021 (4) The commissioner shall establish the organizational
3022 structure of the Department of Child Protection Services, which
3023 shall include the creation of any units necessary to implement the
3024 duties assigned to the department and consistent with specific
3025 requirements of law.

3026 (5) The commissioner shall appoint heads of offices,
3027 bureaus, and divisions, as defined in Section 7-17-11, who shall
3028 serve at the pleasure of the commissioner. The salary and
3029 compensation of such office, bureau and division heads shall be
3030 subject to the rules and regulations adopted and promulgated by
3031 the State Personnel Board. The commissioner shall have the
3032 authority to organize offices as deemed appropriate to carry out
3033 the responsibilities of the department.

3034 (6) The Department of Child Protection Services shall be
3035 responsible for the development, execution, and provision of
3036 services in the following areas:



3037 (a) Protective services for children;
3038 (b) Foster care;
3039 (c) Adoption services;
3040 (d) Special services;
3041 (e) Interstate compact;
3042 (f) Licensure;
3043 (g) Prevention services; and
3044 (h) Such other services as may be designated. Services
3045 enumerated under Section 43-15-13 et seq., for the foster care
3046 program shall be provided by qualified staff with appropriate case
3047 loads.

3048 (7) The Department of Child Protection Services shall have
3049 the following powers and duties:

3050 (a) To provide basic services and assistance statewide
3051 to needy and disadvantaged individuals and families;

3052 (b) To promote integration of the many services and
3053 programs within its jurisdiction at the client level thus
3054 improving the efficiency and effectiveness of service delivery and
3055 providing easier access to clients;

3056 (c) To employ personnel and expend funds appropriated
3057 to the department to carry out the duties and responsibilities
3058 assigned to the department by law;

3059 (d) To fingerprint and conduct a background
3060 investigation on every employee, contractor, subcontractor and
3061 volunteer:



3062 (i) Who has direct access to clients of the
3063 department who are children or vulnerable adults;
3064 (ii) Who is in a position of fiduciary
3065 responsibility;
3066 (iii) Who is in a position with access to Federal
3067 Tax Information (FTI); or
3068 (iv) Who is otherwise required by federal law or
3069 regulations to undergo a background investigation.

3070 Every such employee, contractor, subcontractor and volunteer
3071 shall provide a valid current social security number and/or
3072 driver's license number, which shall be furnished to conduct the
3073 background investigation for determination as to good moral
3074 character and to ensure that no person placed in any position
3075 referenced in this paragraph (d) has a felony conviction that
3076 would prevent employment or access to Federal Tax Information
3077 according to department policy. If no disqualifying record is
3078 identified at the state level, the fingerprints shall be forwarded
3079 to the Federal Bureau of Investigation for a fingerprint-based
3080 national criminal history record check. The department shall be
3081 the recipient of the results of any background investigation
3082 and/or criminal history record check performed in accordance with
3083 this paragraph;

3084 (e) To establish and maintain programs not inconsistent
3085 with the terms of this chapter and the rules, regulations and
3086 policies of the Department of Child Protection Services, and



3087 publish the rules and regulations of the department pertaining to
3088 such programs;

3089 (f) To provide all other child welfare programs and
3090 services previously provided by the Department of Human Services
3091 or a division thereof; and

3092 (g) Make such reports in such form and containing such
3093 information as the federal government may, from time to time,
3094 require, and comply with such provisions as the federal government
3095 may, from time to time, find necessary to assure the correctness
3096 and verification of such reports.

3097 (8) The Mississippi Department of Child Protection Services
3098 shall submit a copy of the federal Annual Progress and Services
3099 Report (APSR) to the Chair of the Senate Public Health and Welfare
3100 Committee, the Chair of the Senate Appropriations Committee, the
3101 Chair of the House Public Health and Human Services Committee, the
3102 Chair of the House Appropriations Committee, the Lieutenant
3103 Governor, the Speaker of the House of Representatives, and the
3104 Governor by December 1 of each year.

3105 (9) (a) The Commissioner of Child Protection Services shall
3106 hire a Coordinator of Services for Victims of Human Trafficking
3107 and Commercial Sexual Exploitation within the Department of Child
3108 Protection Services whose duties shall include, but not be limited
3109 to, the following:

3110 (i) To form specialized human trafficking and
3111 commercial sexual exploitation assessment teams to respond on an



3112 as-needed basis to act as an emergency, separate and specialized
3113 response and assessment team to rapidly respond to the needs of
3114 children who are victims of human trafficking and commercial
3115 sexual exploitation;

3116 (ii) To identify victims of human trafficking and
3117 commercial sexual exploitation;

3118 (iii) To monitor, record and distribute federal
3119 human trafficking funds received by the Department of Child
3120 Protection Services;

3121 (iv) To employ staff to investigate allegations of
3122 human trafficking and commercial sexual exploitation; and

3123 (v) To develop and coordinate services within the
3124 Department of Child Protection Services and with outside service
3125 providers for victims of human trafficking and commercial sexual
3126 exploitation.

3127 (b) The Commissioner of Child Protection Services shall
3128 develop standard operating procedures for the investigation,
3129 custody and services provided to alleged victims of human
3130 trafficking and commercial sexual exploitation.

3131 (c) The Commissioner shall require two (2) hours of
3132 training regarding the subject of identifying, assessing, and
3133 providing comprehensive services to a child who has experienced or
3134 is alleged to have experienced commercial sexual exploitation or
3135 human trafficking. The training must be incorporated into the
3136 pre-service training requirements of all Mississippi Department of



3137 Child Protection Services family specialists, adoption
3138 specialists, licensure specialists, direct supervisors of family
3139 protection specialists, direct supervisors of adoption
3140 specialists, and direct supervisors of licensure specialists.

3141 (10) This section shall stand repealed on July 1, 2028.

3142 **SECTION 46.** Section 57-1-5, Mississippi Code of 1972, is
3143 amended as follows:

3144 57-1-5. (1) Effective July 1, 2028, the Governor shall,
3145 with the advice and consent of the Senate, appoint an executive
3146 director who shall serve for a term of four (4) years, and who:

3147 (a) Shall have at least a bachelor's degree, and

3148 (b) Shall be an experienced administrator and have at
3149 least five (5) years' experience in at least one (1) of the
3150 following areas:

3151 (i) Industrial development, or

3152 (ii) Economic development.

3153 All appointment procedures, vacancy provisions, interim
3154 appointment provisions and removal provisions specifically
3155 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3156 fully applicable to appointments to the position of executive
3157 director.

3158 (2) The executive director shall be the executive officer of
3159 the department in the execution of any and all provisions of this
3160 chapter, and his salary shall be fixed by the Governor.



3161 (3) The executive director shall have the following powers
3162 and duties:

3163 (a) To formulate the policy of the department regarding
3164 the economic and tourist development of the state.

3165 (b) To use and expend any funds from state, federal or
3166 private sources coming into the department for the purposes herein
3167 provided. State funds appropriated for the department shall be
3168 expended in accordance with the regulations governing the
3169 expenditures of other state funds.

3170 (c) To implement the duties assigned to the department
3171 and consistent with specific requirements of law, including, but
3172 not limited to:

3173 (i) Support services to include legal, finance,
3174 data processing, personnel, communications and advertising,
3175 purchasing and accounting;

3176 (ii) Research and planning;

3177 (iii) Outreach, agency liaison and community
3178 development;

3179 (iv) Tourism, business travel, and film;

3180 (v) Programs and assistance for existing state
3181 business and industry;

3182 (vi) Recruiting new business and industry into the
3183 state;

3184 (vii) Fostering and promoting of entrepreneurship
3185 and the creation of new business in the state;



3186 (viii) Programs aimed at competing effectively in
3187 the international economy by increasing exports of state products
3188 and services and by promoting, developing and creating the
3189 conditions and programs that will bring about significant
3190 increases in investment in the state from other countries;

3191 (ix) Programs relating to the development of
3192 ports;

3193 (x) Such other areas as are within the
3194 jurisdiction and authority of the department and will foster and
3195 promote the economic development of this state;

3196 (xi) The positions of associate directors, deputy
3197 directors and bureau directors shall not be state service
3198 positions.

3199 **SECTION 47.** Section 43-13-107, Mississippi Code of 1972, is
3200 amended as follows:

3201 43-13-107. (1) The Division of Medicaid is created in the
3202 Office of the Governor and established to administer this article
3203 and perform such other duties as are prescribed by law.

3204 (2) (a) The Governor shall appoint a full-time executive
3205 director, with the advice and consent of the Senate, who shall be
3206 either (i) a physician with administrative experience in a medical
3207 care or health program, or (ii) a person holding a graduate degree
3208 in medical care administration, public health, hospital
3209 administration, or the equivalent, or (iii) a person holding a
3210 bachelor's degree with at least three (3) years' experience in



3211 management-level administration of, or policy development for,
3212 Medicaid programs. Provided, however, no one who has been a
3213 member of the Mississippi Legislature during the previous three
3214 (3) years may be executive director. The executive director shall
3215 be the official secretary and legal custodian of the records of
3216 the division; shall be the agent of the division for the purpose
3217 of receiving all service of process, summons and notices directed
3218 to the division; shall perform such other duties as the Governor
3219 may prescribe from time to time; and shall perform all other
3220 duties that are now or may be imposed upon him or her by law.

3221 (b) The executive director shall serve * * * for a term
3222 of four (4) years. All appointment procedures, vacancy
3223 provisions, interim appointment provisions and removal provisions
3224 specifically provided for in Section 7-1-35, Mississippi Code of
3225 1972, shall be fully applicable to appointments to the position of
3226 executive director.

3227 (c) The executive director shall, before entering upon
3228 the discharge of the duties of the office, take and subscribe to
3229 the oath of office prescribed by the Mississippi Constitution and
3230 shall file the same in the Office of the Secretary of State, and
3231 shall execute a bond in some surety company authorized to do
3232 business in the state in the penal sum of One Hundred Thousand
3233 Dollars (\$100,000.00), conditioned for the faithful and impartial
3234 discharge of the duties of the office. The premium on the bond



3235 shall be paid as provided by law out of funds appropriated to the
3236 Division of Medicaid for contractual services.

3237 (d) The executive director, with the approval of the
3238 Governor and subject to the rules and regulations of the State
3239 Personnel Board, shall employ such professional, administrative,
3240 stenographic, secretarial, clerical and technical assistance as
3241 may be necessary to perform the duties required in administering
3242 this article and fix the compensation for those persons, all in
3243 accordance with a state merit system meeting federal requirements.
3244 When the salary of the executive director is not set by law, that
3245 salary shall be set by the State Personnel Board. No employees of
3246 the Division of Medicaid shall be considered to be staff members
3247 of the immediate Office of the Governor; however, Section
3248 25-9-107(c) (xv) shall apply to the executive director and other
3249 administrative heads of the division.

3250 (3) (a) There is established a Medical Care Advisory
3251 Committee, which shall be the committee that is required by
3252 federal regulation to advise the Division of Medicaid about health
3253 and medical care services.

3254 (b) The advisory committee shall consist of not less
3255 than eleven (11) members, as follows:

3256 (i) The Governor shall appoint five (5) members,
3257 one (1) from each * * * Mississippi Supreme Court District
3258 and * * * two (2) from the state at large;



3259 (ii) The Lieutenant Governor shall appoint three
3260 (3) members, one (1) from each Supreme Court district;

3261 (iii) The Speaker of the House of Representatives
3262 shall appoint three (3) members, one (1) from each Supreme Court
3263 district.

3264 All members appointed under this paragraph shall either be
3265 health care providers or consumers of health care services. One
3266 (1) member appointed by each of the appointing authorities shall
3267 be a board-certified physician.

3268 Effective July 1, 2028, all members appointed under this
3269 paragraph shall be appointed, with the advice and consent of the
3270 Senate, to a four-year term of office. All appointment
3271 procedures, vacancy provisions, interim appointment provisions and
3272 removal provisions specifically provided for in Section 7-1-35,
3273 Mississippi Code of 1972, shall be fully applicable to
3274 appointments to the Medical Care Advisory Committee.

3275 (c) The respective Chairmen of the House Medicaid
3276 Committee, the House Public Health and Human Services Committee,
3277 the House Appropriations Committee, the Senate Medicaid Committee,
3278 the Senate Public Health and Welfare Committee and the Senate
3279 Appropriations Committee, or their designees, one (1) member of
3280 the State Senate appointed by the Lieutenant Governor and one (1)
3281 member of the House of Representatives appointed by the Speaker of
3282 the House, shall serve as ex officio nonvoting members of the
3283 advisory committee.



3284 (d) In addition to the committee members required by
3285 paragraph (b), the advisory committee shall consist of such other
3286 members as are necessary to meet the requirements of the federal
3287 regulation applicable to the advisory committee, who shall be
3288 appointed as provided in the federal regulation.

3289 (e) The chairmanship of the advisory committee shall be
3290 elected by the voting members of the committee annually and shall
3291 not serve more than two (2) consecutive years as chairman.

3292 (f) The members of the advisory committee specified in
3293 paragraph (b) shall serve for terms that are concurrent with the
3294 terms of members of the Legislature, and any member appointed
3295 under paragraph (b) may be reappointed to the advisory committee.
3296 The members of the advisory committee specified in paragraph (b)
3297 shall serve without compensation, but shall receive reimbursement
3298 to defray actual expenses incurred in the performance of committee
3299 business as authorized by law. Legislators shall receive per diem
3300 and expenses, which may be paid from the contingent expense funds
3301 of their respective houses in the same amounts as provided for
3302 committee meetings when the Legislature is not in session.

3303 (g) The advisory committee shall meet not less than
3304 quarterly, and advisory committee members shall be furnished
3305 written notice of the meetings at least ten (10) days before the
3306 date of the meeting.

3307 (h) The executive director shall submit to the advisory
3308 committee all amendments, modifications and changes to the state



3309 plan for the operation of the Medicaid program, for review by the
3310 advisory committee before the amendments, modifications or changes
3311 may be implemented by the division.

3312 (i) The advisory committee, among its duties and
3313 responsibilities, shall:

3314 (i) Advise the division with respect to
3315 amendments, modifications and changes to the state plan for the
3316 operation of the Medicaid program;

3317 (ii) Advise the division with respect to issues
3318 concerning receipt and disbursement of funds and eligibility for
3319 Medicaid;

3320 (iii) Advise the division with respect to
3321 determining the quantity, quality and extent of medical care
3322 provided under this article;

3323 (iv) Communicate the views of the medical care
3324 professions to the division and communicate the views of the
3325 division to the medical care professions;

3326 (v) Gather information on reasons that medical
3327 care providers do not participate in the Medicaid program and
3328 changes that could be made in the program to encourage more
3329 providers to participate in the Medicaid program, and advise the
3330 division with respect to encouraging physicians and other medical
3331 care providers to participate in the Medicaid program;



3332 (vi) Provide a written report on or before
3333 November 30 of each year to the Governor, Lieutenant Governor and
3334 Speaker of the House of Representatives.

3335 (4) (a) There is established a Drug Use Review Board, which
3336 shall be the board that is required by federal law to:

3337 (i) Review and initiate retrospective drug use,
3338 review including ongoing periodic examination of claims data and
3339 other records in order to identify patterns of fraud, abuse, gross
3340 overuse, or inappropriate or medically unnecessary care, among
3341 physicians, pharmacists and individuals receiving Medicaid
3342 benefits or associated with specific drugs or groups of drugs.

3343 (ii) Review and initiate ongoing interventions for
3344 physicians and pharmacists, targeted toward therapy problems or
3345 individuals identified in the course of retrospective drug use
3346 reviews.

3347 (iii) On an ongoing basis, assess data on drug use
3348 against explicit predetermined standards using the compendia and
3349 literature set forth in federal law and regulations.

3350 (b) Effective July 1, 2028, the board shall consist of
3351 not less than twelve (12) members appointed by the Governor, or
3352 his designee, to a four-year term of office, subject to the advice
3353 and consent of the Senate. All appointment procedures, vacancy
3354 provisions, interim appointment provisions and removal provisions
3355 specifically provided for in Section 7-1-35, Mississippi Code of



3356 1972, shall be fully applicable to appointments to the Dry Use
3357 Review Board.

3358 (c) The board shall meet at least quarterly, and board
3359 members shall be furnished written notice of the meetings at least
3360 ten (10) days before the date of the meeting.

3361 (d) The board meetings shall be open to the public,
3362 members of the press, legislators and consumers. Additionally,
3363 all documents provided to board members shall be available to
3364 members of the Legislature in the same manner, and shall be made
3365 available to others for a reasonable fee for copying. However,
3366 patient confidentiality and provider confidentiality shall be
3367 protected by blinding patient names and provider names with
3368 numerical or other anonymous identifiers. The board meetings
3369 shall be subject to the Open Meetings Act (Sections 25-41-1
3370 through 25-41-17). Board meetings conducted in violation of this
3371 section shall be deemed unlawful.

3372 (5) (a) Effective July 1, 2028, there is established a
3373 Pharmacy and Therapeutics Committee, which shall be appointed by
3374 the Governor, or his designee, to a four-year term of office,
3375 subject to the advice and consent of the Senate. All appointment
3376 procedures, vacancy provisions, interim appointment provisions and
3377 removal provisions specifically provided for in Section 7-1-35,
3378 Mississippi Code of 1972, shall be fully applicable to
3379 appointments to the Pharmacy and Therapeutics Committee.



3380 (b) The committee shall meet as often as needed to
3381 fulfill its responsibilities and obligations as set forth in this
3382 section, and committee members shall be furnished written notice
3383 of the meetings at least ten (10) days before the date of the
3384 meeting.

3385 (c) The committee meetings shall be open to the public,
3386 members of the press, legislators and consumers. Additionally,
3387 all documents provided to committee members shall be available to
3388 members of the Legislature in the same manner, and shall be made
3389 available to others for a reasonable fee for copying. However,
3390 patient confidentiality and provider confidentiality shall be
3391 protected by blinding patient names and provider names with
3392 numerical or other anonymous identifiers. The committee meetings
3393 shall be subject to the Open Meetings Act (Sections 25-41-1
3394 through 25-41-17). Committee meetings conducted in violation of
3395 this section shall be deemed unlawful.

3396 (d) After a thirty-day public notice, the executive
3397 director, or his or her designee, shall present the division's
3398 recommendation regarding prior approval for a therapeutic class of
3399 drugs to the committee. However, in circumstances where the
3400 division deems it necessary for the health and safety of Medicaid
3401 beneficiaries, the division may present to the committee its
3402 recommendations regarding a particular drug without a thirty-day
3403 public notice. In making that presentation, the division shall
3404 state to the committee the circumstances that precipitate the need



3405 for the committee to review the status of a particular drug
3406 without a thirty-day public notice. The committee may determine
3407 whether or not to review the particular drug under the
3408 circumstances stated by the division without a thirty-day public
3409 notice. If the committee determines to review the status of the
3410 particular drug, it shall make its recommendations to the
3411 division, after which the division shall file those
3412 recommendations for a thirty-day public comment under Section
3413 25-43-7(1).

3414 (e) Upon reviewing the information and recommendations,
3415 the committee shall forward a written recommendation approved by a
3416 majority of the committee to the executive director, or his or her
3417 designee. The decisions of the committee regarding any
3418 limitations to be imposed on any drug or its use for a specified
3419 indication shall be based on sound clinical evidence found in
3420 labeling, drug compendia, and peer-reviewed clinical literature
3421 pertaining to use of the drug in the relevant population.

3422 (f) Upon reviewing and considering all recommendations
3423 including recommendations of the committee, comments, and data,
3424 the executive director shall make a final determination whether to
3425 require prior approval of a therapeutic class of drugs, or modify
3426 existing prior approval requirements for a therapeutic class of
3427 drugs.

3428 (g) At least thirty (30) days before the executive
3429 director implements new or amended prior authorization decisions,



3430 written notice of the executive director's decision shall be
3431 provided to all prescribing Medicaid providers, all Medicaid
3432 enrolled pharmacies, and any other party who has requested the
3433 notification. However, notice given under Section 25-43-7(1) will
3434 substitute for and meet the requirement for notice under this
3435 subsection.

3436 (h) Members of the committee shall dispose of matters
3437 before the committee in an unbiased and professional manner. If a
3438 matter being considered by the committee presents a real or
3439 apparent conflict of interest for any member of the committee,
3440 that member shall disclose the conflict in writing to the
3441 committee chair and recuse himself or herself from any discussions
3442 and/or actions on the matter.

3443 **SECTION 48.** Section 37-1-1, Mississippi Code of 1972, is
3444 amended as follows:

3445 37-1-1. From and after July 1, 1984, there shall be a state
3446 board of education which shall manage and invest school funds
3447 according to law, formulate policies according to law for
3448 implementation by the State Department of Education and perform
3449 such other duties as may be prescribed by law. The board shall
3450 consist of nine (9) members of whom none shall be an elected
3451 official. The Governor shall appoint one (1) member who shall be
3452 a resident of the Third Supreme Court District and who shall serve
3453 an initial term of one (1) year, one (1) member who shall be a
3454 resident of the First Supreme Court District and who shall serve



3455 an initial term of five (5) years, one (1) member who shall be a
3456 resident of the Second Supreme Court District and who shall serve
3457 an initial term of nine (9) years, one (1) member who shall be
3458 employed on an active and full-time basis as a school
3459 administrator and who shall serve an initial term of three (3)
3460 years, and one (1) member who shall be employed on an active and
3461 full-time basis as a schoolteacher and who shall serve an initial
3462 term of seven (7) years. The Lieutenant Governor shall appoint
3463 two (2) members from the state at large, one (1) of whom shall
3464 serve an initial term of four (4) years and one (1) of whom shall
3465 serve an initial term of eight (8) years. The Speaker of the
3466 House of Representatives shall appoint two (2) members from the
3467 state at large, one (1) of whom shall serve an initial term of two
3468 (2) years and one (1) of whom shall serve an initial term of six
3469 (6) years. The initial terms of appointees shall begin on July 1,
3470 1984, and all subsequent appointments shall begin on the first day
3471 of July for a term of nine (9) years and continue until their
3472 successors are appointed and qualify; however, to ensure an
3473 orderly process of transition, the initial appointments shall be
3474 made not later than March 1, 1984. An appointment to fill a
3475 vacancy which arises for reasons other than by expiration of a
3476 term of office shall be for the unexpired term only. All members
3477 shall be appointed with the advice and consent of the Senate, and
3478 no member shall be actively engaged in the educational profession
3479 except as stated above.



3480 All appointments shall be forwarded to the Secretary of State
3481 who will keep a repository of all current appointments to the
3482 State Board of Education, pending appointments and those positions
3483 lacking appointments, in the commission registry.

3484 The first official meeting of the original board members
3485 shall be called by the Governor as soon after July 1, 1984, as
3486 practical. The board shall elect a chairman from its membership
3487 at the first meeting of the original board members and every year
3488 thereafter. A majority of the membership of the board shall
3489 constitute a quorum for the transaction of any business. The
3490 board shall meet regularly once a month at such time as shall be
3491 designated by an order entered upon the minutes thereof. Special
3492 meetings of the board shall be held upon call of the chairman or
3493 upon the call of a majority of the members thereof. The State
3494 Superintendent of Public Education shall be the secretary of the
3495 board. The board shall hold its sessions at the seat of
3496 government, or at such location in the State of Mississippi as
3497 shall be designated by an order entered upon the minutes thereof.

3498 Members of the board shall be reimbursed for expenses in the
3499 manner and amount specified in Section 25-3-41 and shall be
3500 entitled to receive per diem compensation as authorized in Section
3501 25-3-69.

3502 **SECTION 49.** Section 37-63-3, Mississippi Code of 1972, is
3503 amended as follows:



3504 37-63-3. The Authority for Educational Television shall
3505 consist of the State Superintendent of Public Education, or his
3506 designee, and six (6) members appointed, with the advice and
3507 consent of the Senate. The Governor shall appoint four (4)
3508 members, one (1) of whom shall be actively engaged as a teacher or
3509 principal in a secondary school system in the State of Mississippi
3510 and one (1) of whom shall be actively engaged as a teacher or
3511 principal in an elementary school system in the State of
3512 Mississippi. Beginning July 1, 1994, the appointee actively
3513 engaged as a teacher or principal in a secondary school shall be
3514 appointed for an initial term of three (3) years. The member
3515 actively engaged as a teacher or principal in an elementary school
3516 shall be appointed for an initial term of four (4) years. The
3517 remaining two (2) gubernatorial appointees shall serve until July
3518 1, 1996. Beginning July 1, 1996, the Governor shall appoint two
3519 (2) members for initial terms of three (3) and four (4) years,
3520 with the Governor specifically designating which member shall be
3521 appointed for three (3) years and which shall be appointed for
3522 four (4) years. The Mississippi Community College Board shall
3523 appoint one (1) member, and the Board of Trustees of State
3524 Institutions of Higher Learning shall appoint one (1) member.
3525 After the expiration of the initial terms, all members shall serve
3526 for terms of four (4) years. An appointment to fill a vacancy
3527 among the gubernatorial appointees, other than by expiration of a



3528 term of office, shall be made by the Governor for the balance of
3529 the unexpired term.

3530 The Mississippi Authority for Educational Television, created
3531 by former Section 37-63-3, is continued and reconstituted as
3532 follows: Effective January 1, 2028, each member shall be
3533 appointed by the prescribed appointing authority, with the advice
3534 and consent of the Senate, for a term of office of four (4) years,
3535 provided that four (4) members shall be appointed in 2028 to a
3536 term ending December 31, 2031, and two (2) members shall be
3537 appointed in 2030 to a term ending December 31, 2033.

3538 Appointments made at the beginning of the four-year cycle shall be
3539 made to fill any member's term which actually expires that year
3540 and any member's term which expires next until the majority of the
3541 membership of the board or commission is reached. Appointments
3542 made at the beginning of the third year of the four-year cycle
3543 shall be made for the remainder of the membership positions
3544 irrespective of the time of their prior appointment. Any question
3545 regarding the order of appointments shall be determined by the
3546 Secretary of State in accordance with the specific statute. All
3547 appointment procedures, vacancy provisions, interim appointment
3548 provisions and removal provisions specifically provided for in
3549 Section 7-1-35, Mississippi Code of 1972, shall be fully
3550 applicable to appointments to the Mississippi Authority for
3551 Educational Television, and to the position of executive director.



3552 **SECTION 50.** Section 37-63-7, Mississippi Code of 1972, is
3553 amended as follows:

3554 37-63-7. The authority for educational television shall
3555 employ an executive director who shall be the administrative
3556 officer of the authority and shall perform such duties as are
3557 required of him by law and such other duties as may be assigned
3558 him by the authority and who shall receive such compensation as
3559 may be fixed by the authority. The executive director shall serve
3560 for a term of four (4) years, with the advice and consent of the
3561 Senate, and consistent with the provisions of Section 7-1-35,
3562 Mississippi Code of 1972. In addition, the executive director
3563 shall be entitled to remuneration for his necessary traveling
3564 expenses consistent with general law.

3565 The authority shall have the power and authority to employ
3566 such technical, professional and clerical personnel as may be
3567 necessary for the administration of this chapter and for the
3568 performance of such other duties as may be imposed upon the
3569 authority by law, and to define the duties and fix the
3570 compensation of such employees.

3571 **SECTION 51.** Section 69-7-253, Mississippi Code of 1972, is
3572 amended as follows:

3573 69-7-253. There is hereby continued the Mississippi Egg
3574 Marketing Board with domicile at the capital city of the state.
3575 The board shall be composed of five (5) members: one (1) member
3576 shall be the Commissioner of Agriculture and Commerce as ex



3577 officio member. One (1) member shall be an egg producer as
3578 defined in this article. Three (3) members shall be employed by
3579 or associated with egg industry related businesses, or disciplines
3580 which include poultry support, marketing, promotion, home
3581 economist, extension poultry science agencies and the Mississippi
3582 Department of Agriculture and Commerce. No more than one (1)
3583 industry-related business or discipline member shall be employed
3584 by, associated with or have a financial interest in the same
3585 company or subsidiary.

3586 The Governor shall appoint the members from a list provided
3587 by the board based upon a poll of its members. * * *

3588 * * *

3589 The Mississippi Egg Marketing Board, created by former
3590 Section 69-7-253, is continued and reconstituted as follows:
3591 Effective January 1, 2028, the members shall be appointed by the
3592 Governor, with the advice and consent of the Senate, for a term of
3593 office of four (4) years, provided that two (2) members shall be
3594 appointed in 2028 to a term ending December 31, 2031, and two (2)
3595 members shall be appointed in 2030 to a term ending December 31,
3596 2033. Appointments made at the beginning of the four-year cycle
3597 shall be made to fill any member's term which actually expires
3598 that year and any member's term which expires next until the
3599 majority of the membership of the board or commission is reached.
3600 Appointments made at the beginning of the third year of the
3601 four-year cycle shall be made for the remainder of the membership



3602 positions irrespective of the time of their prior appointment.
3603 Any question regarding the order of appointments shall be
3604 determined by the Secretary of State in accordance with the
3605 specific statute. All appointment procedures, vacancy provisions,
3606 interim appointment provisions and removal provisions specifically
3607 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3608 fully applicable to appointments to the Mississippi Egg Marketing
3609 Board.

3610 **SECTION 52.** Section 73-69-21, Mississippi Code of 1972, is
3611 amended as follows:

3612 73-69-21. (1) The Electronic Protection Licensing Advisory
3613 Board is hereby created within the Department of Insurance. The
3614 board shall be composed of seven (7) members, as follows:

3615 (a) Three (3) members shall be appointed by the
3616 Governor, one (1) member from each State Supreme Court District.
3617 Each member shall possess a valid Class A or Class B license and
3618 may be appointed from a list submitted by the Mississippi Alarm
3619 Association. Each of these appointments initially will have
3620 staggered terms. One (1) appointment will serve for two (2)
3621 years, one (1) appointment will serve for three (3) years, and the
3622 last appointment will serve for four (4) years. After the initial
3623 appointment terms, each appointee will serve for four (4) years.

3624 (b) One (1) member shall be appointed by the State Fire
3625 Marshal from a list of nominees submitted to the State Fire
3626 Marshal by the Mississippi Alarm Association as a representative



3627 from the Alarm Manufacturing Industry. This appointment will
3628 serve for four (4) years.

3629 (c) Two (2) members shall be appointed by the Governor
3630 at his discretion, one (1) of which shall be a law enforcement
3631 officer and one (1) shall be from the private sector. Each of
3632 these appointments will serve for four (4) years, concurrent with
3633 the term of the Governor.

3634 (d) One (1) member shall be an employee of the Office
3635 of the State Fire Marshal designated by the State Fire Marshal.
3636 Such member shall serve as the chairman of the advisory board.

3637 (2) (a) * * * The Electronic Protection Licensing Advisory
3638 Board, created by former Section 73-69-21, is continued and
3639 reconstituted as follows: Effective January 1, 2028, the members
3640 of the board appointed by the Governor or other appointing
3641 authority shall be appointed, with the advice and consent of the
3642 Senate, for a term of office of four (4) years, provided that four
3643 (4) such members shall be appointed in 2028 to a term ending
3644 December 31, 2031, and three (3) members shall be appointed in
3645 2030 to a term ending December 31, 2033. Appointments made at the
3646 beginning of the four-year cycle shall be made to fill any
3647 member's term which actually expires that year and any member's
3648 term which expires next until the majority of the membership of
3649 the board or commission is reached. Appointments made at the
3650 beginning of the third year of the four-year cycle shall be made
3651 for the remainder of the membership positions irrespective of the



3652 time of their prior appointment. Any question regarding the order
3653 of appointments shall be determined by the Secretary of State in
3654 accordance with the specific statute. All appointment procedures,
3655 vacancy provisions, interim appointment provisions and removal
3656 provisions specifically provided for in Section 7-1-35,
3657 Mississippi Code of 1972, shall be fully applicable to
3658 appointments to the Electronic Protection Licensing Advisory
3659 Board.

3660 (b) The member designated by the State Fire Marshal
3661 shall serve a term concurrent with the term of the State Fire
3662 Marshal making such designation.

3663 * * *

3664 (3) The board shall meet at every quarter, or upon the call
3665 of the chairman or upon the written request of any three (3)
3666 members of the board. Notice of any such meeting shall be given
3667 to board members and the public at least fourteen (14) days in
3668 advance.

3669 (4) Four (4) members of the board shall constitute a quorum
3670 for the transaction of business. The board may take action by
3671 majority vote of its members present and voting.

3672 (5) Each appointed member of the board shall be reimbursed
3673 for travel and related expenses incurred, not to exceed those
3674 expenses authorized for reimbursement by the Department of
3675 Insurance, for each day that the member engages in board business.



3676 (6) No member of the board shall be liable to civil action
3677 for any act performed in good faith in the execution of his duties
3678 as a board member.

3679 **SECTION 53.** Section 33-15-7, Mississippi Code of 1972, is
3680 amended as follows:

3681 33-15-7. (a) Effective July 1, 2028, there is hereby
3682 created within the executive branch of the state government a
3683 department called the Mississippi Emergency Management Agency with
3684 a director of emergency management who shall be appointed by the
3685 Governor, with the advice and consent of the Senate; he shall hold
3686 office * * * for a four-year term of office and shall be
3687 compensated as determined by any appropriation that may be made by
3688 the Legislature for such purposes. All appointment procedures,
3689 vacancy provisions, interim appointment provisions and removal
3690 provisions specifically provided for in Section 7-1-35,
3691 Mississippi Code of 1972, shall be fully applicable to
3692 appointments to the position of director.

3693 (b) The director, with the approval of the Governor, may
3694 employ such technical, clerical, stenographic and other personnel,
3695 to be compensated as provided in any appropriation that may be
3696 made for such purpose, and may make such expenditures within the
3697 appropriation therefor, or from other funds made available to him
3698 for purposes of emergency management, as may be necessary to carry
3699 out the purposes of this article.



3700 (c) The director and other personnel of the emergency
3701 management agency shall be provided with appropriate office space,
3702 furniture, equipment, supplies, stationery and printing in the
3703 same manner as provided for other state agencies.

3704 (d) The director, subject to the direction and control of
3705 the Governor, shall be the executive head of the emergency
3706 management agency and shall be responsible to the Governor for
3707 carrying out the program for emergency management of this state.
3708 He shall coordinate the activities of all organizations for
3709 emergency management within the state, and shall maintain liaison
3710 with and cooperate with emergency management agencies and
3711 organizations of other states and of the federal government, and
3712 shall have such additional authority, duties, and responsibilities
3713 authorized by this article as may be prescribed by the Governor.

3714 **SECTION 54.** Section 41-59-7, Mississippi Code of 1972, is
3715 amended as follows:

3716 41-59-7. (1) There is created an Emergency Medical Services
3717 Advisory Council to consist of the following members who shall be
3718 appointed by the Governor:

3719 (a) One (1) licensed physician to be appointed from a
3720 list of nominees presented by the Mississippi Trauma Committee,
3721 American College of Surgeons;

3722 (b) One (1) licensed physician to be appointed from a
3723 list of nominees who are actively engaged in rendering emergency



3724 medical services presented by the Mississippi State Medical
3725 Association;

3726 (c) One (1) registered nurse whose employer renders
3727 emergency medical services, to be appointed from a list of
3728 nominees presented by the Mississippi Nurses Association;

3729 (d) Two (2) hospital administrators who are employees
3730 of hospitals which provide emergency medical services, to be
3731 appointed from a list of nominees presented by the Mississippi
3732 Hospital Association;

3733 (e) Two (2) operators of ambulance services;

3734 (f) Three (3) officials of county or municipal
3735 government;

3736 (g) One (1) licensed physician to be appointed from a
3737 list of nominees presented by the Mississippi Chapter of the
3738 American College of Emergency Physicians;

3739 (h) One (1) representative from each designated trauma
3740 care region, to be appointed from a list of nominees submitted by
3741 each region;

3742 (i) One (1) registered nurse to be appointed from a
3743 list of nominees submitted by the Mississippi Emergency Nurses
3744 Association;

3745 (j) One (1) EMT-Paramedic whose employer renders
3746 emergency medical services in a designated trauma care region;

3747 (k) One (1) representative from the Mississippi
3748 Department of Rehabilitation Services;



3749 (l) One (1) member who shall be a person who has been a
3750 recipient of trauma care in Mississippi or who has an immediate
3751 family member who has been a recipient of trauma care in
3752 Mississippi;

3753 (m) One (1) licensed neurosurgeon to be appointed from
3754 a list of nominees presented by the Mississippi State Medical
3755 Association;

3756 (n) One (1) licensed physician with certification or
3757 experience in trauma care to be appointed from a list of nominees
3758 presented by the Mississippi Medical and Surgical Association;

3759 (o) One (1) representative from the Mississippi
3760 Firefighters Memorial Burn Association, to be appointed by the
3761 association's governing body; and

3762 (p) One (1) representative from the Mississippians for
3763 Emergency Medical Services, to be appointed by the association's
3764 governing body.

3765 * * * The EMT Advisory Council, created by former Section
3766 41-59-7, is continued and reconstituted as follows: Effective
3767 January 1, 2028, the members shall be appointed by the Governor,
3768 with the advice and consent of the Senate, for a term of office of
3769 four (4) years, provided that eleven (11) of the members shall be
3770 appointed in 2028 for a term ending December 31, 2031, nine (9)
3771 members shall be appointed in 2030 to a term ending December 31,
3772 2033. Appointments made at the beginning of the four-year cycle
3773 shall be made to fill any member's term which actually expires



3774 that year and any member's term which expires next until the
3775 majority of the membership of the board or commission is reached.
3776 Appointments made at the beginning of the third year of the
3777 four-year cycle shall be made for the remainder of the membership
3778 positions irrespective of the time of their prior appointment.
3779 Any question regarding the order of appointments shall be
3780 determined by the Secretary of State in accordance with the
3781 specific statute. All appointment procedures, vacancy provisions,
3782 interim appointment provisions and removal provisions specifically
3783 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
3784 fully applicable to appointments to the EMT Advisory Council. The
3785 executive officer or his designated representative shall serve as
3786 ex officio chairman of the advisory council. * * *

3787 The advisory council shall meet at the call of the chairman
3788 at least annually. For attendance at such meetings, the members
3789 of the advisory council shall be reimbursed for their actual and
3790 necessary expenses including food, lodging and mileage as
3791 authorized by law, and they shall be paid per diem compensation
3792 authorized under Section 25-3-69.

3793 The advisory council shall advise and make recommendations to
3794 the board regarding rules and regulations promulgated pursuant to
3795 this chapter.

3796 (2) There is created a committee of the Emergency Medical
3797 Services Advisory Council to be named the Mississippi Trauma
3798 Advisory Committee (hereinafter "MTAC"). This committee shall act



3799 as the advisory body for trauma care system development and
3800 provide technical support to the department in all areas of trauma
3801 care system design, trauma standards, data collection and
3802 evaluation, continuous quality improvement, trauma care system
3803 funding, and evaluation of the trauma care system and trauma care
3804 programs. The membership of the Mississippi Trauma Advisory
3805 Committee shall be comprised of Emergency Medical Services
3806 Advisory Council members appointed by the chairman.

3807 **SECTION 55.** Section 71-5-107, Mississippi Code of 1972, is
3808 amended as follows:

3809 71-5-107. The department shall administer this chapter
3810 through a full-time salaried executive director, to be appointed
3811 by the Governor, with the advice and consent of the Senate, to a
3812 four-year term of office. * * * All appointment procedures,
3813 vacancy provisions, interim appointment provisions and removal
3814 provisions specifically provided for in Section 7-1-35,
3815 Mississippi Code of 1972, shall be fully applicable to
3816 appointments to the position of executive director. All
3817 appointments to the office of executive director shall be
3818 forwarded to the Secretary of State who shall keep a repository of
3819 all current and pending appointments. The executive director
3820 shall be responsible for the administration of this chapter under
3821 authority delegated to him by the Governor.

3822 **SECTION 56.** Section 73-13-5, Mississippi Code of 1972, is
3823 amended as follows:



3824 73-13-5. A Board of Licensure for Professional Engineers and
3825 Surveyors is hereby created whose duty it shall be to administer
3826 the provisions of Sections 73-13-1 through 73-13-105. The board
3827 shall consist of six (6) licensed professional engineers, who
3828 shall be appointed by the Governor from eighteen (18) nominees
3829 recommended by the Mississippi Engineering Society, and shall have
3830 the qualifications required by Section 73-13-7, and three (3)
3831 licensed professional surveyors who are not licensed professional
3832 engineers, who shall be appointed by the Governor from nine (9)
3833 nominees recommended by the Mississippi Association of
3834 Professional Surveyors and who shall have the qualifications
3835 required by Section 73-13-77. The members of the board shall be
3836 appointed from the above nominees. The board so appointed shall
3837 have two (2) engineer members from each of the three (3) state
3838 Supreme Court districts, designated by district, Post 1 and Post
3839 2, and shall serve for four (4) years, or until their successors
3840 are duly appointed and qualified.

3841 The members recommended by the Mississippi Association of
3842 Professional Surveyors shall be appointed from each of the three
3843 (3) state Supreme Court districts and serve for four (4) years, or
3844 until their successors are duly appointed and qualified. Each
3845 member of the board shall receive a certificate of appointment
3846 from the Governor, and before beginning his term of office he
3847 shall file with the Secretary of State the constitutional oath of
3848 office. On the expiration of the term of any member, the Governor



3849 shall in the manner herein provided appoint for a term of four (4)
3850 years a licensed professional engineer having the qualifications
3851 required by Section 73-13-7, or a licensed professional surveyor
3852 having the qualifications required by Section 73-13-77 to take the
3853 place of the member of the board whose term is about to expire.
3854 Each member shall hold office until the expiration of the term for
3855 which such member is appointed or until a successor shall have
3856 been duly appointed and shall have qualified.

3857 The initial members of the reconstituted board shall serve
3858 terms of office as follows:

3859 (a) The term of the engineer member presently serving
3860 at large, which term was set to expire on April 8, 2004, shall
3861 expire on July 1, 2004; and from and after July 1, 2004, this
3862 appointment shall be designated as Post 1.

3863 (b) The term of the engineer member presently serving
3864 at large, which term was set to expire on April 8, 2004, shall
3865 expire on July 1, 2005; and from and after July 1, 2004, this
3866 appointment shall be designated as Post 2.

3867 (c) An appointment of an engineer member serving at
3868 large shall be made on July 1, 2004, and shall expire on July 1,
3869 2006; and from and after July 1, 2004, this appointment shall be
3870 designated as Post 3.

3871 (d) The term of the engineer member presently serving
3872 from the First Supreme Court District, which term was set to
3873 expire on April 8, 2006, shall expire on July 1, 2007; and from



3874 and after July 1, 2004, this appointment shall be designated as
3875 Post 4.

3876 (e) The term of the engineer member presently serving
3877 from the Second Supreme Court District, which term was set to
3878 expire on April 8, 2006, shall expire on July 1, 2008; and from
3879 and after July 1, 2004, this appointment shall be designated as
3880 Post 5.

3881 (f) The term of the engineer member presently serving
3882 from the Third Supreme Court District, which term was set to
3883 expire on April 8, 2006, shall expire on July 1, 2009; and from
3884 and after July 1, 2004, this appointment shall be designated as
3885 Post 6.

3886 (g) The term of the surveyor member presently serving
3887 at large, which term was set to expire on April 8, 2007, shall
3888 expire on July 1, 2004; subsequent appointments shall be made from
3889 the First Supreme Court District; from and after July 1, 2004,
3890 this appointment shall be designated as Post 7.

3891 (h) An appointment of a surveyor member shall be made
3892 from the Second Supreme Court District; the appointment shall be
3893 made on July 1, 2004, and shall expire on July 1, 2005; from and
3894 after July 1, 2004, this appointment shall be designated as Post
3895 8.

3896 (i) The term of the surveyor member presently serving
3897 at large, which term was set to expire on April 8, 2006, shall
3898 expire on July 1, 2006; subsequent appointments shall be made from



3899 the Third Supreme Court District; from and after July 1, 2004,
3900 this appointment shall be designated as Post 9.

3901 At the expiration of a term, members of the board shall be
3902 appointed in the manner prescribed in this section for terms of
3903 four (4) years from the expiration date of the previous terms.
3904 Any vacancy on the board prior to the expiration of a term for any
3905 reason, including resignation, removal, disqualification, death or
3906 disability, shall be filled by appointment of the Governor in the
3907 manner prescribed in this section for the balance of the unexpired
3908 term. The Mississippi Engineering Society and/or the Mississippi
3909 Association of Professional Surveyors shall submit a list of
3910 nominees no more than ninety (90) days after a vacancy occurs, and
3911 the Governor shall fill such vacancies within ninety (90) days
3912 after each such vacancy occurs.

3913 The Board of Licensure for Professional Engineers and
3914 Surveyors, created by former Section 73-13-5, is continued and
3915 reconstituted as follows: Effective January 1, 2028, the members
3916 of the board shall be appointed by the Governor, with the advice
3917 and consent of the Senate, for a term of office of four (4) years,
3918 provided that five (5) members shall be appointed in 2028 to a
3919 term ending December 31, 2031, and four (4) members shall be
3920 appointed in 2030 to a term ending December 31, 2033.
3921 Appointments made at the beginning of the four-year cycle shall be
3922 made to fill any member's term which actually expires that year
3923 and any member's term which expires next until the majority of the



3924 membership of the board or commission is reached. Appointments
3925 made at the beginning of the third year of the four-year cycle
3926 shall be made for the remainder of the membership positions
3927 irrespective of the time of their prior appointment. Any question
3928 regarding the order of appointments shall be determined by the
3929 Secretary of State in accordance with the specific statute. All
3930 appointment procedures, vacancy provisions, interim appointment
3931 provisions and removal provisions specifically provided for in
3932 Section 7-1-35, Mississippi Code of 1972, shall be fully
3933 applicable to appointments to the Board of Licensure for
3934 Professional Engineers and Surveyors, and to the position of
3935 executive director.

3936 It shall not be considered the duty of the State of
3937 Mississippi to provide office space and office equipment for the
3938 board herein created.

3939 No member of the board shall, during the term of his office
3940 or thereafter, be required to defend any action for damages in any
3941 of the courts of this state where it is shown that said damage
3942 followed or resulted from any of the official acts of said board
3943 in the performance of its powers, duties or authority as set forth
3944 in this chapter. Any such action filed shall upon motion be
3945 dismissed, at the cost of the plaintiff, with prejudice.

3946 **SECTION 57.** Section 73-13-15, Mississippi Code of 1972, is
3947 amended as follows:



3948 73-13-15. The board shall have the power to adopt and amend
3949 all regulations and rules of procedure, not inconsistent with the
3950 Constitution and laws of this state, which may be reasonably
3951 necessary for the proper performance of its duties and the
3952 regulations of the proceedings before it. The board shall adopt
3953 and have an official seal. It shall not be required to post bond
3954 on appeals. The board shall have the further power and authority
3955 to:

3956 (a) Establish standards of conduct and ethics;

3957 (b) Institute proceedings in its own name;

3958 (c) Promulgate rules restricting competitive bidding;

3959 (d) Promulgate rules limiting or restricting
3960 advertising;

3961 (e) Promulgate rules requiring a demonstration of
3962 continuing education;

3963 (f) Adopt and promulgate reasonable bylaws and rules
3964 and regulations necessary or appropriate for the proper
3965 fulfillment of its duties under state laws pertaining thereto;

3966 (g) Provide for the enforcement of and to enforce the
3967 laws of the State of Mississippi and, in particular, the
3968 provisions of this chapter, and the bylaws, rules and regulations
3969 of the board;

3970 (h) Provide by appropriate rules and regulations,
3971 within the provisions of this chapter, a system for taking the



3972 disciplinary actions provided for in Section 73-13-37, including
3973 the imposition of fines as provided therein;

3974 (i) Investigate, prosecute or initiate prosecution for
3975 violation of the laws of this state pertaining to the practices of
3976 engineering and surveying, or matters affecting the rights and
3977 duties or otherwise related thereto;

3978 (j) Adopt rules setting forth qualifications and
3979 standards of practice for firms; * * *

3980 (k) Provide by appropriate rules and regulations,
3981 within the provisions of this chapter, a system for the annual
3982 and/or biennial renewal of certificates of licensure * * *;

3983 (l) Appoint and employ an executive director, with the
3984 advice and consent of the Senate, to a term of four (4) years,
3985 consistent with the provisions of Section 7-1-35, Mississippi Code
3986 of 1972.

3987 In carrying into effect the provisions of Sections 73-13-1
3988 through 73-13-105, the board, under the hand of its president or
3989 secretary and the seal of the board may subpoena witnesses and
3990 compel their attendance, and also may require the production of
3991 books, papers, documents, etc., in any case involving the
3992 disciplinary actions provided for in Section 73-13-37 or 73-13-89
3993 or practicing or offering to practice without licensure. Any
3994 member of the board may administer oaths or affirmations to
3995 witnesses appearing before the board. If any person shall refuse
3996 to obey any subpoena so issued, or shall refuse to testify or



3997 produce any books, papers or documents, the board may present its
3998 petition to such authority as may have jurisdiction, setting forth
3999 the facts, and thereupon such authority shall, in a proper case,
4000 issue its subpoena to such person, requiring his attendance before
4001 such authority and there to testify or to produce such books,
4002 papers, and documents, as may be deemed necessary and pertinent by
4003 the board. Any person failing or refusing to obey the subpoena or
4004 order of the said authority may be proceeded against in the same
4005 manner as for refusal to obey any other subpoena or order of the
4006 authority.

4007 **SECTION 58.** Section 49-2-4, Mississippi Code of 1972, is
4008 amended as follows:

4009 49-2-4. (1) There is hereby created the Mississippi
4010 Department of Environmental Quality whose offices shall be located
4011 in Jackson, Mississippi.

4012 (2) The department shall be headed by an executive director
4013 who shall be appointed by * * * the Governor to a term of four (4)
4014 years, with the advice and consent of the Senate, consistent with
4015 the provisions of Section 7-1-35, Mississippi Code of 1972. The
4016 appointment of the executive director shall be made with the
4017 advice and consent of the Senate. The executive director may
4018 assign to the appropriate bureaus such powers and duties as deemed
4019 appropriate to carry out the department's lawful functions. The
4020 executive director shall have the following minimum
4021 qualifications:



4022 (a) A master's degree in a field related to natural
4023 resources, and at least six (6) years' full-time experience in
4024 natural resources, including at least three (3) years of
4025 management experience; or

4026 (b) A bachelor's degree in a field related to natural
4027 resources or administration and at least eight (8) years of
4028 full-time work in the field of natural resources, including four
4029 (4) years of management experience.

4030 The executive director shall be the chief administrative
4031 officer of the department.

4032 **SECTION 59.** Section 49-2-5, Mississippi Code of 1972, is
4033 amended as follows:

4034 49-2-5. (1) There is hereby created the Mississippi
4035 Commission on Environmental Quality, to be composed of seven (7)
4036 persons appointed by the Governor, with the advice and consent of
4037 the Senate, for a term of * * * four (4) years. * * * Two (2)
4038 persons shall be appointed from each * * * Mississippi Supreme
4039 Court District, and * * * one (1) member shall be appointed from
4040 the state at large. * * * The Mississippi Commission on
4041 Environmental Quality, created by former Section 49-2-5, is
4042 continued and reconstituted as follows: Effective January 1,
4043 2028, each member shall be appointed by the Governor, with the
4044 advice and consent of the Senate, for a term of office of four (4)
4045 years, provided that four (4) members shall be appointed in 2028
4046 to as term ending December 31, 2031, and three (3) members shall



4047 be appointed in 2030 to a term ending December 31, 2033.
4048 Appointments made at the beginning of the four-year cycle shall be
4049 made to fill any member's term which actually expires that year
4050 and any member's term which expires next until the majority of the
4051 membership of the board or commission is reached. Appointments
4052 made at the beginning of the third year of the four-year cycle
4053 shall be made for the remainder of the membership positions
4054 irrespective of the time of their prior appointment. Any question
4055 regarding the order of appointments shall be determined by the
4056 Secretary of State in accordance with the specific statute. All
4057 appointment procedures, vacancy provisions, interim appointment
4058 provisions and removal provisions specifically provided for in
4059 Section 7-1-35, Mississippi Code of 1972, shall be fully
4060 applicable to appointments to the Mississippi Commission on
4061 Environmental Quality.

4062 (2) The commission shall elect from its membership a
4063 chairman who shall preside over meetings and a vice chairman who
4064 shall preside in the absence of the chairman or when the chairman
4065 shall be excused.

4066 (3) The commission shall adopt rules and regulations
4067 governing times and places for meetings, and governing the manner
4068 of conducting its business. Each member of the commission shall
4069 take the oath prescribed by Section 268 of the Constitution and
4070 shall enter into bond in the amount of Thirty Thousand Dollars
4071 (\$30,000.00) to be approved by the Secretary of State, conditioned



4072 according to law and payable to the State of Mississippi before
4073 assuming the duties of office. * * *

4074 (4) The members of the commission shall receive no annual
4075 salary, but shall receive per diem compensation as authorized by
4076 law for each day devoted to the discharge of official duties, and
4077 shall be entitled to reimbursement for all actual and necessary
4078 expenses incurred in the discharge of their duties, including
4079 mileage as authorized by law.

4080 The commission shall be composed of persons with extensive
4081 knowledge of or practical experience in at least one (1) of the
4082 matters of jurisdiction of the commission.

4083 (5) The commission is authorized and empowered to use and
4084 expend any funds received by it from any source for the purposes
4085 of this chapter. Such funds shall be expended in accordance with
4086 the statutes governing the expenditure of state funds.

4087 (6) At least a majority of the members of the commission
4088 shall represent the public interest and shall not derive any
4089 significant portion of their income from persons subject to
4090 permits under the federal Clean Air Act or enforcement order under
4091 the federal Clean Air Act. In the event of any potential conflict
4092 of interest by a member of the commission, such member shall
4093 disclose the potential conflict to the other members of the
4094 commission and shall recuse himself or herself from participating
4095 in or voting on any matter related to such conflict of interest.



4096 **SECTION 60.** Section 25-4-5, Mississippi Code of 1972, is
4097 amended as follows:

4098 25-4-5. (1) There is hereby created the Mississippi Ethics
4099 Commission which shall be composed of eight (8) members, each of
4100 whom shall be a qualified elector of the State of Mississippi, of
4101 good moral character and integrity.

4102 (2) Two (2) members of the commission shall be appointed by
4103 each of the following officers in strict accordance with the above
4104 standards: the Governor, the Lieutenant Governor, the Speaker of
4105 the House of Representatives and the Chief Justice of the
4106 Mississippi Supreme Court. Not more than one (1) person appointed
4107 by each appointing authority shall be an elected official.

4108 (3) * * * The Mississippi Ethics Commission, created by
4109 former Section 25-4-5, is continued and reconstituted as follows:
4110 Effective January 1, 2028, the members of the Mississippi Ethics
4111 Commission shall be appointed by the prescribed appointing
4112 authority, with the advice and consent of the Senate, for a term
4113 of office of four (4) years, provided that five (5) members shall
4114 be appointed in 2028 to a term ending December 31, 2031, and three
4115 (3) members shall be appointed in 2030 to a term ending December
4116 31, 2033. Appointments made at the beginning of the four-year
4117 cycle shall be made to fill any member's term which actually
4118 expires that year and any member's term which expires next until
4119 the majority of the membership of the board or commission is
4120 reached. Appointments made at the beginning of the third year of



4121 the four-year cycle shall be made for the remainder of the
4122 membership positions irrespective of the time of their prior
4123 appointment. Any question regarding the order of appointments
4124 shall be determined by the Secretary of State in accordance with
4125 the specific statute. 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 Mississippi
4129 Ethics Commission.

4130 * * *

4131 (* * *4) Any member of the commission who is indicted for
4132 any felony may be suspended by the commission from service on the
4133 commission. A commission member who is convicted of a misdemeanor
4134 involving moral turpitude or convicted of any felony shall be
4135 ineligible to serve and the member's position on the commission
4136 shall be vacant and subject to reappointment as for other
4137 vacancies.

4138 **SECTION 61.** Section 69-5-1, Mississippi Code of 1972, is
4139 amended as follows:

4140 69-5-1. (1) The Mississippi Fair Commission is hereby
4141 abolished, and all of the powers, duties, property, contractual
4142 rights and obligations and unexpended funds of that commission
4143 shall be transferred to the Department of Agriculture and Commerce
4144 on July 1, 2020. Wherever the term "Mississippi Fair Commission"
4145 appears in any law or regulation, the same shall mean the



4146 Department of Agriculture and Commerce. The transfer of personnel
4147 shall be commensurate with the number and classification of
4148 positions allocated to the commission.

4149 (2) In order to promote agricultural and industrial
4150 development in Mississippi and to encourage the farmers to grow
4151 better livestock and agricultural products, there is hereby
4152 created an advisory council to be hereafter known as the
4153 "Mississippi Fair Advisory Council." The department shall receive
4154 input and guidance from the advisory council, which shall be
4155 composed of the following: The Commissioner of Agriculture and
4156 Commerce, chairman, the Director of the Mississippi State
4157 University Extension Service, President of the Mississippi
4158 Livestock Association, the Director of Mississippi Vocational
4159 Education, the Director of the Mississippi Development Authority,
4160 the Mayor of the City of Jackson, Mississippi, the Dean and
4161 Director of Alcorn State University School of Agriculture and
4162 Applied Sciences, and an appointee of the Governor to a four-year
4163 term of office, with the advice and consent of the Senate, all to
4164 serve without salary compensation. All appointment procedures,
4165 vacancy provisions, interim appointment provisions and removal
4166 provisions specifically provided for in Section 7-1-35,
4167 Mississippi Code of 1972, shall be fully applicable to
4168 appointments by the Governor to the Fair Advisory Council.

4169 **SECTION 62.** Section 27-104-101, Mississippi Code of 1972, is
4170 amended as follows:



4171 27-104-101. (1) There is hereby created the Mississippi
4172 Department of Finance and Administration, whose offices shall be
4173 located in Jackson, Mississippi.

4174 (2) The department shall be headed by an executive director,
4175 who shall be appointed by * * * the Governor to a four-year term
4176 of office. The appointment of the executive director shall be
4177 made with the advice and consent of the Senate. All appointment
4178 procedures, vacancy provisions, interim appointment provisions and
4179 removal provisions specifically provided for in Section 7-1-35,
4180 Mississippi Code of 1972, shall be fully applicable to
4181 appointments to the position of executive director. All such
4182 appointments shall be forwarded to the Secretary of State who will
4183 keep a repository of all current and pending appointments in the
4184 commission register. The executive director may assign to deputy
4185 directors such powers and duties as deemed appropriate to carry
4186 out the department's lawful functions.

4187 (3) The executive director of the department shall appoint
4188 officers, who shall serve at the pleasure of the executive
4189 director. The executive director shall have the authority to
4190 organize the department as deemed appropriate to carry out the
4191 responsibilities of the department. The organization charts of
4192 the department shall be presented annually with the budget request
4193 of the Governor for review by the Legislature.

4194 **SECTION 63.** Section 73-36-9, Mississippi Code of 1972, is
4195 amended as follows:



4196 73-36-9. There is hereby created the State Board of
4197 Registration for Foresters of the State of Mississippi for the
4198 purposes of safeguarding forests by regulating the practice of
4199 forestry and requiring that persons practicing or offering to
4200 practice forestry to be registered. The board shall be composed
4201 of seven (7) members appointed by the Governor with the advice and
4202 consent of the Senate. One (1) member shall be appointed from
4203 each of the six (6) Forestry Commission districts as constituted
4204 on January 1, 1999, and one (1) member shall be appointed at
4205 large. The State Forester of Mississippi shall serve as an ex
4206 officio member of the board. Each of the members shall be a
4207 forester within the meaning of this chapter with at least three
4208 (3) years' experience in such field, and a resident and citizen of
4209 the State of Mississippi at the time of his appointment. * * *
4210 The State Board of Registration for Foresters, created by former
4211 Section 73-36-9, is continued and reconstituted as follows:
4212 Effective January 1, 2028, the members of the State Board of
4213 Registration for Foresters shall be appointed by the Governor,
4214 with the advice and consent of the Senate, for a term of office of
4215 four (4) years, provided that four (4) of the members shall be
4216 appointed in 2028 to a term ending December 31, 2031, and three
4217 (3) members shall be appointed in 2030 to a term ending December
4218 31, 2033. Appointments made at the beginning of the four-year
4219 cycle shall be made to fill any member's term which actually
4220 expires that year and any member's term which expires next until



4221 the majority of the membership of the board or commission is
4222 reached. Appointments made at the beginning of the third year of
4223 the four-year cycle shall be made for the remainder of the
4224 membership positions irrespective of the time of their prior
4225 appointment. Any question regarding the order of appointments
4226 shall be determined by the Secretary of State in accordance with
4227 the specific statute. All appointment procedures, vacancy
4228 provisions, interim appointment provisions and removal provisions
4229 specifically provided for in Section 7-1-35, Mississippi Code of
4230 1972, shall be fully applicable to appointments to the State Board
4231 of Registration for Foresters.

4232 **SECTION 64.** Section 49-19-1, Mississippi Code of 1972, is
4233 amended as follows:

4234 49-19-1. (1) There shall be a State Forestry Commission
4235 composed of * * * nine (9) members, who shall be qualified
4236 electors of the state. The Dean of the School of Forest Resources
4237 at Mississippi State University shall be an ex officio member of
4238 the commission, with full voting authority. The Governor shall
4239 appoint eight (8) members, with the advice and consent of the
4240 Senate * * *. The Governor shall appoint * * * two (2) members
4241 from each * * * Mississippi Supreme Court District as constituted
4242 at the time the appointments are made and shall appoint the
4243 remainder of the members from the state at large. * * * An
4244 appointed member from a * * * Supreme Court District must be a
4245 certified tree farmer who owns eighty (80) or more acres of forest



4246 land or a person who derives a major portion of his or her
4247 personal income from forest-related business, industry or other
4248 related activities. Members of the commission from the state at
4249 large may or may not possess the same qualifications as members
4250 appointed from the * * * Supreme Court Districts.

4251 (2) The members of the commission shall receive no annual
4252 salary but each member of the commission shall receive a per diem
4253 plus expenses and mileage as authorized by law for each day
4254 devoted to the discharge of official duties. No member of the
4255 commission shall receive total per diem in excess of twenty-four
4256 (24) days' compensation per annum.

4257 (3) * * * The State Forestry Commission, created by former
4258 Section 49-19-1, is continued and reconstituted as follows:
4259 Effective January 1, 2028, the members of the commission shall be
4260 appointed by the Governor, with the advice and consent of the
4261 Senate, for a term of office of four (4) years, provided that five
4262 (5) members shall be appointed in 2028 to a term ending December
4263 31, 2031, and three (3) members shall be appointed in 2030 to a
4264 term ending December 31, 2033. Appointments made at the beginning
4265 of the four-year cycle shall be made to fill any member's term
4266 which actually expires that year and any member's term which
4267 expires next until the majority of the membership of the board or
4268 commission is reached. Appointments made at the beginning of the
4269 third year of the four-year cycle shall be made for the remainder
4270 of the membership positions irrespective of the time of their



4271 prior appointment. Any question regarding the order of
4272 appointments shall be determined by the Secretary of State in
4273 accordance with the specific statute. All appointment procedures,
4274 vacancy provisions, interim appointment provisions and removal
4275 provisions specifically provided for in Section 7-1-35,
4276 Mississippi Code of 1972, shall be fully applicable to
4277 appointments to the State Forestry Commission, and to the position
4278 of executive director.

4279 (4) The commission shall elect from its membership a chair,
4280 who shall preside over meetings, and a vice chair, who shall
4281 preside in the absence of the chair or when the chair is excused.

4282 (5) The commission shall adopt rules and regulations
4283 governing times and places for meetings, and governing the manner
4284 of conducting its business. Each member of the commission shall
4285 take the oath prescribed by Section 268 of the Mississippi
4286 Constitution of 1890 and shall enter into a bond in the amount of
4287 Thirty Thousand Dollars (\$30,000.00) to be approved by the
4288 Secretary of State, conditioned according to law and payable to
4289 the State of Mississippi before assuming the duties of office.

4290 (6) Any appointment made to the commission contrary to this
4291 section shall be void, and it is unlawful for the State Fiscal
4292 Officer to pay any per diem or authorize the expenses of the
4293 appointee.

4294 **SECTION 65.** Section 49-19-3, Mississippi Code of 1972, is
4295 amended as follows:



4296 49-19-3. The duties and powers of the commission shall be:

4297 (a) To appoint a State Forester, who, effective January
4298 1, 2028, shall serve * * * for a term of four (4) years, subject
4299 to the advice and consent of the Senate, and consistent with the
4300 provisions of Section 7-1-35, Mississippi Code of 1972, and who is
4301 qualified to perform the duties as set forth herein; and to pay
4302 him such salary as is provided by the Legislature, and allow him
4303 such office expenses incidental to the performance of his official
4304 duties as the commission, in its discretion, may deem necessary;
4305 and to charge him with the immediate direction and control,
4306 subject to the supervision and approval of the commission, of all
4307 matters relating to forestry as authorized herein. Any person
4308 appointed by the commission as State Forester shall have received
4309 a bachelor's degree in forestry from an accredited school or
4310 college of forestry and shall be licensed and registered under the
4311 provisions of the Mississippi Foresters Registration Law (Section
4312 73-36-1 et seq.) and in addition shall have had at least five (5)
4313 years' administrative experience in a forestry-related field.

4314 (b) To take such action and provide and maintain such
4315 organized means as may seem necessary and expedient to prevent,
4316 control and extinguish forest fires, including the enforcement of
4317 any and all laws pertaining to the protection of forests and
4318 woodland.

4319 (c) To encourage forest and tree planting for the
4320 production of a wood crop, for the protection of water supply, for



4321 windbreak and shade, or for any other beneficial purposes
4322 contributing to the general welfare, public hygiene and comfort of
4323 the people.

4324 (d) To cause to be made such technical investigations
4325 and studies concerning forest conditions, the propagation, care
4326 and protection of forest and shade trees, the care and management
4327 of forests, their growth, yield and the products and by-products
4328 thereof, and any other competent subject, including forest
4329 taxation, bearing on the timber supply and needs of the state,
4330 which the commission, in its discretion, may deem proper.

4331 (e) To assist and cooperate with any federal or state
4332 department or institution, county, town, corporation or
4333 individual, under such terms as in the judgment of the commission
4334 will best serve the public interest, in the preparation and
4335 execution of plans for the protection, management, replacement, or
4336 extension of the forest, woodland and roadside or other ornamental
4337 tree growth in the state.

4338 (f) To encourage public interest in forestry by means
4339 of correspondence, the public press, periodicals, the publication
4340 of bulletins and leaflets for general distribution, the delivery
4341 of lectures in the schools and other suitable means, and to
4342 cooperate to the fullest extent with the extension department
4343 services of the state colleges in promoting reforestation. It
4344 shall be the duty of the State Forester to cooperate with private
4345 timber owners in laying plans for the protection, management and



4346 replacement of forests and in aiding them to form protection
4347 associations. It shall be his duty to examine all timbered lands
4348 belonging to the state and its institutions and report to the
4349 commission upon their timber conditions and actual value, and also
4350 whether some of these lands may not be held as state forests. He
4351 shall be responsible for the protection and management of lands
4352 donated, purchased or belonging to the state or state
4353 institutions, and all other lands reserved by the state as state
4354 forests.

4355 (g) To control the expenditure of any and all funds
4356 appropriated or otherwise made available for the several purposes
4357 set forth herein under suitable regulations and restrictions by
4358 the commission and to specifically authorize any officer or
4359 employee of the commission to incur necessary and stipulated
4360 expenses in connection with the work in which such person may be
4361 engaged.

4362 (h) To submit annually to the Legislature a report of
4363 the expenditures, proceedings and results achieved, together with
4364 such other matters including recommendations concerning
4365 legislation as are germane to the aims and purposes of this
4366 chapter.

4367 (i) To create, establish and organize the State of
4368 Mississippi into forestry districts for the most effective and
4369 efficient administration of the commission.

4370 (j) [Repealed]



4371 **SECTION 66.** Section 73-11-43, Mississippi Code of 1972, is
4372 amended as follows:

4373 73-11-43. There is created the State Board of Funeral
4374 Service which shall consist of seven (7) members, one (1) funeral
4375 service licensee and one (1) funeral director licensee to be
4376 appointed from each Mississippi Supreme Court district. Three (3)
4377 members shall have been licensed for the practice of funeral
4378 service under this chapter for five (5) consecutive years and/or
4379 have had at least five (5) consecutive years' experience as a
4380 funeral director and embalmer in this state immediately preceding
4381 his appointment. Three (3) members shall have been licensed for
4382 the practice of funeral directing under this chapter for five (5)
4383 consecutive years and/or have had at least five (5) consecutive
4384 years' experience as a funeral director immediately preceding his
4385 appointment. One (1) member shall be a public member and be
4386 appointed from the public at large. The members of the board
4387 shall be appointed by the Governor with the advice and consent of
4388 the Senate. All appointments shall be for terms of four (4) years
4389 from the expiration date of the previous term, provided that
4390 effective January 1, 2028, four (4) members shall be appointed in
4391 2028 to a term ending December 31, 2031, and three (3) members
4392 shall be appointed in 2030 to a term ending December 31,
4393 2033. * * * Appointments made at the beginning of the four-year
4394 cycle shall be made to fill any member's term which actually
4395 expires that year and any member's term which expires next until



4396 the majority of the membership of the board or commission is
4397 reached. Appointments made at the beginning of the third year of
4398 the four-year cycle shall be made for the remainder of the
4399 membership positions irrespective of the time of their prior
4400 appointment. Any question regarding the order of appointments
4401 shall be determined by the Secretary of State in accordance with
4402 the specific statute. All appointment procedures, vacancy
4403 provisions, interim appointment provisions and removal provisions
4404 specifically provided for in Section 7-1-35, Mississippi Code of
4405 1972, shall be fully applicable to appointments to the State Board
4406 of Funeral Service, and to the position of administrator. No
4407 board member shall serve more than two (2) consecutive full
4408 terms. * * * Appointments for vacancies in office, except those
4409 from the public at large, may be made from a joint list of four
4410 (4) qualified persons, two (2) each submitted by the Mississippi
4411 Funeral Directors Association and the Mississippi Funeral
4412 Directors and Morticians Association. Nothing in this chapter or
4413 any other statute shall preclude the members of the State
4414 Embalming Board from serving as members of the State Board of
4415 Funeral Service.

4416 **SECTION 67.** Section 73-11-49, Mississippi Code of 1972, is
4417 amended as follows:

4418 73-11-49. (1) The board is authorized to select from its
4419 own membership a chairman, vice chairman and secretary-treasurer.



4420 Election of officers shall be held at the first regularly
4421 scheduled meeting of the fiscal year.

4422 (2) All members of the board shall be reimbursed for their
4423 necessary traveling expenses and mileage incident to their
4424 attendance upon the business of the board, as provided in Section
4425 25-3-41, and shall receive a per diem as provided in Section
4426 25-3-69 for every day actually spent upon the business of the
4427 board, not to exceed twenty (20) days per year unless authorized
4428 by a majority vote of the board.

4429 (3) All monies received by the board shall be paid into a
4430 special fund in the State Treasury to the credit of the board and
4431 shall be used by the board for paying the traveling and necessary
4432 expenses and per diem of the members of the board while on board
4433 business, and for paying other expenses necessary for the
4434 operation of the board in carrying out and involving the
4435 provisions of this chapter.

4436 (4) The board shall employ an administrator of the board,
4437 who shall have complete supervision and be held responsible for
4438 the direction of the office of the board, shall have supervision
4439 over field inspections and enforcement of the provisions of this
4440 chapter, shall have such other duties as may be assigned by the
4441 board, shall be responsible and answerable to the board. The
4442 administrator shall be appointed and employed for a term of four
4443 (4) years, subject to the advice and consent of the Senate, and
4444 consistent with the provisions of Section 7-1-35, Mississippi Code



4445 of 1972. The board may employ such other clerical assistants and
4446 employees as may be necessary to carry out the provisions of this
4447 chapter, and the terms and conditions of such employment shall be
4448 determined by the board in accordance with applicable state law
4449 and rules and regulations of the State Personnel Board.

4450 (5) Except as otherwise authorized in Section 7-5-39, the
4451 board, when it shall deem necessary, shall be represented by an
4452 assistant attorney general duly appointed by the Attorney General
4453 of this state, and may also request and receive the assistance of
4454 other state agencies and county and district attorneys, all of
4455 whom are authorized to provide the assistance requested.

4456 (6) The board shall have subpoena power in enforcing the
4457 provisions of this chapter.

4458 (7) The board shall adopt and promulgate rules and
4459 regulations consistent with law concerning, but not limited to,
4460 trainees, apprentices and preceptors, practitioners of funeral
4461 service, funeral directors, embalmers and funeral establishments
4462 and branches. These rules and regulations shall not become
4463 effective unless promulgated and adopted in accordance with the
4464 provisions of the Mississippi Administrative Procedures Law
4465 (Section 25-43-1.101 et seq.).

4466 (8) The board may designate the administrator to perform
4467 inspections under this chapter, may employ an individual to
4468 perform such inspections or may contract with any other individual
4469 or entity to perform such inspections. Any individual or entity



4470 that performs such inspections shall have the right of entry into
4471 any place in which the business or practice of funeral service
4472 and/or funeral directing is carried on or advertised as being
4473 carried on, for the purpose of inspection, for the investigation
4474 of complaints coming before the board and for such other matters
4475 as the board may direct.

4476 (9) The board shall not adopt any rule or regulation
4477 requiring dead bodies to be embalmed except as required by rule or
4478 otherwise by the State Department of Health.

4479 **SECTION 68.** Section 75-76-9, Mississippi Code of 1972, is
4480 amended as follows:

4481 75-76-9. (1) * * * The Mississippi Gaming Commission,
4482 created by former Sections 75-76-7 and 75-76-9, is continued and
4483 reconstituted as follows: Effective January 1, 2028, the three
4484 (3) members of the Mississippi Gaming Commission shall be
4485 appointed by the Governor, one (1) from each Mississippi Supreme
4486 Court District, with the advice and consent of the Senate, for a
4487 term of office of four (4) years, provided that two (2) members
4488 shall be appointed in 2028 to a term ending December 31, 2031, and
4489 one (1) member shall be appointed in 2030 to a term ending
4490 December 31, 2033. Appointments made at the beginning of the
4491 four-year cycle shall be made to fill any member's term which
4492 actually expires that year and any member's term which expires
4493 next until the majority of the membership of the board or
4494 commission is reached. Appointments made at the beginning of the



4495 third year of the four-year cycle shall be made for the remainder
4496 of the membership positions irrespective of the time of their
4497 prior appointment. Any question regarding the order of
4498 appointments shall be determined by the Secretary of State in
4499 accordance with the specific statute. All appointment procedures,
4500 vacancy provisions, interim appointment provisions and removal
4501 provisions specifically provided for in Section 7-1-35,
4502 Mississippi Code of 1972, shall be fully applicable to
4503 appointments to the Mississippi Gaming Commission, and to the
4504 position of executive director.

4505 * * *

4506 (* * *2) Appointments to the commission and designation of
4507 the chairman shall be made by the Governor with the advice and
4508 consent of the Senate. Prior to the nomination, the PEER
4509 Committee shall conduct an inquiry into the nominee's background,
4510 with particular regard to the nominee's financial stability,
4511 integrity and responsibility and his reputation for good
4512 character, honesty and integrity.

4513 (* * *3) The member designated by the Governor to serve as
4514 chairman shall serve in such capacity throughout such member's
4515 entire term and until his successor shall have been duly appointed
4516 and qualified. No such member, however, shall serve in such
4517 capacity for more than ten (10) years.

4518 * * *



4519 (* * *4) Members of the commission shall not have any
4520 direct or indirect interest in an undertaking that puts their
4521 personal interest in conflict with that of the commission and
4522 shall be governed by the provisions of Section 109 of the
4523 Mississippi Constitution and Section 25-4-105. In addition,
4524 members of the commission shall not receive anything of value
4525 from, or on behalf of, any person holding or applying for a gaming
4526 license under this chapter.

4527 * * *

4528 (* * *5) Each member of the commission is entitled to per
4529 diem as provided by Section 25-3-69.

4530 **SECTION 69.** Section 75-76-15, Mississippi Code of 1972, is
4531 amended as follows:

4532 75-76-15. (1) [Repealed]

4533 (2) From and after October 1, 1993, the position of
4534 Executive Director of the Mississippi Gaming Commission is hereby
4535 created.

4536 (3) The Gaming Commission shall appoint the executive
4537 director, with the advice and consent of the Senate, and the
4538 executive director shall serve * * * for a term of four (4) years
4539 consistent with the provisions of Section 7-1-35, Mississippi Code
4540 of 1972.. The director appointed by the State Tax Commission
4541 pursuant to subsection (1) of this section who is serving on
4542 September 30, 1993, shall serve as the Executive Director of the
4543 Mississippi Gaming Commission until the executive director



4544 appointed by the Gaming Commission pursuant to this section is
4545 confirmed by the Senate.

4546 (4) No member of the Legislature, no person holding any
4547 elective office, nor any officer or official of any political
4548 party is eligible for the appointment of executive director.

4549 (5) The executive director must have at least five (5) years
4550 of responsible administrative experience in public or business
4551 administration or possess broad management skills.

4552 (6) The executive director shall devote his entire time and
4553 attention to his duties under this chapter and the business of the
4554 commission and shall not pursue any other business or occupation
4555 or hold any other office of profit.

4556 (7) The executive director shall not be pecuniarily
4557 interested in any business or organization holding a gaming
4558 license under this chapter or doing business with any person or
4559 organization licensed under this chapter and shall be governed by
4560 the provisions of Section 25-4-105. In addition, the executive
4561 director shall not receive anything of value from, or on behalf
4562 of, any person holding or applying for a gaming license under this
4563 chapter.

4564 (8) The executive director is entitled to an annual salary
4565 in the amount specified by the commission, subject to the approval
4566 of the State Personnel Board, within the limits of legislative
4567 appropriations or authorizations.



4568 **SECTION 70.** Section 73-63-9, Mississippi Code of 1972, is
4569 amended as follows:
4570 73-63-9. (1) There is created the Board of Registered
4571 Professional Geologists to administer this chapter. The board
4572 shall consist of five (5) registered professional geologists
4573 appointed by the Governor from nominees recommended by the
4574 committee created in subsection (3) of this section, but
4575 geologists initially appointed to the board shall be qualified for
4576 registration under this chapter and shall register within the
4577 first year of their term. Three (3) appointments shall be made
4578 from Mississippi Supreme Court Districts and two (2) from the
4579 state at large. The Governor shall require adequate disclosure of
4580 potential conflicts of interest by appointees to the board. The
4581 board shall, to the extent practicable, consist of one (1) member
4582 appointed from the governmental sector, one (1) member appointed
4583 from academia, one (1) member appointed from the
4584 geotechnical/environmental industrial sector, one (1) member
4585 appointed from the mining/mineral extraction industrial sector,
4586 and one (1) member appointed at large. * * * The Board of
4587 Registered Professional Geologists, created by former Section
4588 73-63-9, is continued and reconstituted as follows: Effective
4589 January 1, 2028, members of the board shall be appointed by the
4590 Governor, with the advice and consent of the Senate, for a term of
4591 office of four (4) years, provided that three (3) such members
4592 shall be appointed in 2028 to a term ending December 31, 2031, and



4593 two (2) such members shall be appointed in 2030 to a term ending
4594 December 31, 2033. Appointments made at the beginning of the
4595 four-year cycle shall be made to fill any member's term which
4596 actually expires that year and any member's term which expires
4597 next until the majority of the membership of the board or
4598 commission is reached. Appointments made at the beginning of the
4599 third year of the four-year cycle shall be made for the remainder
4600 of the membership positions irrespective of the time of their
4601 prior appointment. Any question regarding the order of
4602 appointments shall be determined by the Secretary of State in
4603 accordance with the specific statute. All appointment procedures,
4604 vacancy provisions, interim appointment provisions and removal
4605 provisions specifically provided for in Section 7-1-35,
4606 Mississippi Code of 1972, shall be fully applicable to
4607 appointments to the Board of Professional Registered Geologists,
4608 and to the position of executive director.

4609 (2) Each member of the board shall be a citizen of the
4610 United States, a resident of this state for at least five (5)
4611 years immediately preceding that person's appointment, and at
4612 least thirty (30) years of age.

4613 (3) * * * Except as provided in paragraph (b) of this
4614 subsection, the board annually shall appoint a nominating
4615 committee. No board member shall participate on the nominating
4616 committee during the year in which that member's term expires.
4617 The nominating committee shall compile a list of the nominees and



4618 submit that list to the registered professional geologists on the
4619 roster. Each geologist shall have one (1) vote and shall submit
4620 that vote in writing within fifteen (15) days following the
4621 mailing of the list of nominees. The executive director, or the
4622 president in the absence of an executive director, shall calculate
4623 the results and recommend to the Governor the three (3) nominees
4624 from the sector in which the vacancy occurs receiving the largest
4625 number of votes.

4626 * * *

4627 **SECTION 71.** Section 73-63-19, Mississippi Code of 1972, is
4628 amended as follows:

4629 73-63-19. (1) If the board employs an executive director,
4630 the executive director shall serve for a term of four (4) years,
4631 subject to the advice and consent of the Senate, and consistent
4632 with the provisions of Section 7-1-35, Mississippi Code of 1972,
4633 and shall have the following powers and duties:

4634 (a) To administer the policies of the board within the
4635 authority granted by the board;

4636 (b) To supervise and direct all administrative,
4637 technical and investigative activities of the board;

4638 (c) To organize the administrative units of the board
4639 in accordance with a plan adopted by the board and to alter that
4640 organizational plan and reassign responsibilities with approval of
4641 the board as deemed necessary to carry out the policies of the
4642 board;



4643 (d) To recommend to the board appropriate studies and
4644 investigations and to carry out the approved recommendations;

4645 (e) To issue, modify or revoke any orders under
4646 authority granted by the board;

4647 (f) To enter into contracts, grants and cooperative
4648 agreements as approved by the board with any federal or state
4649 agency, any public or private institution or any other person to
4650 carry out this chapter;

4651 (g) To receive, administer and account for any funds
4652 received by the board;

4653 (h) To prepare and deliver to the Legislature and the
4654 Governor before January 1 of each year, and at any other times as
4655 may be required by the board, Legislature or Governor, a full
4656 report of the work of the board, including a detailed statement of
4657 revenues and expenditures of the board and any recommendations the
4658 board may have; and

4659 (i) To discharge other powers, duties and
4660 responsibilities as directed or delegated by the board.

4661 (2) The executive director shall give a surety bond
4662 satisfactory to the board, conditioned upon the faithful
4663 performance of the executive director's duties. The premium on
4664 the bond shall be regarded as a proper and necessary expense of
4665 the board.



4666 (3) If the board does not employ an executive director, the
4667 president of the board shall have the powers and duties provided
4668 in subsection (1) of this section.

4669 **SECTION 72.** Section 55-15-21, Mississippi Code of 1972, is
4670 amended as follows:

4671 55-15-21. There is hereby created and established the Grand
4672 Gulf Military Monument Commission, to be composed of five (5)
4673 members, all to be resident citizens of Claiborne County,
4674 Mississippi. * * * The Grand Gulf Military Monument Commission,
4675 created by former Section 55-15-21, is continued and reconstituted
4676 as follows: Effective January 1, 2028, the commissioners shall be
4677 appointed by the Governor, with the advice and consent of the
4678 Senate, for a term of office of four (4) years, provided that
4679 three (3) members shall be appointed in 2028 to a term ending
4680 December 31, 2031, and two (2) members shall be appointed in 2030
4681 to a term ending December 31, 2033. Appointments made at the
4682 beginning of the four-year cycle shall be made to fill any
4683 member's term which actually expires that year and any member's
4684 term which expires next until the majority of the membership of
4685 the board or commission is reached. Appointments made at the
4686 beginning of the third year of the four-year cycle shall be made
4687 for the remainder of the membership positions irrespective of the
4688 time of their prior appointment. Any question regarding the order
4689 of appointments shall be determined by the Secretary of State in
4690 accordance with the specific statute. All appointment procedures,



4691 vacancy provisions, interim appointment provisions and removal
4692 provisions specifically provided for in Section 7-1-35,
4693 Mississippi Code of 1972, shall be fully applicable to
4694 appointments to the Grand Gulf Military Monument Commission.

4695 **SECTION 73.** Section 59-7-407, Mississippi Code of 1972, is
4696 amended as follows:

4697 59-7-407. A port commission created under this article shall
4698 consist of six (6) members who shall be qualified electors of the
4699 municipality operating under this article, and shall be appointed
4700 as follows: two (2) shall be appointed by the Governor, with the
4701 advice and consent of the Senate; two (2) shall be appointed by
4702 the governing authorities of the municipality, with the advice and
4703 consent of the Senate; and two (2) shall be appointed by the board
4704 of supervisors of the county, with the advice and consent of the
4705 Senate. The commission shall have jurisdiction over the port,
4706 terminals, harbors and passes leading thereto, and all vessels,
4707 boats and wharves, common carriers and public utilities using the
4708 port. Commissioners shall be paid the uniform per diem
4709 compensation authorized in Section 25-3-69 for the discharge of
4710 official duties at meetings called in accordance with Section
4711 59-7-409.

4712 * * * Any port commission, created by former Section
4713 59-7-407, is continued and reconstituted as follows: Effective
4714 January 1, 2028, the members of the port authorities shall be
4715 appointed by the Governor or appropriate local official, with the



4716 advice and consent of the Senate, for a term of office of four (4)
4717 years, provided that four (4) members shall be appointed by the
4718 Governor and the other local officials in 2028 to a term ending
4719 December 31, 2031, and two (2) members shall be appointed by the
4720 Governor and the other local officials in 2030 to a term ending
4721 December 31, 2033. Appointments made at the beginning of the
4722 four-year cycle shall be made to fill any member's term which
4723 actually expires that year and any member's term which expires
4724 next until the majority of the membership of the board or
4725 commission is reached. Appointments made at the beginning of the
4726 third year of the four-year cycle shall be made for the remainder
4727 of the membership positions irrespective of the time of their
4728 prior appointment. Any question regarding the order of
4729 appointments shall be determined by the Secretary of State in
4730 accordance with the specific statute. All appointment procedures,
4731 vacancy provisions, interim appointment provisions and removal
4732 provisions specifically provided for in Section 7-1-35,
4733 Mississippi Code of 1972, shall be fully applicable to
4734 appointments to a port commission under this section.

4735 The commission shall, upon appointment, organize as provided
4736 in Section 59-7-409.

4737 A port commission created under this article may be dissolved
4738 by the governing authorities of the municipality as provided under
4739 Section 59-7-408.



4740 **SECTION 74.** Section 59-5-21, Mississippi Code of 1972, is
4741 amended as follows:

4742 59-5-21. Any port or harbor, or any part thereof, and all
4743 facilities, structures, lands or other improvements, acquired by
4744 or conveyed to the state, shall be operated by the board acting
4745 through a state port authority for such port or harbor, except as
4746 may be otherwise provided in this chapter. Such state port
4747 authority shall be an agency of the state and shall be vested, in
4748 addition to the rights, powers and duties conferred hereunder,
4749 with the same jurisdiction and the same rights, powers and duties
4750 vested by law in the port commission or port authority or other
4751 authorized port or harbor agency having jurisdiction of such port
4752 or harbor under statutes in effect on the date of the conveyance
4753 of such port or harbor, or any part thereof, to the state. Such
4754 state port authority shall consist of five (5) qualified electors
4755 of the city or county in which such port or harbor is
4756 located. * * * One (1) member thereof * * * shall be appointed by
4757 the governing authorities of the municipality in which such port
4758 or harbor is located or adjacent to * * *, one (1) member
4759 thereof * * * shall be appointed by the board of supervisors of
4760 the county in which such port or harbor is located * * *, and
4761 three (3) members thereof * * * shall be appointed by the
4762 Governor * * *. Any State Port Authority, created by former
4763 Section 59-5-21, is continued and reconstituted as follows:
4764 Effective January 1, 2028, the members of the State Port Authority



4765 shall be appointed by the Governor or prescribed local official,
4766 with the advice and consent of the Senate, for a term of office of
4767 four (4) years, provided that two (2) members shall be appointed
4768 by the Governor in 2028 to a term ending December 31, 2031, and
4769 one (1) such member shall be appointed by the Governor in 2030 to
4770 a term ending December 31, 2033. Appointments made at the
4771 beginning of the four-year cycle shall be made to fill any
4772 member's term which actually expires that year and any member's
4773 term which expires next until the majority of the membership of
4774 the board or commission is reached. Appointments made at the
4775 beginning of the third year of the four-year cycle shall be made
4776 for the remainder of the membership positions irrespective of the
4777 time of their prior appointment. Any question regarding the order
4778 of appointments shall be determined by the Secretary of State in
4779 accordance with the specific statute. All appointment procedures,
4780 vacancy provisions, interim appointment provisions and removal
4781 provisions specifically provided for in Section 7-1-35,
4782 Mississippi Code of 1972, shall be fully applicable to
4783 appointments to the State Port Authority. The members of the
4784 state port authority shall organize in the same manner authorized
4785 by law for the port commission or port authority formerly having
4786 jurisdiction over such port or harbor, or any part thereof.
4787 Members of the state port authority shall be entitled to
4788 compensation pursuant to Section 25-3-69 and travel expenses
4789 pursuant to Section 25-3-41. In its operation of such port or



4790 harbor, or any part thereof, such state port authority shall not
4791 be responsible to the city or county, or other authorized port or
4792 harbor agency, in which such port or harbor, or any part thereof,
4793 may be located, but shall be responsible solely to the board, and
4794 the board shall have the same rights and duties and the same
4795 relationship toward such state port authority as is vested by law
4796 in the county, city or other authorized port or harbor agency in
4797 its relation to the port commission or port authority formerly
4798 having jurisdiction of such port or harbor, or part thereof.
4799 Before entering upon the duties of the office, each of said
4800 members shall take and subscribe to the oath of office required by
4801 Section 268 of the Constitution of the State of Mississippi, and
4802 shall file same with the Secretary of State, and shall give bond
4803 in the sum of Ten Thousand Dollars (\$10,000.00), with a surety
4804 company or companies, authorized to do business in this state,
4805 conditioned according to law, and to be delivered to and approved
4806 by the Treasurer of the State of Mississippi; the premiums on said
4807 bonds shall be paid from port funds.

4808 **SECTION 75.** Section 59-11-3, Mississippi Code of 1972, is
4809 amended as follows:

4810 59-11-3. (1) Any county port and harbor commission created
4811 pursuant to Section 59-11-1 shall be appointed as follows: three
4812 (3) members shall be appointed by the Governor, one (1) from each
4813 of the three (3) municipalities of the county, which appointments
4814 shall be made from those persons recommended and nominated by the



4815 governing authorities of the municipalities, and shall be
4816 qualified electors of the county; and five (5) members shall be
4817 appointed by the board of supervisors of such county, each
4818 supervisor to recommend the appointment of one (1) member
4819 thereof. * * * Any port and harbor commission, created by former
4820 Section 59-11-3, is continued and reconstituted as follows:
4821 Effective January 1, 2028, the members of the port and harbor
4822 commission shall be appointed by the Governor or prescribed local
4823 official, with the advice and consent of the Senate, for a term of
4824 office of four (4) years, provided that of the eleven (11)
4825 members, six (6) such members shall be appointed in 2028 to a term
4826 ending December 31, 2031, and five (5) such members shall be
4827 appointed in 2030 to a term ending December 31, 2033.
4828 Appointments made at the beginning of the four-year cycle shall be
4829 made to fill any member's term which actually expires that year
4830 and any member's term which expires next until the majority of the
4831 membership of the board or commission is reached. Appointments
4832 made at the beginning of the third year of the four-year cycle
4833 shall be made for the remainder of the membership positions
4834 irrespective of the time of their prior appointment. Any question
4835 regarding the order of appointments shall be determined by the
4836 Secretary of State in accordance with the specific statute. All
4837 appointment procedures, vacancy provisions, interim appointment
4838 provisions and removal provisions specifically provided for in



4839 Section 7-1-35, Mississippi Code of 1972, shall be fully
4840 applicable to appointments to the port and harbor commission.

4841 (2) Each member of the county port and harbor commission
4842 shall receive per diem compensation in an amount up to Eighty-four
4843 Dollars (\$84.00) for each day engaged in attendance of meetings of
4844 the county port and harbor commission or when engaged in other
4845 duties of the county port and harbor commission, and shall be
4846 reimbursed for mileage and actual travel expenses at the rate
4847 authorized for county employees under Section 25-3-41.

4848 **SECTION 76.** Section 61-3-7, Mississippi Code of 1972, is
4849 amended as follows:

4850 61-3-7. (1) Two (2) or more municipalities or two (2) or
4851 more municipalities and any state-supported institution of higher
4852 learning or a public community or junior college, by resolution of
4853 each, may create a public body, corporate and politic, to be known
4854 as a regional airport authority which shall be authorized to
4855 exercise its functions upon the issuance by the Secretary of State
4856 of a certificate of incorporation. The governing body of each
4857 municipality, the institution of higher learning or the public
4858 community or junior college, pursuant to its resolution,
4859 shall * * * nominate one (1) person as a commissioner of the
4860 authority who shall be appointed by the Governor, with the advice
4861 and consent of the Senate, to a term of four (4) years. However,
4862 if the regional airport authority consists of an even number of
4863 participants, which include two (2) or more municipalities or two



4864 (2) or more municipalities and a state institution of higher
4865 learning or a public community or junior college, an additional
4866 commissioner shall be appointed by the Governor, with the advice
4867 and consent of the Senate, to a term of four (4) years. Such
4868 additional commissioner shall be a resident of a county other than
4869 the counties of the participating municipalities but contiguous to
4870 at least one (1) of such counties. All appointment procedures,
4871 vacancy provisions, interim appointment provisions and removal
4872 provisions specifically provided for in Section 7-1-35,
4873 Mississippi Code of 1972, shall be fully applicable to
4874 appointments by the Governor to the position of commissioner.

4875 (2) A regional airport authority may be increased from time
4876 to time to serve one or more additional municipalities if each
4877 additional municipality and each of the municipalities and the
4878 institution of higher learning or the public community or junior
4879 college then included in the regional authority and the
4880 commissioners of the regional authority, respectively, adopt a
4881 resolution consenting thereto. If a municipal airport authority
4882 for any municipality seeking to be included in the regional
4883 authority is then in existence, the commissioners of the municipal
4884 authority shall consent to the inclusion of the municipality,
4885 institution of higher learning or the public community or junior
4886 college in the regional authority, and if the municipal authority
4887 has any bonds outstanding, unless the holders of fifty-one percent
4888 (51%) or more in amount of the bonds consent, in writing, to the



4889 inclusion of the municipality in the regional authority, no such
4890 inclusion shall be effected. Upon the inclusion of any
4891 municipality, institution of higher learning or the public
4892 community or junior college in the regional authority, all rights,
4893 contracts, obligations and property, real and personal, of the
4894 municipal authority shall be in the name of and vest in the
4895 regional authority.

4896 (3) A regional airport authority may be decreased if each of
4897 the municipalities and the institution of higher learning or the
4898 public community or junior college then included in the regional
4899 authority and the commissioners of the regional authority consent
4900 to the decrease and make provision for the retention or
4901 disposition of its assets and liabilities. However, if the
4902 regional authority has any bonds outstanding, no decrease shall be
4903 effected unless seventy-five percent (75%) or more of the holders
4904 of the bonds consent thereto in writing.

4905 (4) If a municipality so elects, it may share its
4906 commissioner position with another municipality that is not then a
4907 participant in the regional authority. In order to do so, the
4908 initiating and participating municipalities, and the joining
4909 municipality, all other municipalities participating at that time,
4910 and the commissioners of the regional authority, must adopt
4911 resolutions consenting to the sharing of the position. The
4912 initiating municipality and the joining municipality must reach an
4913 agreement to jointly determine the method for the appointment of



4914 their joint commissioner. Upon the adoption of the resolutions of
4915 authorization and the execution of the agreement between the
4916 participating and joining municipalities, the joint commissioner
4917 shall have the same powers, authority, duties and obligations
4918 otherwise vested in commissioners of the regional authority.

4919 (5) A municipality, institution of higher learning or public
4920 community or junior college shall not adopt any resolution
4921 authorized by this section without a public hearing thereon.
4922 Notice thereof shall be given at least ten (10) days before the
4923 hearing in a newspaper published in the municipality, in the
4924 institution of higher learning or in the public community or
4925 junior college, or if there is no newspaper published therein,
4926 then in a newspaper having general circulation in the
4927 municipality, in the institution of higher learning or in the
4928 public community or junior college.

4929 (6) At the expiration of the term of all commissioners
4930 serving as of January 1, 1978, the airport authority shall effect
4931 staggered terms by the drawing of lots and reporting thereon to
4932 appointing authorities. The commissioners shall be designated to
4933 serve for terms of one (1) year, two (2) years, three (3) years,
4934 four (4) years and so forth depending upon the number of
4935 participating appointing authorities. Thereafter, each
4936 commissioner shall be appointed for a term of five (5) years
4937 except that vacancies occurring otherwise than by expiration of
4938 terms shall be filled for the unexpired term in the same manner as



4939 the original appointment. All appointment procedures, vacancy
4940 provisions, interim appointment provisions and removal provisions
4941 specifically provided for in Section 7-1-35, Mississippi Code of
4942 1972, shall be fully applicable to appointments to the Regional
4943 Airport Authority.

4944 **SECTION 77.** Section 25-15-303, Mississippi Code of 1972, is
4945 amended as follows:

4946 25-15-303. (1) There is created the State and School
4947 Employees Health Insurance Management Board, which shall
4948 administer the State and School Employees Life and Health
4949 Insurance Plan provided for under Section 25-15-3 et seq. The
4950 State and School Employees Health Insurance Management Board,
4951 hereafter referred to as the "board," shall also be responsible
4952 for administering all procedures for selecting third-party
4953 administrators provided for in Section 25-15-301.

4954 (2) The board shall consist of the following:

4955 (a) The Chairman of the Workers' Compensation
4956 Commission or his or her designee;

4957 (b) The State Personnel Director, or his or her
4958 designee;

4959 (c) The Commissioner of Insurance, or his or her
4960 designee;

4961 (d) The Commissioner of Higher Education, or his or her
4962 designee;



4963 (e) The State Superintendent of Public Education, or
4964 his or her designee;

4965 (f) The Executive Director of the Department of Finance
4966 and Administration, or his or her designee;

4967 (g) The Executive Director of the Mississippi Community
4968 College Board, or his or her designee;

4969 (h) The Executive Director of the Public Employees'
4970 Retirement System, or his or her designee;

4971 (i) Two (2) appointees of the Governor, with the advice
4972 and consent of the Senate, whose terms shall be concurrent with
4973 that of the Governor, one (1) of whom shall have experience in
4974 providing actuarial advice to companies that provide health
4975 insurance to large groups and one (1) of whom shall have
4976 experience in the day-to-day management and administration of a
4977 large self-funded health insurance group;

4978 (j) The Chairman of the Senate Insurance Committee, or
4979 his or her designee;

4980 (k) The Chairman of the House of Representatives
4981 Insurance Committee, or his or her designee;

4982 (l) The Chairman of the Senate Appropriations
4983 Committee, or his or her designee; and

4984 (m) The Chairman of the House of Representatives
4985 Appropriations Committee, or his or her designee.

4986 The legislators, or their designees, shall serve as ex
4987 officio, nonvoting members of the board.



4988 The Executive Director of the Department of Finance and
4989 Administration shall be the chairman of the board.

4990 (3) All appointment procedures, vacancy provisions, interim
4991 appointment provisions and removal provisions specifically
4992 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
4993 fully applicable to appointments to the State and School Employees
4994 Health Insurance Management Board.

4995 (* * *4) The board shall meet at least monthly and maintain
4996 minutes of the meetings. A quorum shall consist of a majority of
4997 the authorized voting membership of the board. The board shall
4998 have the sole authority to promulgate rules and regulations
4999 governing the operations of the insurance plans and shall be
5000 vested with all legal authority necessary and proper to perform
5001 this function including, but not limited to:

5002 (a) Defining the scope and coverages provided by the
5003 insurance plan;

5004 (b) Seeking proposals for services or insurance through
5005 competitive processes where required by law and selecting service
5006 providers or insurers under procedures provided for by law; and

5007 (c) Developing and adopting strategic plans and budgets
5008 for the insurance plan.

5009 The department shall employ a State Insurance Administrator,
5010 who shall be responsible for the day-to-day management and
5011 administration of the insurance plan. The Department of Finance
5012 and Administration shall provide to the board on a full-time basis



5013 personnel and technical support necessary and sufficient to
5014 effectively and efficiently carry out the requirements of this
5015 section.

5016 (* * *5) Members of the board shall not receive any
5017 compensation or per diem, but may receive travel reimbursement
5018 provided for under Section 25-3-41 except that the legislators
5019 shall receive per diem and expenses, which shall be paid from the
5020 contingent expense funds of their respective houses in the same
5021 amounts as provided for committee meetings when the Legislature is
5022 not in session; however, no per diem and expenses for attending
5023 meetings of the board shall be paid while the Legislature is in
5024 session.

5025 **SECTION 78.** Section 41-3-1.1, Mississippi Code of 1972, is
5026 amended as follows:

5027 41-3-1.1. (1) The State Board of Health is continued and
5028 reconstituted as follows:

5029 There is created the State Board of Health which, from and
5030 after March 30, 2007, shall consist of eleven (11) members
5031 appointed with the advice and consent of the Senate, as follows:

5032 (a) Five (5) members of the board shall be currently
5033 licensed physicians of good professional standing who have had at
5034 least seven (7) years' experience in the practice of medicine in
5035 this state. Three (3) members shall be appointed by the Governor,
5036 one (1) member shall be appointed by the Lieutenant Governor, and



5037 one (1) member shall be appointed by the Attorney General, in the
5038 manner provided in paragraph (d) of this subsection (1).

5039 (b) Six (6) members of the board shall be individuals
5040 who have a background in public health or an interest in public
5041 health who are not currently or formerly licensed physicians.
5042 Four (4) of those members shall be appointed by the Governor, one
5043 (1) of those members shall be appointed by the Lieutenant
5044 Governor, and one (1) of those members shall be appointed by the
5045 Attorney General, in the manner provided in paragraph (d) of this
5046 subsection (1).

5047 (c) The Governor, Lieutenant Governor and Attorney
5048 General shall give due regard to geographic distribution, race and
5049 gender in making their appointments to the board. It is the
5050 intent of the Legislature that the membership of the board reflect
5051 the population of the State of Mississippi. Of the Governor's
5052 appointments, * * * two (2) members of the board shall be
5053 appointed from each of the three (3) Supreme Court Districts as
5054 constituted * * * at the time of appointment, and one (1) from the
5055 state at large. * * *

5056 (d) * * * All appointments to the board shall be made
5057 by the prescribed appointing authority, with the advice and
5058 consent of the Senate.

5059 (2) * * * The State Board of Health, created by former
5060 Section 41-3-1.1, is continued and reconstituted as follows:
5061 Effective January 1, 2028, the members of the State Board of



5062 Health shall be appointed by the Governor, Lieutenant Governor or
5063 Attorney General as prescribed in this section, with the advice
5064 and consent of the Senate, for a term of office of four (4) years,
5065 provided that of the Governor's appointments, four (4) members
5066 shall be appointed in 2028 to a term ending December 31, 2031, and
5067 three (3) shall be appointed in 2030 to a term ending December 31,
5068 2033. Appointments made at the beginning of the four-year cycle
5069 shall be made to fill any member's term which actually expires
5070 that year and any member's term which expires next until the
5071 majority of the membership of the board or commission is reached.
5072 Appointments made at the beginning of the third year of the
5073 four-year cycle shall be made for the remainder of the membership
5074 positions irrespective of the time of their prior appointment.
5075 Any question regarding the order of appointments shall be
5076 determined by the Secretary of State in accordance with the
5077 specific statute. All appointment procedures, vacancy provisions,
5078 interim appointment provisions and removal provisions specifically
5079 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
5080 fully applicable to appointments to the State Board of Health, and
5081 to the position of executive officer.

5082 (3) The Lieutenant Governor may designate one (1) Senator
5083 and the Speaker of the House of Representatives may designate one
5084 (1) Representative to attend any meeting of the State Board of
5085 Health. The appointing authorities may designate alternate
5086 members from their respective houses to serve when the regular



5087 designees are unable to attend the meetings of the board. Those
5088 legislative designees shall have no jurisdiction or vote on any
5089 matter within the jurisdiction of the board. For attending
5090 meetings of the board, the legislators shall receive per diem and
5091 expenses, which shall be paid from the contingent expense funds of
5092 their respective houses in the same amounts as provided for
5093 committee meetings when the Legislature is not in session;
5094 however, no per diem and expenses for attending meetings of the
5095 board will be paid while the Legislature is in session. No per
5096 diem and expenses will be paid except for attending meetings of
5097 the board without prior approval of the proper committee in their
5098 respective houses.

5099 (4) (a) All members of the State Board of Health shall file
5100 with the Mississippi Ethics Commission, before the first day of
5101 May each year, the statement of economic interest as required by
5102 Sections 25-4-25 through 25-4-29.

5103 (b) No member of the board shall participate in any
5104 action by the board or department if that action could have any
5105 monetary effect on any business with which that member is
5106 associated, as defined in Section 25-4-103.

5107 (c) When any matter in which a member may not
5108 participate comes before the board or department, that member must
5109 fully recuse himself or herself from the entire matter. The
5110 member shall avoid debating, discussing or taking action on the
5111 subject matter during official meetings or deliberations by



5112 leaving the meeting room before the matter comes before the board
5113 and by returning only after the discussion, vote or other action
5114 is completed. The member shall not discuss the matter with other
5115 members, department staff or any other person. Any minutes or
5116 other record of the meeting shall accurately reflect the recusal.
5117 If a member is uncertain whether recusal is required, the member
5118 shall follow the determination of the Mississippi Ethics
5119 Commission. The commission may delegate that determination to its
5120 executive director.

5121 (d) Upon a determination by the board or by any court
5122 of competent jurisdiction that a member of the board has violated
5123 the provisions of this subsection (4) regarding recusal, the
5124 member shall be removed from office. Any member of the board who
5125 violates the provisions of this section regarding recusal also
5126 shall be subject to the penalties set forth in Sections 25-4-109
5127 through 25-4-117. After removal from office, the member shall not
5128 be eligible for appointment to any agency, board or commission of
5129 the state for a period of two (2) years. Nothing in this section
5130 shall be construed to limit the restrictions codified in Section
5131 25-4-105.

5132 **SECTION 79.** Section 41-3-5.1, Mississippi Code of 1972, is
5133 amended as follows:

5134 41-3-5.1. The State Department of Health shall be headed by
5135 an executive officer who shall be appointed by the State Board of
5136 Health to a term of four (4) years, subject to the advice and



5137 consent of the Senate, and consistent with the provisions of
5138 Section 7-1-35, Mississippi Code of 1972.. The executive officer
5139 shall be either a physician who has earned a graduate degree in
5140 public health or health care administration, or a physician who in
5141 the opinion of the board is fitted and equipped to execute the
5142 duties incumbent upon him or her by law. The executive officer
5143 shall not engage in the private practice of medicine. The term of
5144 office of the executive officer shall be six (6) years, and the
5145 executive officer may be removed for cause by majority vote of the
5146 members of the board. The executive officer shall be subject to
5147 such rules and regulations as may be prescribed by the State Board
5148 of Health. The executive officer shall be the State Health
5149 Officer with such authority and responsibility as is prescribed by
5150 law.

5151 **SECTION 80.** Section 43-33-704, Mississippi Code of 1972, is
5152 amended as follows:

5153 43-33-704. (1) There is created by this article the
5154 Mississippi Home Corporation, which shall be a continuation of the
5155 corporate existence of the Mississippi Housing Finance Corporation
5156 and (a) all property, rights and powers of the Mississippi Housing
5157 Finance Corporation are vested in, and shall be exercised by, the
5158 corporation, subject, however, to all pledges, covenants,
5159 agreements, undertakings and trusts made or created by the
5160 Mississippi Housing Finance Corporation; (b) all references to the
5161 Mississippi Housing Finance Corporation in any other law or



5162 regulation shall be deemed to refer to and apply to the
5163 corporation; and (c) all regulations of the Mississippi Housing
5164 Finance Corporation shall continue to be in effect as the
5165 regulations of the corporation until amended, supplemented or
5166 rescinded by the corporation in accordance with law.

5167 (2) The corporation is created with power to: raise funds
5168 from private investors in order to make such private funds
5169 available to finance the acquisition, construction, rehabilitation
5170 and improvement of residential and rental housing for persons of
5171 low or moderate income within the state; provide financing to
5172 qualified sponsors or individuals for a wide range of loans
5173 including, but not limited to, housing development, mortgage,
5174 rehabilitation or energy conservation loans; make loans to private
5175 lenders to finance any of these loans; purchase any of these loans
5176 from private lenders; refinance, insure or guarantee any of these
5177 loans; provide for temporary or partial financing for any of these
5178 purposes; develop, operate and administer housing programs which
5179 further its stated goals of improving the availability,
5180 affordability and quality of low- and moderate-income housing in
5181 the state; and make grants or loans to private nonprofit
5182 developers, local governments or private persons in furtherance of
5183 these goals * * *.

5184 * * *

5185 (* * *3) (a) From and after the effective date of May 23,
5186 2000, the corporation shall be composed of nine (9) members. The



5187 Governor, with the advice and consent of the Senate, shall appoint
5188 six (6) members of the corporation, who shall be residents of the
5189 state. The Governor shall appoint two (2) members from each
5190 Supreme Court District. The Lieutenant Governor, with the advice
5191 and consent of the Senate, shall appoint three (3) members of the
5192 corporation, who shall be residents of the state. The Lieutenant
5193 Governor shall appoint one (1) member from each Supreme Court
5194 District. * * * In the appointment process, the Governor and
5195 Lieutenant Governor will attempt to see that all portions of
5196 society and its diversity are represented in the membership of the
5197 corporation. In the appointment process, the Governor and
5198 Lieutenant Governor will attempt to see that persons with
5199 substantial housing and financial experience are represented in
5200 the membership of the corporation.

5201 (b) The Mississippi Home Corporation, created by former
5202 Section 43-33-704, is continued and reconstituted as follows:
5203 Effective January 1, 2028, the members of the corporation shall be
5204 appointed by the appropriate appointing authority, with the advice
5205 and consent of the Senate, for a term of office of four (4) years,
5206 provided that four (4) members appointed by the Governor and two
5207 (2) members appointed by the Lieutenant Governor shall be
5208 appointed in 2028 to a term ending December 31, 2031, and two (2)
5209 members appointed by the Governor and one (1) member appointed by
5210 the Lieutenant Governor shall be appointed in 2030 to a term
5211 ending December 31, 2033. Appointments made at the beginning of



5212 the four-year cycle shall be made to fill any member's term which
5213 actually expires that year and any member's term which expires
5214 next until the majority of the membership of the board or
5215 commission is reached. Appointments made at the beginning of the
5216 third year of the four-year cycle shall be made for the remainder
5217 of the membership positions irrespective of the time of their
5218 prior appointment. Any question regarding the order of
5219 appointments shall be determined by the Secretary of State in
5220 accordance with the specific statute. All appointment procedures,
5221 vacancy provisions, interim appointment provisions and removal
5222 provisions specifically provided for in Section 7-1-35,
5223 Mississippi Code of 1972, shall be fully applicable to
5224 appointments to the State Board of Health, and to the position of
5225 executive director.

5226 (5) * * * Any member of the corporation shall be eligible
5227 for reappointment. Any member of the corporation may be removed
5228 by the appointing authority for misfeasance, malfeasance or
5229 willful neglect of duty after reasonable notice and a public
5230 hearing, unless the same are expressly waived in writing. Each
5231 member of the corporation shall before entering upon his duty take
5232 an oath of office to administer the duties of his office
5233 faithfully and impartially, and a record of such oath shall be
5234 filed in the office of the Secretary of State. The corporation
5235 shall annually elect from its membership a chairman who shall be
5236 eligible for reelection. The corporation shall annually elect



5237 from its membership a vice chairman who shall be eligible for
5238 reelection. The corporation shall also elect or appoint, and
5239 prescribe the duties of, such other officers (who need not be
5240 members) as the corporation deems necessary or advisable, and the
5241 corporation shall fix the compensation of such officers. The
5242 corporation may delegate to one or more of its members, officers,
5243 employees or agents such powers and duties as it may deem proper,
5244 not inconsistent with this article or other provisions of law.

5245 (6) In accomplishing its purposes, the corporation is acting
5246 in all respects for the benefit of the people of the state and the
5247 performance of essential public functions and is serving a vital
5248 public purpose in approving and otherwise promoting their health,
5249 welfare and prosperity, and the enactment of the provisions
5250 hereinafter set forth is for a valid public purpose and is hereby
5251 so declared to be such as a matter of express legislative
5252 determination.

5253 **SECTION 81.** Section 43-33-707, Mississippi Code of 1972, is
5254 amended as follows:

5255 43-33-707. (1) The corporation shall appoint, and prescribe
5256 the duties of, such officers (who need not be directors) as the
5257 corporation deems necessary or advisable, including an executive
5258 director and a secretary (who may be the same person), and the
5259 corporation shall fix the compensation of such officers. The
5260 executive director shall be appointed to a term of office of four
5261 (4) years, with the advice and consent of the Senate, and * * *



5262 consistent with the provisions of Section 7-1-35, Mississippi Code
5263 of 1972. The executive director shall administer, manage and
5264 direct the affairs and business of the corporation, subject to the
5265 policies, control and direction of the directors of the
5266 corporation. The secretary of the corporation shall keep a record
5267 of the proceedings of the corporation and shall be custodian of
5268 all books, documents and papers filed with the corporation, the
5269 minute book or journal of the corporation, and its official seal.
5270 He shall have authority to cause copies to be made of all minutes
5271 and other records and documents of the corporation and to give
5272 certificates under the official seal of the corporation to the
5273 effect that the copies are true copies, and all persons dealing
5274 with the corporation may rely upon the certificates. The
5275 treasurer shall be the custodian of the assets of the corporation,
5276 except for those assets required by contracts with bondholders to
5277 be in the custody of the trustee. The directors of the
5278 corporation shall set the investment policy for assets, and the
5279 executive director shall be responsible for making investments in
5280 accordance with such policy. The treasurer may delegate all or a
5281 portion of his duties and responsibilities to the executive
5282 director.

5283 (2) The corporation shall have the authority, in its
5284 discretion, to employ counsel on an annual basis at an annual
5285 salary at an amount it deems proper. Such counsel may, in
5286 addition to an annual salary, be paid additional compensation when



5287 employed by the corporation in the matter of litigation and the
5288 issuance of bonds and the drafting of orders and resolutions in
5289 connection therewith.

5290 **SECTION 82.** Section 41-73-7, Mississippi Code of 1972, is
5291 amended as follows:

5292 41-73-7. (1) There is hereby created, with such duties and
5293 powers as are set forth in this act, a body politic and corporate,
5294 not a state agency, but an independent instrumentality exercising
5295 essential public functions, to be known as the Mississippi
5296 Hospital Equipment and Facilities Authority.

5297 (2) The authority shall be governed by seven (7) members who
5298 shall be appointed by the Governor with the advice and consent of
5299 the Senate.

5300 (3) The members shall at all times include the following:

5301 (a) One (1) resident of each of the three (3) Supreme
5302 Court districts in the state;

5303 (b) One (1) certified public accountant experienced in
5304 hospital finance;

5305 (c) One (1) possessing not less than ten (10) years'
5306 experience in hospital management and finance;

5307 (d) One (1) banker with experience in commercial
5308 lending or one (1) investment banker with experience in municipal
5309 finance;

5310 (e) One (1) chosen at large.

5311 (4) All members shall be residents of the state.



5312 (5) The Mississippi Hospital Equipment and Facilities
5313 Authority, created by former Section 41-73-7, is continued and
5314 reconstituted as follows: Effective January 1, 2028, the members
5315 of the authority shall be appointed by the Governor or prescribed
5316 local official, with the advice and consent of the Senate, for a
5317 term of office of four (4) years, provided that four (4) members
5318 shall be appointed in 2028 to a term ending December 31, 2031, and
5319 three (3) members shall be appointed in 2030 to a term ending
5320 December 31, 2033. Appointments made at the beginning of the
5321 four-year cycle shall be made to fill any member's term which
5322 actually expires that year and any member's term which expires
5323 next until the majority of the membership of the board or
5324 commission is reached. Appointments made at the beginning of the
5325 third year of the four-year cycle shall be made for the remainder
5326 of the membership positions irrespective of the time of their
5327 prior appointment. Any question regarding the order of
5328 appointments shall be determined by the Secretary of State in
5329 accordance with the specific statute. All appointment procedures,
5330 vacancy provisions, interim appointment provisions and removal
5331 provisions specifically provided for in Section 7-1-35,
5332 Mississippi Code of 1972, shall be fully applicable to
5333 appointments to the authority and the position of executive
5334 director.

5335 **SECTION 83.** Section 43-1-2, Mississippi Code of 1972, is
5336 amended as follows:



5337 43-1-2. (1) There is created the Mississippi Department of
5338 Human Services, whose offices shall be located in Jackson,
5339 Mississippi, and which shall be under the policy direction of the
5340 Governor.

5341 (2) The chief administrative officer of the department shall
5342 be the Executive Director of Human Services. The Governor shall
5343 appoint the Executive Director of Human Services to a term of
5344 office of four (4) years, with the advice and consent of the
5345 Senate, * * * and consistent with the provisions of Section
5346 7-1-35. All appointment procedures, vacancy provisions, interim
5347 appointment provisions and removal provisions specifically
5348 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
5349 fully applicable to appointments to the position of commissioner.
5350 The Executive Director of Human Services shall possess the
5351 following qualifications:

5352 (a) A bachelor's degree from an accredited institution
5353 of higher learning and ten (10) years' experience in management,
5354 public administration, finance or accounting; or

5355 (b) A master's or doctoral degree from an accredited
5356 institution of higher learning and five (5) years' experience in
5357 management, public administration, finance or accounting.

5358 Those qualifications shall be certified by the State
5359 Personnel Board.

5360 (3) There shall be a Joint Oversight Committee of the
5361 Department of Human Services composed of the respective Chairmen



5362 of the Senate Public Health and Welfare Committee, the Senate
5363 Appropriations Committee, the House Public Health and Human
5364 Services Committee and the House Appropriations Committee, three
5365 (3) members of the Senate appointed by the Lieutenant Governor to
5366 serve at the will and pleasure of the Lieutenant Governor, and
5367 three (3) members of the House of Representatives appointed by the
5368 Speaker of the House to serve at the will and pleasure of the
5369 Speaker. The chairmanship of the committee shall alternate for
5370 twelve-month periods between the Senate members and the House
5371 members, on May 1 of each year, with the Chairman of the Senate
5372 Public Health and Welfare Committee serving as chairman beginning
5373 in even-numbered years, and the Chairman of the House Public
5374 Health and Human Services Committee serving as chairman beginning
5375 in odd-numbered years. The committee shall meet once each
5376 quarter, or upon the call of the chairman at such times as he
5377 deems necessary or advisable, and may make recommendations to the
5378 Legislature pertaining to any matter within the jurisdiction of
5379 the Mississippi Department of Human Services. The appointing
5380 authorities may designate an alternate member from their
5381 respective houses to serve when the regular designee is unable to
5382 attend such meetings of the oversight committee. For attending
5383 meetings of the oversight committee, such legislators shall
5384 receive per diem and expenses which shall be paid from the
5385 contingent expense funds of their respective houses in the same
5386 amounts as provided for committee meetings when the Legislature is



5387 not in session; however, no per diem and expenses for attending
5388 meetings of the committee will be paid while the Legislature is in
5389 session. No per diem and expenses will be paid except for
5390 attending meetings of the oversight committee without prior
5391 approval of the proper committee in their respective houses.

5392 (4) The Department of Human Services shall provide the
5393 services authorized by law to every individual determined to be
5394 eligible therefor, and in carrying out the purposes of the
5395 department, the executive director is authorized:

5396 (a) To formulate the policy of the department regarding
5397 human services within the jurisdiction of the department;

5398 (b) To adopt, modify, repeal and promulgate, after due
5399 notice and hearing, and where not otherwise prohibited by federal
5400 or state law, to make exceptions to and grant exemptions and
5401 variances from, and to enforce rules and regulations implementing
5402 or effectuating the powers and duties of the department under any
5403 and all statutes within the department's jurisdiction, all of
5404 which shall be binding upon the county departments of human
5405 services;

5406 (c) To apply for, receive and expend any federal or
5407 state funds or contributions, gifts, devises, bequests or funds
5408 from any other source;

5409 (d) Except as limited by Section 43-1-3, to enter into
5410 and execute contracts, grants and cooperative agreements with any
5411 federal or state agency or subdivision thereof, or any public or



5412 private institution located inside or outside the State of
5413 Mississippi, or any person, corporation or association in
5414 connection with carrying out the programs of the department; and

5415 (e) To discharge such other duties, responsibilities
5416 and powers as are necessary to implement the programs of the
5417 department.

5418 (5) The executive director shall establish the
5419 organizational structure of the Mississippi Department of Human
5420 Services which shall include the creation of any units necessary
5421 to implement the duties assigned to the department and consistent
5422 with specific requirements of law, including, but not limited to:

5423 (a) Division of Youth Services;

5424 (b) Office of Economic Programs;

5425 (c) Office of Child Support Enforcement; or

5426 (d) Office of Field Operations to administer any state
5427 or county level programs under the purview of the Mississippi
5428 Department of Human Services, with the exception of programs that
5429 fall under paragraph (a) of this subsection.

5430 (6) The Executive Director of Human Services shall appoint
5431 heads of offices, bureaus and divisions, as defined in Section
5432 7-17-11, who shall serve at the pleasure of the executive
5433 director. The salary and compensation of such office, bureau and
5434 division heads shall be subject to the rules and regulations
5435 adopted and promulgated by the State Personnel Board as created
5436 under Section 25-9-101 et seq. The executive director shall have



5437 the authority to organize offices as deemed appropriate to carry
5438 out the responsibilities of the department. The organization
5439 charts of the department shall be presented annually with the
5440 budget request of the Governor for review by the Legislature.

5441 (7) This section shall stand repealed on July 1, 2026.

5442 **SECTION 84.** Section 25-53-7, Mississippi Code of 1972, is
5443 amended as follows:

5444 25-53-7. (1) The membership of the MDITS Authority shall be
5445 composed of five (5) members to be appointed by the Governor with
5446 the advice and consent of the Senate. * * * Each member of the
5447 authority shall have a minimum of four (4) years' experience in an
5448 information technology-related executive position or prior service
5449 as a member of the authority. The MDITS Authority, created by
5450 former Section 25-53-7, is continued and reconstituted as follows:
5451 Effective January 1, 2028, members of the MDITS Authority shall be
5452 appointed by the Governor, with the advice and consent of the
5453 Senate, for a term of office of four (4) years, provided that
5454 three (3) members shall be appointed in 2028 to a term ending
5455 December 31, 2031, and two (2) members shall be appointed in 2030
5456 to a term ending December 31, 2033. Appointments made at the
5457 beginning of the four-year cycle shall be made to fill any
5458 member's term which actually expires that year and any member's
5459 term which expires next until the majority of the membership of
5460 the board or commission is reached. Appointments made at the
5461 beginning of the third year of the four-year cycle shall be made



5462 for the remainder of the membership positions irrespective of the
5463 time of their prior appointment. Any question regarding the order
5464 of appointments shall be determined by the Secretary of State in
5465 accordance with the specific statute. All appointment procedures,
5466 vacancy provisions, interim appointment provisions and removal
5467 provisions specifically provided for in Section 7-1-35,
5468 Mississippi Code of 1972, shall be fully applicable to
5469 appointments to the MDITS Authority.

5470 (2) Each member of the authority shall be required to
5471 furnish a surety bond in the minimum amount of Fifty Thousand
5472 Dollars (\$50,000.00) to be approved by the Secretary of State,
5473 conditioned according to law and payable to the State of
5474 Mississippi, before entering upon his duties. The premiums on
5475 such bonds shall be paid from any funds available to the authority
5476 for such purpose.

5477 (3) No member of the authority, nor its executive director,
5478 shall, during his term as such member or director, have any
5479 substantial beneficial interest in any corporation or other
5480 organization engaged in the information technology business either
5481 as manufacturer, supplier, lessor, or otherwise. All members and
5482 the executive director shall fully disclose in writing any such
5483 beneficial interest, and such disclosure shall be entered on the
5484 minutes of the authority.

5485 (4) The Lieutenant Governor may designate one (1) Senator
5486 and the Speaker of the House of Representatives may designate one



5487 (1) Representative to attend any meeting of the authority. The
5488 appointing authorities may designate an alternate member from
5489 their respective houses to serve when the regular designee is
5490 unable to attend such meetings of the authority. Such legislative
5491 designees shall have no jurisdiction or vote on any matter within
5492 the jurisdiction of the authority. For attending meetings of the
5493 authority, such legislators shall receive per diem and expenses
5494 which shall be paid from the contingent expense funds of their
5495 respective houses in the same amounts as provided for committee
5496 meetings when the Legislature is not in session; however, no per
5497 diem and expenses for attending meetings of the authority will be
5498 paid while the Legislature is in session. No per diem and
5499 expenses will be paid except for attending meetings of the
5500 authority without prior approval of the proper committee in their
5501 respective houses.

5502 **SECTION 85.** Section 25-53-19, Mississippi Code of 1972, is
5503 amended as follows:

5504 25-53-19. The authority shall select an executive director,
5505 with the advice and consent of the Senate, who shall be the
5506 administrative officer of the authority and shall perform such
5507 duties as are required of him by law and such other duties as may
5508 be assigned him by the authority, and who shall receive such
5509 compensation as may be fixed by the authority, subject to the
5510 approval of the state personnel board. The executive director
5511 shall serve for a term of four (4) years, consistent with the



5512 provisions of Section 7-1-35, Mississippi Code of 1972. In
5513 addition, he shall be entitled to remuneration for his necessary
5514 traveling expenses consistent with general law.

5515 The executive director shall be a graduate of an accredited
5516 university with a degree in engineering, business administration,
5517 electronic communications, information technology or a related
5518 field, with at least ten (10) years' experience in information
5519 technology, electronic communications, or a related field, of
5520 which at least five (5) years shall be in a responsible high level
5521 management position with a demonstrated record of management
5522 expertise demonstrated through knowledge in the application of
5523 information technology and electronic communications. The
5524 qualifications for the executive director prescribed herein shall
5525 not apply to the executive director serving on June 30, 1984.

5526 The executive director shall have no vote in the decisions of
5527 said authority, but shall offer such professional or technical
5528 advice and assistance to the authority as may be required of him.
5529 Said executive director, in order to qualify for his position,
5530 shall be required to make a good and sufficient bond in some
5531 surety company qualified and doing business in the State of
5532 Mississippi, in the minimum penal sum of Fifty Thousand Dollars
5533 (\$50,000.00) conditioned upon the faithful performance of his
5534 duties as required by law and the directives of the authority.
5535 The premium on said bond shall be paid from any funds available to
5536 the authority for such purpose. Said executive director may be



5537 removed at any time upon a majority vote of the membership of said
5538 authority.

5539 The executive director, with the approval of the authority,
5540 shall employ such technical, professional, and clerical help as
5541 may be authorized by the authority; and the authority, upon the
5542 recommendation of the executive director, shall define the duties
5543 and fix the compensation of such employees.

5544 **SECTION 86.** Section 73-73-23, Mississippi Code of 1972, is
5545 amended as follows:

5546 73-73-23. (1) IDAC shall be comprised of five (5) members,
5547 each being a Mississippi Certified Interior Designer residing in
5548 this state who has been engaged in interior design not less than
5549 seven (7) years. It is the duty of IDAC to carry out the purposes
5550 of this chapter as herein provided.

5551 (2) The Governor shall appoint the members of IDAC, with the
5552 advice and consent of the Senate, from a list of names supplied by
5553 MCID, or its successor. * * * Each new appointee must be a
5554 Mississippi Certified Interior Designer. * * *

5555 (3) * * * The Interior Design Advisory Committee (IDAC),
5556 created by former Section 73-73-23, is continued and reconstituted
5557 as follows: Effective January 1, 2028, members of the IDAC shall
5558 be appointed by the Governor, with the advice and consent of the
5559 Senate, for a term of office of four (4) years, provided that
5560 three (3) members shall be appointed in 2028 to a term ending
5561 December 31, 2031, and two (2) such members shall be appointed in



5562 2030 to a term ending December 31, 2033. Appointments made at the
5563 beginning of the four-year cycle shall be made to fill any
5564 member's term which actually expires that year and any member's
5565 term which expires next until the majority of the membership of
5566 the board or commission is reached. Appointments made at the
5567 beginning of the third year of the four-year cycle shall be made
5568 for the remainder of the membership positions irrespective of the
5569 time of their prior appointment. Any question regarding the order
5570 of appointments shall be determined by the Secretary of State in
5571 accordance with the specific statute. All appointment procedures,
5572 vacancy provisions, interim appointment provisions and removal
5573 provisions specifically provided for in Section 7-1-35,
5574 Mississippi Code of 1972, shall be fully applicable to
5575 appointments to the IDAC.

5576 (4) At the first meeting of every calendar year, IDAC shall
5577 elect from among its members a chairman and a secretary to hold
5578 office for one (1) year.

5579 (5) The executive director of the board shall keep a true
5580 and correct record of all proceedings of IDAC.

5581 **SECTION 87.** Section 45-4-3, Mississippi Code of 1972, is
5582 amended as follows:

5583 45-4-3. (1) There is hereby created the Board on Jail
5584 Officer Standards and Training, which shall consist of nine (9)
5585 members.

5586 (2) The members shall be appointed as follows:



5587 (a) Two (2) members to be appointed by the Mississippi
5588 Association of Supervisors.

5589 (b) Three (3) members to be appointed by the
5590 Mississippi Association of Sheriffs.

5591 (c) One (1) member to be appointed by the Mississippi
5592 Community College Board.

5593 (d) One (1) member to be appointed by the Governor.

5594 (e) One (1) member to be appointed by the Mississippi
5595 Association of Chiefs of Police.

5596 (f) One (1) member to be appointed by the Mississippi
5597 Municipal League.

5598 * * *

5599 The Board on Jail Officer Standards and Training, created by
5600 former Section 45-4-3, is continued and reconstituted as follows:
5601 Effective January 1, 2028, members of the board shall be appointed
5602 by the prescribed appointing authority, with the advice and
5603 consent of the Senate, for a term of office of four (4) years.
5604 All appointment procedures, vacancy provisions, interim
5605 appointment provisions and removal provisions specifically
5606 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
5607 fully applicable to appointments to the Board on Jail Officer
5608 Standards and Training.

5609 (3) Members of the board shall serve without compensation,
5610 but shall be entitled to receive reimbursement for any actual and
5611 reasonable expenses incurred as a necessary incident to such



5612 service, including mileage, as provided in Section 25-3-41,
5613 Mississippi Code of 1972.

5614 (4) There shall be a chairman and a vice chairman of the
5615 board, elected by and from the membership of the board. The board
5616 shall adopt rules and regulations governing times and places for
5617 meetings and governing the manner of conducting its business, but
5618 the board shall meet at least every three (3) months. Any member
5619 who is absent for three (3) consecutive regular meetings of the
5620 board may be removed by a majority vote of the board.

5621 (5) The Governor shall call an organizational meeting of the
5622 board not later than thirty (30) days after July 1, 1999.

5623 (6) The board shall report annually to the Governor and the
5624 Legislature on its activities, and may make such other reports as
5625 it deems desirable.

5626 **SECTION 88.** Section 69-46-3, Mississippi Code of 1972, is
5627 amended as follows:

5628 69-46-3. (1) There is created the Mississippi Land, Water
5629 and Timber Resources Board, hereinafter referred to as "the
5630 board," for the purpose of assisting Mississippi agricultural
5631 industry in the development, marketing and distribution of
5632 agricultural products.

5633 (2) The board shall be composed of the following members:

5634 (a) The Chairman of the Senate Agriculture Committee,
5635 or a member of the Senate Agriculture Committee designated by the
5636 chairman, as a nonvoting member;



5637 (b) The Chairman of the House of Representatives
5638 Agriculture Committee or a member of the House of Representatives
5639 Agriculture Committee designated by the chairman, as a nonvoting
5640 member;

5641 (c) The Chairman of the Senate Forestry Committee, or a
5642 member of the Senate Forestry Committee designated by the
5643 chairman, as a nonvoting member;

5644 (d) The Executive Director of the Mississippi
5645 Development Authority, or his designee;

5646 (e) The Commissioner of the Mississippi Department of
5647 Agriculture and Commerce, or his designee;

5648 (f) The President of the Mississippi Farm Bureau
5649 Federation, or his designee;

5650 (g) The Director of the Cooperative Extension Service
5651 at Mississippi State University, or his designee;

5652 (h) The Executive Director of the Agribusiness and
5653 Natural Resource Development Center at Alcorn State University, or
5654 his designee;

5655 (i) The Director of the Agricultural Finance Division
5656 of the Mississippi Development Authority, or his designee;

5657 (j) The Director of the Agriculture Marketing Division
5658 of the Mississippi Department of Agriculture and Commerce, or his
5659 designee;

5660 (k) The Executive Director of the Mississippi Forestry
5661 Commission, or his designee; and



5662 (1) Three (3) individuals appointed by the Governor,
5663 with the advice and consent of the Senate, who are active
5664 producers of Mississippi land, water or timber commodities. The
5665 Governor shall appoint one (1) such person from each Supreme Court
5666 district. Effective January 1, 2028, the three (3) members
5667 appointed by the Governor shall be appointed for a term of office
5668 of four (4) years, provided that two (2) members shall be
5669 appointed in 2028 to a term ending December 31, 2031, and one (1)
5670 member shall be appointed in 2030 to a term ending December 31,
5671 2033. Appointments made at the beginning of the four-year cycle
5672 shall be made to fill any member's term which actually expires
5673 that year and any member's term which expires next until the
5674 majority of the membership of the board or commission is reached.
5675 Appointments made at the beginning of the third year of the
5676 four-year cycle shall be made for the remainder of the membership
5677 positions irrespective of the time of their prior appointment.
5678 Any question regarding the order of appointments shall be
5679 determined by the Secretary of State in accordance with the
5680 specific statute. All appointment procedures, vacancy provisions,
5681 interim appointment provisions and removal provisions specifically
5682 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
5683 fully applicable to appointments to the board.

5684 (3) The Executive Director of the Mississippi Development
5685 Authority and the Commissioner of the Mississippi Department of
5686 Agriculture and Commerce shall serve as cochairmen of the board.



5687 (4) The board shall meet at least once each calendar quarter
5688 at the call of the cochairmen. A majority of the members of the
5689 board shall constitute a quorum at all meetings. An affirmative
5690 vote of a majority of the members present and voting is required
5691 in the adoption of any actions taken by the board. All members
5692 must be notified, in writing, of all regular and special meetings
5693 of the board, which notices must be mailed at least ten (10) days
5694 before the dates of the meetings. All meetings shall take place
5695 at the State Capitol in Jackson, Mississippi, or at a location to
5696 be determined by the cochairmen. The board shall provide a copy
5697 of the minutes of each of its meetings to the Chairman of the
5698 Senate Agriculture Committee and the Chairman of the House of
5699 Representatives Agriculture Committee.

5700 (5) Members of the board shall not receive compensation.
5701 However, each member may be paid travel expenses and meals and
5702 lodging expenses as provided in Section 25-3-41, for such expenses
5703 incurred in furtherance of their duties. Travel expenses and
5704 meals and lodging expenses and other necessary expenses incurred
5705 by the board shall be paid out of funds appropriated to the
5706 Mississippi Development Authority.

5707 (6) In carrying out the provisions of the Mississippi Land,
5708 Water and Timber Resources Act, the board may utilize the
5709 services, facilities and personnel of all departments, agencies,
5710 offices and institutions of the state, and all such departments,



5711 agencies, offices and institutions shall cooperate with the board
5712 in carrying out the provisions of such act.

5713 **SECTION 89.** Section 73-2-13, Mississippi Code of 1972, is
5714 amended as follows:

5715 73-2-13. There shall be an advisory committee to the board
5716 to consist of five (5) members appointed by the Governor from a
5717 list of names supplied by Mississippi Chapter of the American
5718 Society of Landscape Architects, giving the names of no fewer than
5719 three (3) times the number of persons to be appointed, one (1) to
5720 be appointed from each Mississippi Supreme Court District and two
5721 (2) from the state at large. Each member of the initially
5722 appointed committee shall be qualified as described by Section
5723 73-2-7. Appointments shall be licensed landscape architects
5724 only * * *. The Landscape Architect Advisory Board, created by
5725 former Section 73-2-13, is continued and reconstituted as follows:
5726 Effective January 1, 2028, members shall be appointed by the
5727 Governor, with the advice and consent of the Senate, for a term of
5728 office of four (4) years, provided that three (3) members shall be
5729 appointed in 2028 to a term ending December 31, 2031, and two (2)
5730 members shall be appointed in 2030 to a term ending December 31,
5731 2033. Appointments made at the beginning of the four-year cycle
5732 shall be made to fill any member's term which actually expires
5733 that year and any member's term which expires next until the
5734 majority of the membership of the board or commission is reached.
5735 Appointments made at the beginning of the third year of the



5736 four-year cycle shall be made for the remainder of the membership
5737 positions irrespective of the time of their prior appointment.
5738 Any question regarding the order of appointments shall be
5739 determined by the Secretary of State in accordance with the
5740 specific statute. All appointment procedures, vacancy provisions,
5741 interim appointment provisions and removal provisions specifically
5742 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
5743 fully applicable to appointments to the Landscape Architect
5744 Advisory Board.

5745 The committee shall review, approve or disapprove, and make
5746 recommendations on all applications for landscape architect's
5747 license. At the direction of the board, the committee shall also
5748 review and investigate any charges brought against any landscape
5749 architect as provided for in Section 73-2-16 and make findings of
5750 fact and recommendations to the board concerning any disciplinary
5751 action which the committee deems necessary and proper pursuant to
5752 Section 73-2-16.

5753 Each member of the committee shall be entitled to receive a
5754 per diem in such amounts as shall be set by the board, but not to
5755 exceed the amount provided for in Section 25-3-69, and shall be
5756 reimbursed for expenses that are incurred in the actual
5757 performance of his duties under the provisions of Section 25-3-41.

5758 Before entering upon the discharge of his duties, each member
5759 of the committee shall take and subscribe to the oath of office
5760 and file it with the Secretary of State. The committee shall



5761 elect at the first meeting of every calendar year from among its
5762 members, a chairman and a secretary to hold office for one (1)
5763 year.

5764 **SECTION 90.** Section 45-6-5, Mississippi Code of 1972, is
5765 amended as follows:

5766 45-6-5. (1) There is hereby created the Board on Law
5767 Enforcement Officer Standards and Training, which shall consist of
5768 thirteen (13) members.

5769 (2) (a) The Governor shall appoint six (6) members of the
5770 board, two (2) from each Mississippi Supreme Court District, from
5771 the following specified categories:

5772 (i) Two (2) members, each of whom is a chief of
5773 police of a municipality in this state, with one (1) of the
5774 appointees being appointed from a municipality having a population
5775 of less than five thousand (5,000) according to the latest federal
5776 decennial census.

5777 (ii) One (1) member who is a sheriff in this
5778 state.

5779 (iii) One (1) member who is a district attorney in
5780 this state.

5781 (iv) One (1) member who is a representative of
5782 higher education and who has a degree in one (1) of the following
5783 areas of study: corrections, criminal justice or public
5784 administration.



5785 (v) One (1) member who is a nonsupervisory
5786 rank-and-file law enforcement officer.

5787 (b) * * * The Board on Law Enforcement Officer
5788 Standards, created by former Section 45-6-5, is continued and
5789 reconstituted as follows: Effective January 1, 2028, the members
5790 shall be appointed by the Governor, with the advice and consent of
5791 the Senate, for a term of office of four (4) years, provided that
5792 four (4) members shall be appointed in 2028 to a term ending
5793 December 31, 2031, and two (2) members shall be appointed in 2030
5794 to a term ending December 31, 2033. Appointments made at the
5795 beginning of the four-year cycle shall be made to fill any
5796 member's term which actually expires that year and any member's
5797 term which expires next until the majority of the membership of
5798 the board or commission is reached. Appointments made at the
5799 beginning of the third year of the four-year cycle shall be made
5800 for the remainder of the membership positions irrespective of the
5801 time of their prior appointment. Any question regarding the order
5802 of appointments shall be determined by the Secretary of State in
5803 accordance with the specific statute. All appointment procedures,
5804 vacancy provisions, interim appointment provisions and removal
5805 provisions specifically provided for in Section 7-1-35,
5806 Mississippi Code of 1972, shall be fully applicable to
5807 appointments to the Board on Law Enforcement Officer Standards and
5808 Training.

5809 * * *



5810 (3) The remaining seven (7) members of the board shall be
5811 the following:

5812 (a) The Attorney General, or his designee.

5813 (b) The Director of the Mississippi Highway Safety
5814 Patrol, or his designee.

5815 (c) The President of the Mississippi Municipal
5816 Association, or his designee who is a member of the association.

5817 (d) The President of the Mississippi Association of
5818 Supervisors, or his designee who is a member of the association.

5819 (e) The President of the Mississippi Constable
5820 Association, or his designee who is a member of the association.

5821 (f) The President of the Mississippi Campus Law
5822 Enforcement Officers Association, or his designee who is a member
5823 of the association.

5824 (g) The President of the Mississippi Sheriffs'
5825 Association, or his designee who is a member of the association.

5826 The Attorney General, the Director of the Mississippi Highway
5827 Safety Patrol and the respective presidents of the foregoing
5828 associations, or their designees, shall serve only for their
5829 respective terms of office.

5830 (4) Members of the board shall serve without compensation,
5831 but shall be entitled to receive reimbursement for any actual and
5832 reasonable expenses incurred as a necessary incident to such
5833 service, including mileage, as provided in Section 25-3-41.



5834 (5) There shall be a chairman and a vice chairman of the
5835 board, elected by and from the membership of the board. The board
5836 shall adopt rules and regulations governing times and places for
5837 meetings and governing the manner of conducting its business, but
5838 the board shall meet at least every three (3) months.

5839 (6) The Governor shall call an organizational meeting of the
5840 board not later than thirty (30) days after April 7, 1981.

5841 (7) If a person appointed to the board no longer occupies
5842 the status qualifying that person's appointment, that position on
5843 the board shall be immediately vacated and filled ex officio or by
5844 appointment of the Governor as otherwise provided in this section.

5845 (8) The board shall report annually to the Governor and the
5846 Legislature on its activities, and may make such other reports as
5847 it deems desirable.

5848 (9) The training officers of all police academies in the
5849 state whose curricula are approved by the board shall be advisors
5850 to the board. They shall be entitled to all privileges of the
5851 board members, including travel expenses and subsistence, but
5852 shall not be eligible to vote at board meetings.

5853 **SECTION 91.** Section 39-3-101, Mississippi Code of 1972, is
5854 amended as follows:

5855 39-3-101. There is hereby created a Board of Commissioners
5856 of the Mississippi Library Commission to be composed of five
5857 members appointed by the Governor * * *, with the advice and
5858 consent of the Senate, one (1) appointed from each Mississippi



5859 Supreme Court District and two (2) from the state at large. Two
5860 (2) members shall be appointed by the Governor from a list of not
5861 less than six (6) names submitted by the Mississippi Library
5862 Association, one (1) of whom shall be a librarian who is a
5863 graduate of a library school accredited by the American Library
5864 Association and actively engaged in full time library work at the
5865 time of the appointment and one (1) of whom shall be, at time of
5866 the appointment, a member of a legally organized board of trustees
5867 of a Mississippi free public library; and one (1) member shall be
5868 the president of the Mississippi Federation of Women's Clubs, or a
5869 member of said federation recommended by her; and which federation
5870 member shall, when appointed, serve a full term as herein provided
5871 for members to serve under a staggered term basis, and the
5872 successor to the federation member shall be the president of the
5873 federation then serving, or a member of the federation recommended
5874 by her, when the term of the federation member shall expire; and
5875 after the appointment of a federation member to the board, and
5876 when her term as a member thereof shall expire, each succeeding
5877 member of the federation who becomes a member of the board shall
5878 serve a full term under the provisions of this article. * * * The
5879 Board of Commissioners of the Mississippi Library Commission,
5880 created by former Section 39-3-101, is continued and reconstituted
5881 as follows: Effective January 1, 2028, each commissioner shall be
5882 appointed by the Governor, with the advice and consent of the
5883 Senate, for a term of office of four (4) years, provided that



5884 three (3) members shall be appointed in 2028 to a term ending
5885 December 31, 2031, and two (2) members shall be appointed in 2030
5886 to a term ending December 31, 2033. Appointments made at the
5887 beginning of the four-year cycle shall be made to fill any
5888 member's term which actually expires that year and any member's
5889 term which expires next until the majority of the membership of
5890 the board or commission is reached. Appointments made at the
5891 beginning of the third year of the four-year cycle shall be made
5892 for the remainder of the membership positions irrespective of the
5893 time of their prior appointment. Any question regarding the order
5894 of appointments shall be determined by the Secretary of State in
5895 accordance with the specific statute. All appointment procedures,
5896 vacancy provisions, interim appointment provisions and removal
5897 provisions specifically provided for in Section 7-1-35,
5898 Mississippi Code of 1972, shall be fully applicable to
5899 appointments to the board.

5900 **SECTION 92.** Section 27-115-9, Mississippi Code of 1972, is
5901 amended as follows:

5902 27-115-9. (1) The affairs of the corporation shall be
5903 administered by the Mississippi Lottery Corporation Board of
5904 Directors. The board shall be composed of five (5) members
5905 appointed by the Governor, with the advice and consent of the
5906 Senate, one (1) appointed from each Mississippi Supreme Court
5907 District and two (2) from the state at large. The Commissioner of



5908 Revenue and the State Treasurer shall serve as ex officio,
5909 nonvoting members. * * *

5910 (2) (a) Members of the board shall be residents of the
5911 State of Mississippi, and the Governor shall take into account the
5912 goals of geographic, racial, gender and other categories of
5913 diversity when nominating board members.

5914 (b) * * * The Mississippi Lottery Corporation Board of
5915 Directors, created by former Section 27-115-9, is continued and
5916 reconstituted as follows: Effective January 1, 2028, members of
5917 the board shall be appointed by the Governor, with the advice and
5918 consent of the Senate, for a term of office of four (4) years,
5919 provided that three (3) members shall be appointed in 2028 to a
5920 term ending December 31, 2031, and two (2) members shall be
5921 appointed in 2030 to a term ending December 31, 2033.
5922 Appointments made at the beginning of the four-year cycle shall be
5923 made to fill any member's term which actually expires that year
5924 and any member's term which expires next until the majority of the
5925 membership of the board or commission is reached. Appointments
5926 made at the beginning of the third year of the four-year cycle
5927 shall be made for the remainder of the membership positions
5928 irrespective of the time of their prior appointment. Any question
5929 regarding the order of appointments shall be determined by the
5930 Secretary of State in accordance with the specific statute. All
5931 appointment procedures, vacancy provisions, interim appointment
5932 provisions and removal provisions specifically provided for in



5933 Section 7-1-35, Mississippi Code of 1972, shall be fully
5934 applicable to appointments to the Mississippi Lottery Corporation
5935 Board of Directors. The board is authorized to appoint an
5936 executive director for a term of four (4) years, with the advice
5937 and consent of the Senate, and consistent with the provisions of
5938 Section 7-1-35, Mississippi Code of 1972.

5939 (c) * * * The board shall annually elect a chairman from
5940 among its voting members.

5941 (3) Appointed members of the board shall be entitled to per
5942 diem compensation pursuant to Section 25-3-69 paid by the
5943 corporation and shall be reimbursed by the corporation for
5944 necessary travel and other reasonable expenses incurred in the
5945 performance of their official duties. No appointed member of the
5946 board shall be considered a public officer.

5947 (4) The board, upon the initial call of the Governor and the
5948 chairman thereafter, shall meet at least monthly for the first
5949 eighteen (18) months and at such other times as the chairman may
5950 determine. Three (3) voting members of the board shall constitute
5951 a quorum. The board shall also meet upon call of three (3) or
5952 more of the voting members of the board. The board shall keep
5953 accurate and complete records of all its meetings.

5954 (5) All meetings of the board shall be subject to the Open
5955 Meetings Act in Section 25-41-1 et seq.

5956 **SECTION 93.** Section 27-115-11, Mississippi Code of 1972, is
5957 amended as follows:



5958 27-115-11. (1) The president of the corporation shall be
5959 appointed by the board subject to the * * * advice and consent of
5960 the Senate. * * * The president shall serve for a term of four
5961 (4) years, consistent with the provisions of Section 7-1-35,
5962 Mississippi Code of 1972. The president shall manage the daily
5963 affairs of the corporation and shall have such powers and duties
5964 as specified by this chapter, by the board, and any rules or
5965 regulations adopted by the board. The president shall not be a
5966 member of the board. * * *

5967 (2) The president shall employ such personnel as he or she
5968 deems necessary. All personnel shall serve at the will and
5969 pleasure of the president, unless otherwise specified by the
5970 president.

5971 (3) The board shall set the salary of the president.

5972 (4) No employee shall be a member of the board.

5973 **SECTION 94.** Section 73-67-9, Mississippi Code of 1972, is
5974 amended as follows:

5975 73-67-9. (1) There is created the State Board of Massage
5976 Therapy.

5977 (2) The board shall consist of five (5) members appointed by
5978 the Governor, with the advice and consent of the Senate, one (1)
5979 from each Mississippi Supreme Court District and two (2) from the
5980 state at large. At least three (3) members shall be appointed
5981 from a list submitted by state representatives of one or more
5982 nationally recognized professional massage therapy association(s),



5983 all of whom must be residents of Mississippi and must have engaged
5984 in the practice of massage therapy within the state for at least
5985 three (3) years, one (1) member shall be a licensed health
5986 professional in a health field other than massage therapy and one
5987 (1) member shall be a consumer at large who is not associated with
5988 or financially interested in the practice or business of massage
5989 therapy. No member of the board may be an owner or partner of a
5990 massage therapy school. * * * The State Board of Massage Therapy,
5991 created by former Section 73-62-9, is continued and reconstituted
5992 as follows: Effective January 1, 2028, each board member shall be
5993 appointed by the Governor, with the advice and consent of the
5994 Senate, for a term of office of four (4) years, provided that
5995 three (3) members shall be appointed in 2028 to a term ending
5996 December 31, 2031, and two (2) members shall be appointed in 2030
5997 to a term ending December 31, 2033. Appointments made at the
5998 beginning of the four-year cycle shall be made to fill any
5999 member's term which actually expires that year and any member's
6000 term which expires next until the majority of the membership of
6001 the board or commission is reached. Appointments made at the
6002 beginning of the third year of the four-year cycle shall be made
6003 for the remainder of the membership positions irrespective of the
6004 time of their prior appointment. Any question regarding the order
6005 of appointments shall be determined by the Secretary of State in
6006 accordance with the specific statute. All appointment procedures,
6007 vacancy provisions, interim appointment provisions and removal



6008 provisions specifically provided for in Section 7-1-35,
6009 Mississippi Code of 1972, shall be fully applicable to
6010 appointments to the State Board of Message Therapy.

6011 (3) * * * No person shall be appointed for more than two (2)
6012 consecutive terms. By approval of the majority of the board, the
6013 service of a member may be extended at the completion of a
6014 four-year term until a new member is appointed or the current
6015 member is reappointed. The board shall elect one (1) of the
6016 appointed massage therapists as the chairman of the board.

6017 (4) A majority of the board may appoint an executive
6018 director * * * for a term of four (4) years, with the advice and
6019 consent of the Senate, and consistent with the provisions of
6020 Section 7-1-35, Mississippi Code of 1972. The majority of the
6021 board may also appoint other such individuals, including an
6022 attorney, as may be necessary to implement the provisions of this
6023 chapter. The board may hold additional meetings at such times and
6024 places as it deems necessary. A majority of the board shall
6025 constitute a quorum and a majority of the board shall be required
6026 to grant or revoke a license.

6027 **SECTION 95.** Section 73-43-3, Mississippi Code of 1972, is
6028 amended as follows:

6029 73-43-3. (1) The state board of medical licensure shall
6030 consist of nine (9) physicians, with three (3) appointed from each
6031 Mississippi Supreme Court District. Each of the physicians shall
6032 have graduated from a medical school which has been accredited by



6033 the liaison committee on medical education as sponsored by the
6034 American Medical Association and the Association of American
6035 Medical Colleges or from an osteopathic medical school which has
6036 been accredited by the Bureau of Professional Education of the
6037 American Osteopathic Association, and have at least six (6) years'
6038 experience in the practice of medicine. No more than two (2)
6039 members of the board shall be a member of the faculty of the
6040 University of Mississippi School of Medicine. No more than four
6041 (4) members of the board shall be from the same Mississippi
6042 Supreme Court district.

6043 (2) Three (3) physicians shall be nominated to the Governor
6044 for each appointive position by the Mississippi State Medical
6045 Association; and said nominations shall give due regard to
6046 geographic distribution, race and sex. The Governor shall appoint
6047 from said nominations the members of the board with the advice and
6048 consent of the Senate. * * * The State Board of Medical
6049 Licensure, created by former Section 73-43-3, is continued and
6050 reconstituted as follows: Effective January 1, 2028, the members
6051 shall be appointed by the Governor, with the advice and consent of
6052 the Senate, for a term of office of four (4) years, provided that
6053 five (5) members shall be appointed in 2028 to a term ending
6054 December 31, 2031, and four (4) members shall be appointed in 2030
6055 to a term ending December 31, 2033. Appointments made at the
6056 beginning of the four-year cycle shall be made to fill any
6057 member's term which actually expires that year and any member's



6058 term which expires next until the majority of the membership of
6059 the board or commission is reached. Appointments made at the
6060 beginning of the third year of the four-year cycle shall be made
6061 for the remainder of the membership positions irrespective of the
6062 time of their prior appointment. Any question regarding the order
6063 of appointments shall be determined by the Secretary of State in
6064 accordance with the specific statute. All appointment procedures,
6065 vacancy provisions, interim appointment provisions and removal
6066 provisions specifically provided for in Section 7-1-35,
6067 Mississippi Code of 1972, shall be fully applicable to
6068 appointments to the Board of Medical Licensure. The board is
6069 authorized to appoint an executive director for a term of four (4)
6070 years with the advice and consent of the Senate, and consistent
6071 with the provisions of Section 7-1-35, Mississippi Code of 1972.

6072 **SECTION 96.** Section 41-4-3, Mississippi Code of 1972, is
6073 amended as follows:

6074 41-4-3. (1) There is created a State Board of Mental
6075 Health, referred to in this chapter as "board," consisting of nine
6076 (9) members, to be appointed by the Governor, with the advice and
6077 consent of the Senate, each of whom shall be a qualified
6078 elector. * * * Three (3) members shall be appointed from
6079 each * * * Mississippi Supreme Court District as presently
6080 constituted * * *. One (1) * * * appointee shall be a licensed
6081 medical doctor who is a psychiatrist, one (1) * * * shall hold a
6082 Ph.D. degree and be a licensed clinical psychologist, one



6083 (1) * * * shall be a licensed medical doctor, and one (1) of whom
6084 shall be a social worker with experience in the mental health
6085 field.

6086 * * *

6087 The State Board of Mental Health, created by former Section
6088 41-4-3, is continued and reconstituted as follows: Effective
6089 January 1, 2028, each member shall be appointed by the Governor,
6090 with the advice and consent of the Senate, for a term of office of
6091 four (4) years, provided that five (5) members shall be appointed
6092 in 2028 to a term ending December 31, 2031, and four (4) members
6093 shall be appointed in 2030 to a term ending December 31, 2033.
6094 Appointments made at the beginning of the four-year cycle shall be
6095 made to fill any member's term which actually expires that year
6096 and any member's term which expires next until the majority of the
6097 membership of the board or commission is reached. Appointments
6098 made at the beginning of the third year of the four-year cycle
6099 shall be made for the remainder of the membership positions
6100 irrespective of the time of their prior appointment. Any question
6101 regarding the order of appointments shall be determined by the
6102 Secretary of State in accordance with the specific statute. All
6103 appointment procedures, vacancy provisions, interim appointment
6104 provisions and removal provisions specifically provided for in
6105 Section 7-1-35, Mississippi Code of 1972, shall be fully
6106 applicable to appointments to the State Board of Mental Health.



6107 The board shall elect a chairman whose term of office shall
6108 be one (1) year and until his successor shall be elected.

6109 (2) Each board member shall be entitled to a per diem as is
6110 authorized by law and all actual and necessary expenses, including
6111 mileage as provided by law, incurred in the discharge of official
6112 duties.

6113 (3) The board shall hold regular meetings quarterly and such
6114 special meetings deemed necessary, except that no action shall be
6115 taken unless there is present a quorum of at least five (5)
6116 members.

6117 (4) No board member may be appointed for more than two (2)
6118 consecutive terms. * * *

6119 **SECTION 97.** Section 41-4-7, Mississippi Code of 1972, is
6120 amended as follows:

6121 41-4-7. The State Board of Mental Health shall have the
6122 following powers and duties:

6123 (a) To appoint, with the advice and consent of the
6124 Senate, a full-time Executive Director of the Department of Mental
6125 Health, who shall be employed by the board and shall serve as
6126 executive secretary to the board. The executive director shall
6127 serve for a term of four (4) years, consistent with the provisions
6128 of Section 7-1-35, Mississippi Code of 1972. The first director
6129 shall be a duly licensed physician with special interest and
6130 competence in psychiatry, and shall possess a minimum of three (3)
6131 years' experience in clinical and administrative psychiatry.



6132 Subsequent directors shall possess at least a master's degree or
6133 its equivalent, and shall possess at least ten (10) years'
6134 administrative experience in the field of mental health. The
6135 salary of the executive director shall be determined by the board;

6136 (b) To appoint a Medical Director for the Department of
6137 Mental Health. The medical director shall provide clinical
6138 oversight in the implementation of evidence-based and best
6139 practices; provide clinical leadership in the integration of
6140 mental health, intellectual disability and addiction services with
6141 community partners in the public and private sectors; and provide
6142 oversight regarding standards of care. The medical director shall
6143 serve at the will and pleasure of the board, and will undergo an
6144 annual review of job performance and future service to the
6145 department;

6146 (c) To establish and implement its state strategic
6147 plan;

6148 (d) To develop a strategic plan for the development of
6149 services for persons with mental illness, persons with
6150 developmental disabilities and other clients of the public mental
6151 health system. Such strategic planning program shall require that
6152 the board, acting through the Strategic Planning and Best
6153 Practices Committee, perform the following functions respecting
6154 the delivery of services:



6155 (i) Establish measures for determining the
6156 efficiency and effectiveness of the services specified in Section
6157 41-4-1(2);

6158 (ii) Conducting studies of community-based care in
6159 other jurisdictions to determine which services offered in these
6160 jurisdictions have the potential to provide the citizens of
6161 Mississippi with more effective and efficient community-based
6162 care;

6163 (iii) Evaluating the efficiency and effectiveness
6164 of the services specified in Section 41-4-1(2);

6165 (iv) Recommending to the Legislature by January 1,
6166 2014, any necessary additions, deletions or other changes
6167 necessary to the services specified in Section 41-4-1(2);

6168 (v) Implementing by July 1, 2012, a system of
6169 performance measures for the services specified in Section
6170 41-4-1(2);

6171 (vi) Recommending to the Legislature any changes
6172 that the department believes are necessary to the current laws
6173 addressing civil commitment;

6174 (vii) Conducting any other activities necessary to
6175 the evaluation and study of the services specified in Section
6176 41-4-1(2);

6177 (viii) Assisting in conducting all necessary
6178 strategic planning for the delivery of all other services of the
6179 department. Such planning shall be conducted so as to produce a



6180 single strategic plan for the services delivered by the public
6181 mental health system and shall establish appropriate mission
6182 statements, goals, objectives and performance indicators for all
6183 programs and services of the public mental health system. For
6184 services other than those specified in Section 41-4-1(2), the
6185 committee shall recommend to the State Board of Mental Health a
6186 strategic plan that the board may adopt or modify;

6187 (e) To set up state plans for the purpose of
6188 controlling and treating any and all forms of mental and emotional
6189 illness, alcoholism, drug misuse and developmental disabilities;

6190 (f) [Repealed]

6191 (g) To enter into contracts with any other state or
6192 federal agency, or with any private person, organization or group
6193 capable of contracting, if it finds such action to be in the
6194 public interest;

6195 (h) To collect reasonable fees for its services;
6196 however, if it is determined that a person receiving services is
6197 unable to pay the total fee, the department shall collect no more
6198 than the amount such person is able to pay;

6199 (i) To certify, coordinate and establish minimum
6200 standards and establish minimum required services, as specified in
6201 Section 41-4-1(2), for regional mental health and intellectual
6202 disability commissions and other community service providers for
6203 community or regional programs and services in adult mental
6204 health, children and youth mental health, intellectual



6205 disabilities, alcoholism, drug misuse, developmental disabilities,
6206 compulsive gambling, addictive disorders and related programs
6207 throughout the state. Such regional mental health and
6208 intellectual disability commissions and other community service
6209 providers shall, on or before July 1 of each year, submit an
6210 annual operational plan to the State Department of Mental Health
6211 for approval or disapproval based on the minimum standards and
6212 minimum required services established by the department for
6213 certification and itemize the services specified in Section
6214 41-4-1(2), including financial statements. As part of the annual
6215 operation plan required by this paragraph (i) submitted by any
6216 regional community mental health center or by any other reasonable
6217 certification deemed acceptable by the department, the community
6218 mental health center shall state those services specified in
6219 Section 41-4-1(2) that it will provide and also those services
6220 that it will not provide. If the department finds deficiencies in
6221 the plan of any regional commission or community service provider
6222 based on the minimum standards and minimum required services
6223 established for certification, the department shall give the
6224 regional commission or community service provider a six-month
6225 probationary period to bring its standards and services up to the
6226 established minimum standards and minimum required services. The
6227 regional commission or community service provider shall develop a
6228 sustainability business plan within thirty (30) days of being
6229 placed on probation, which shall be signed by all commissioners



6230 and shall include policies to address one or more of the
6231 following: the deficiencies in programmatic services, clinical
6232 service staff expectations, timely and appropriate billing,
6233 processes to obtain credentialing for staff, monthly reporting
6234 processes, third-party financial reporting and any other required
6235 documentation as determined by the department. After the
6236 six-month probationary period, if the department determines that
6237 the regional commission or community service provider still does
6238 not meet the minimum standards and minimum required services
6239 established for certification, the department may remove the
6240 certification of the commission or provider and from and after
6241 July 1, 2011, the commission or provider shall be ineligible for
6242 state funds from Medicaid reimbursement or other funding sources
6243 for those services. However, the department shall not mandate a
6244 standard or service, or decertify a regional commission or
6245 community service provider for not meeting a standard or service,
6246 if the standard or service does not have funding appropriated by
6247 the Legislature or have a state, federal or local funding source
6248 identified by the department. No county shall be required to levy
6249 millage to provide a mandated standard or service above the
6250 minimum rate required by Section 41-19-39. After the six-month
6251 probationary period, the department may identify an appropriate
6252 community service provider to provide any core services in that
6253 county that are not provided by a community mental health center.
6254 However, the department shall not offer reimbursement or other



6255 accommodations to a community service provider of core services
6256 that were not offered to the decertified community mental health
6257 center for the same or similar services. The State Board of
6258 Mental Health shall promulgate rules and regulations necessary to
6259 implement the provisions of this paragraph (i), in accordance with
6260 the Administrative Procedures Law (Section 25-43-1.101 et seq.);

6261 (j) To establish and promulgate reasonable minimum
6262 standards for the construction and operation of state and all
6263 Department of Mental Health certified facilities, including
6264 reasonable minimum standards for the admission, diagnosis, care,
6265 treatment, transfer of patients and their records, and also
6266 including reasonable minimum standards for providing day care,
6267 outpatient care, emergency care, inpatient care and follow-up
6268 care, when such care is provided for persons with mental or
6269 emotional illness, an intellectual disability, alcoholism, drug
6270 misuse and developmental disabilities;

6271 (k) To implement best practices for all services
6272 specified in Section 41-4-1(2), and to establish and implement all
6273 other services delivered by the Department of Mental Health. To
6274 carry out this responsibility, the board shall require the
6275 department to establish a division responsible for developing best
6276 practices based on a comprehensive analysis of the mental health
6277 environment to determine what the best practices for each service
6278 are. In developing best practices, the board shall consider the
6279 cost and benefits associated with each practice with a goal of



6280 implementing only those practices that are cost-effective
6281 practices for service delivery. Such best practices shall be
6282 utilized by the board in establishing performance standards and
6283 evaluations of the community mental health centers' services
6284 required by paragraph (d) of this section;

6285 (l) To assist community or regional programs consistent
6286 with the purposes of this chapter by making grants and contracts
6287 from available funds;

6288 (m) To establish and collect reasonable fees for
6289 necessary inspection services incidental to certification or
6290 compliance;

6291 (n) To accept gifts, trusts, bequests, grants,
6292 endowments or transfers of property of any kind;

6293 (o) To receive monies coming to it by way of fees for
6294 services or by appropriations;

6295 (p) To serve as the single state agency in receiving
6296 and administering any and all funds available from any source for
6297 the purpose of service delivery, training, research and education
6298 in regard to all forms of mental illness, intellectual
6299 disabilities, alcoholism, drug misuse and developmental
6300 disabilities, unless such funds are specifically designated to a
6301 particular agency or institution by the federal government, the
6302 Mississippi Legislature or any other grantor;

6303 (q) To establish mental health holding centers for the
6304 purpose of providing short-term emergency mental health treatment,



6305 places for holding persons awaiting commitment proceedings or
6306 awaiting placement in a state mental health facility following
6307 commitment, and for diverting placement in a state mental health
6308 facility. These mental health holding facilities shall be readily
6309 accessible, available statewide, and be in compliance with
6310 emergency services' minimum standards. They shall be
6311 comprehensive and available to triage and make appropriate
6312 clinical disposition, including the capability to access inpatient
6313 services or less restrictive alternatives, as needed, as
6314 determined by medical staff. Such facility shall have medical,
6315 nursing and behavioral services available on a
6316 twenty-four-hour-a-day basis. The board may provide for all or
6317 part of the costs of establishing and operating the holding
6318 centers in each district from such funds as may be appropriated to
6319 the board for such use, and may participate in any plan or
6320 agreement with any public or private entity under which the entity
6321 will provide all or part of the costs of establishing and
6322 operating a holding center in any district;

6323 (r) To certify/license case managers, mental health
6324 therapists, intellectual disability therapists, mental
6325 health/intellectual disability program administrators, addiction
6326 counselors and others as deemed appropriate by the board. Persons
6327 already professionally licensed by another state board or agency
6328 are not required to be certified/licensed under this section by
6329 the Department of Mental Health. The department shall not use



6330 professional titles in its certification/licensure process for
6331 which there is an independent licensing procedure. Such
6332 certification/licensure shall be valid only in the state mental
6333 health system, in programs funded and/or certified by the
6334 Department of Mental Health, and/or in programs certified/licensed
6335 by the State Department of Health that are operated by the state
6336 mental health system serving persons with mental illness, an
6337 intellectual disability, a developmental disability or addictions,
6338 and shall not be transferable;

6339 (s) To develop formal mental health worker
6340 qualifications for regional mental health and intellectual
6341 disability commissions and other community service providers. The
6342 State Personnel Board shall develop and promulgate a recommended
6343 salary scale and career ladder for all regional mental
6344 health/intellectual disability center therapists and case managers
6345 who work directly with clients. The State Personnel Board shall
6346 also develop and promulgate a career ladder for all direct care
6347 workers employed by the State Department of Mental Health;

6348 (t) The employees of the department shall be governed
6349 by personnel merit system rules and regulations, the same as other
6350 employees in state services;

6351 (u) To establish such rules and regulations as may be
6352 necessary in carrying out the provisions of this chapter,
6353 including the establishment of a formal grievance procedure to
6354 investigate and attempt to resolve consumer complaints;



6355 (v) To grant easements for roads, utilities and any
6356 other purpose it finds to be in the public interest;

6357 (w) To survey statutory designations, building markers
6358 and the names given to mental health/intellectual disability
6359 facilities and proceedings in order to recommend deletion of
6360 obsolete and offensive terminology relative to the mental
6361 health/intellectual disability system. Based upon a
6362 recommendation of the executive director, the board shall have the
6363 authority to name/rename any facility operated under the auspices
6364 of the Department of Mental Health for the sole purpose of
6365 deleting such terminology;

6366 (x) To ensure an effective case management system
6367 directed at persons who have been discharged from state and
6368 private psychiatric hospitals to ensure their continued well-being
6369 in the community;

6370 (y) To develop formal service delivery standards
6371 designed to measure the quality of services delivered to community
6372 clients, as well as the timeliness of services to community
6373 clients provided by regional mental health/intellectual disability
6374 commissions and other community services providers;

6375 (z) To establish regional state offices to provide
6376 mental health crisis intervention centers and services available
6377 throughout the state to be utilized on a case-by-case emergency
6378 basis. The regional services director, other staff and delivery



6379 systems shall meet the minimum standards of the Department of
6380 Mental Health;

6381 (aa) To require performance contracts with community
6382 mental health/intellectual disability service providers to contain
6383 performance indicators to measure successful outcomes, including
6384 diversion of persons from inpatient psychiatric hospitals,
6385 rapid/timely response to emergency cases, client satisfaction with
6386 services and other relevant performance measures;

6387 (bb) To enter into interagency agreements with other
6388 state agencies, school districts and other local entities as
6389 determined necessary by the department to ensure that local mental
6390 health service entities are fulfilling their responsibilities to
6391 the overall state plan for behavioral services;

6392 (cc) To establish and maintain a toll-free grievance
6393 reporting telephone system for the receipt and referral for
6394 investigation of all complaints by clients of state and community
6395 mental health/intellectual disability facilities;

6396 (dd) To establish a peer review/quality assurance
6397 evaluation system that assures that appropriate assessment,
6398 diagnosis and treatment is provided according to established
6399 professional criteria and guidelines;

6400 (ee) To develop and implement state plans for the
6401 purpose of assisting with the care and treatment of persons with
6402 Alzheimer's disease and other dementia. This plan shall include
6403 education and training of service providers, caregivers in the



6404 home setting and others who deal with persons with Alzheimer's
6405 disease and other dementia, and development of adult day care,
6406 family respite care and counseling programs to assist families who
6407 maintain persons with Alzheimer's disease and other dementia in
6408 the home setting. No agency shall be required to provide any
6409 services under this section until such time as sufficient funds
6410 have been appropriated or otherwise made available by the
6411 Legislature specifically for the purposes of the treatment of
6412 persons with Alzheimer's and other dementia;

6413 (ff) Working with the advice and consent of the
6414 administration of Ellisville State School, to enter into
6415 negotiations with the Economic Development Authority of Jones
6416 County for the purpose of negotiating the possible exchange, lease
6417 or sale of lands owned by Ellisville State School to the Economic
6418 Development Authority of Jones County. It is the intent of the
6419 Mississippi Legislature that such negotiations shall ensure that
6420 the financial interest of the persons with an intellectual
6421 disability served by Ellisville State School will be held
6422 paramount in the course of these negotiations. The Legislature
6423 also recognizes the importance of economic development to the
6424 citizens of the State of Mississippi and Jones County, and
6425 encourages fairness to the Economic Development Authority of Jones
6426 County. Any negotiations proposed which would result in the
6427 recommendation for exchange, lease or sale of lands owned by
6428 Ellisville State School must have the approval of the State Board



6429 of Mental Health. The State Board of Mental Health may and has
6430 the final authority as to whether or not these negotiations result
6431 in the exchange, lease or sale of the properties it currently
6432 holds in trust for persons with an intellectual disability served
6433 at Ellisville State School.

6434 If the State Board of Mental Health authorizes the sale of
6435 lands owned by Ellisville State School, as provided for under this
6436 paragraph (ff), the monies derived from the sale shall be placed
6437 into a special fund that is created in the State Treasury to be
6438 known as the "Ellisville State School Client's Trust Fund." The
6439 principal of the trust fund shall remain inviolate and shall never
6440 be expended. Any interest earned on the principal may be expended
6441 solely for the benefits of clients served at Ellisville State
6442 School. The State Treasurer shall invest the monies of the trust
6443 fund in any of the investments authorized for the Mississippi
6444 Prepaid Affordable College Tuition Program under Section 37-155-9,
6445 and those investments shall be subject to the limitations
6446 prescribed by Section 37-155-9. Unexpended amounts remaining in
6447 the trust fund at the end of a fiscal year shall not lapse into
6448 the State General Fund, and any interest earned on amounts in the
6449 trust fund shall be deposited to the credit of the trust fund.
6450 The administration of Ellisville State School may use any interest
6451 earned on the principal of the trust fund, upon appropriation by
6452 the Legislature, as needed for services or facilities by the
6453 clients of Ellisville State School. Ellisville State School shall



6454 make known to the Legislature, through the Legislative Budget
6455 Committee and the respective Appropriations Committees of the
6456 House and Senate, its proposed use of interest earned on the
6457 principal of the trust fund for any fiscal year in which it
6458 proposes to make expenditures thereof. The State Treasurer shall
6459 provide Ellisville State School with an annual report on the
6460 Ellisville State School Client's Trust Fund to indicate the total
6461 monies in the trust fund, interest earned during the year,
6462 expenses paid from the trust fund and such other related
6463 information.

6464 Nothing in this section shall be construed as applying to or
6465 affecting mental health/intellectual disability services provided
6466 by hospitals as defined in Section 41-9-3(a), and/or their
6467 subsidiaries and divisions, which hospitals, subsidiaries and
6468 divisions are licensed and regulated by the Mississippi State
6469 Department of Health unless such hospitals, subsidiaries or
6470 divisions voluntarily request certification by the Mississippi
6471 State Department of Mental Health.

6472 All new programs authorized under this section shall be
6473 subject to the availability of funds appropriated therefor by the
6474 Legislature;

6475 (gg) Working with the advice and consent of the
6476 administration of Boswell Regional Center, to enter into
6477 negotiations with the Economic Development Authority of Simpson
6478 County for the purpose of negotiating the possible exchange, lease



6479 or sale of lands owned by Boswell Regional Center to the Economic
6480 Development Authority of Simpson County. It is the intent of the
6481 Mississippi Legislature that such negotiations shall ensure that
6482 the financial interest of the persons with an intellectual
6483 disability served by Boswell Regional Center will be held
6484 paramount in the course of these negotiations. The Legislature
6485 also recognizes the importance of economic development to the
6486 citizens of the State of Mississippi and Simpson County, and
6487 encourages fairness to the Economic Development Authority of
6488 Simpson County. Any negotiations proposed which would result in
6489 the recommendation for exchange, lease or sale of lands owned by
6490 Boswell Regional Center must have the approval of the State Board
6491 of Mental Health. The State Board of Mental Health may and has
6492 the final authority as to whether or not these negotiations result
6493 in the exchange, lease or sale of the properties it currently
6494 holds in trust for persons with an intellectual disability served
6495 at Boswell Regional Center. In any such exchange, lease or sale
6496 of such lands owned by Boswell Regional Center, title to all
6497 minerals, oil and gas on such lands shall be reserved, together
6498 with the right of ingress and egress to remove same, whether such
6499 provisions be included in the terms of any such exchange, lease or
6500 sale or not.

6501 If the State Board of Mental Health authorizes the sale of
6502 lands owned by Boswell Regional Center, as provided for under this
6503 paragraph (gg), the monies derived from the sale shall be placed



6504 into a special fund that is created in the State Treasury to be
6505 known as the "Boswell Regional Center Client's Trust Fund." The
6506 principal of the trust fund shall remain inviolate and shall never
6507 be expended. Any earnings on the principal may be expended solely
6508 for the benefits of clients served at Boswell Regional Center.
6509 The State Treasurer shall invest the monies of the trust fund in
6510 any of the investments authorized for the Mississippi Prepaid
6511 Affordable College Tuition Program under Section 37-155-9, and
6512 those investments shall be subject to the limitations prescribed
6513 by Section 37-155-9. Unexpended amounts remaining in the trust
6514 fund at the end of a fiscal year shall not lapse into the State
6515 General Fund, and any earnings on amounts in the trust fund shall
6516 be deposited to the credit of the trust fund. The administration
6517 of Boswell Regional Center may use any earnings on the principal
6518 of the trust fund, upon appropriation by the Legislature, as
6519 needed for services or facilities by the clients of Boswell
6520 Regional Center. Boswell Regional Center shall make known to the
6521 Legislature, through the Legislative Budget Committee and the
6522 respective Appropriations Committees of the House and Senate, its
6523 proposed use of the earnings on the principal of the trust fund
6524 for any fiscal year in which it proposes to make expenditures
6525 thereof. The State Treasurer shall provide Boswell Regional
6526 Center with an annual report on the Boswell Regional Center
6527 Client's Trust Fund to indicate the total monies in the trust



6528 fund, interest and other income earned during the year, expenses
6529 paid from the trust fund and such other related information.

6530 Nothing in this section shall be construed as applying to or
6531 affecting mental health/intellectual disability services provided
6532 by hospitals as defined in Section 41-9-3(a), and/or their
6533 subsidiaries and divisions, which hospitals, subsidiaries and
6534 divisions are licensed and regulated by the Mississippi State
6535 Department of Health unless such hospitals, subsidiaries or
6536 divisions voluntarily request certification by the Mississippi
6537 State Department of Mental Health.

6538 All new programs authorized under this section shall be
6539 subject to the availability of funds appropriated therefor by the
6540 Legislature;

6541 (hh) Notwithstanding any other section of the code, the
6542 Board of Mental Health shall be authorized to fingerprint and
6543 perform a criminal history record check on every employee or
6544 volunteer. Every employee and volunteer shall provide a valid
6545 current social security number and/or driver's license number
6546 which shall be furnished to conduct the criminal history record
6547 check. If no disqualifying record is identified at the state
6548 level, fingerprints shall be forwarded to the Federal Bureau of
6549 Investigation for a national criminal history record check;

6550 (ii) The Department of Mental Health shall have the
6551 authority for the development of a consumer friendly single point
6552 of intake and referral system within its service areas for persons



6553 with mental illness, an intellectual disability, developmental
6554 disabilities or alcohol or substance abuse who need assistance
6555 identifying or accessing appropriate services. The department
6556 will develop and implement a comprehensive evaluation procedure
6557 ensuring that, where appropriate, the affected person or their
6558 parent or legal guardian will be involved in the assessment and
6559 planning process. The department, as the point of intake and as
6560 service provider, shall have the authority to determine the
6561 appropriate institutional, hospital or community care setting for
6562 persons who have been diagnosed with mental illness, an
6563 intellectual disability, developmental disabilities and/or alcohol
6564 or substance abuse, and may provide for the least restrictive
6565 placement if the treating professional believes such a setting is
6566 appropriate, if the person affected or their parent or legal
6567 guardian wants such services, and if the department can do so with
6568 a reasonable modification of the program without creating a
6569 fundamental alteration of the program. The least restrictive
6570 setting could be an institution, hospital or community setting,
6571 based upon the needs of the affected person or their parent or
6572 legal guardian;

6573 (jj) To have the sole power and discretion to enter
6574 into, sign, execute and deliver long-term or multiyear leases of
6575 real and personal property owned by the Department of Mental
6576 Health to and from other state and federal agencies and private
6577 entities deemed to be in the public's best interest. Any monies



6578 derived from such leases shall be deposited into the funds of the
6579 Department of Mental Health for its exclusive use. Leases to
6580 private entities shall be approved by the Department of Finance
6581 and Administration and all leases shall be filed with the
6582 Secretary of State;

6583 (kk) To certify and establish minimum standards and
6584 minimum required services for county facilities used for housing,
6585 feeding and providing medical treatment for any person who has
6586 been involuntarily ordered admitted to a treatment center by a
6587 court of competent jurisdiction. The minimum standard for the
6588 initial assessment of those persons being housed in county
6589 facilities is for the assessment to be performed by a physician,
6590 preferably a psychiatrist, or by a nurse practitioner, preferably
6591 a psychiatric nurse practitioner. If the department finds
6592 deficiencies in any such county facility or its provider based on
6593 the minimum standards and minimum required services established
6594 for certification, the department shall give the county or its
6595 provider a six-month probationary period to bring its standards
6596 and services up to the established minimum standards and minimum
6597 required services. After the six-month probationary period, if
6598 the department determines that the county or its provider still
6599 does not meet the minimum standards and minimum required services,
6600 the department may remove the certification of the county or
6601 provider and require the county to contract with another county
6602 having a certified facility to hold those persons for that period



6603 of time pending transportation and admission to a state treatment
6604 facility. Any cost incurred by a county receiving an
6605 involuntarily committed person from a county with a decertified
6606 holding facility shall be reimbursed by the home county to the
6607 receiving county; and

6608 (11) To provide orientation training to all new
6609 commissioners of regional commissions and annual training for all
6610 commissioners with continuing education regarding the Mississippi
6611 mental health system and services as developed by the State
6612 Department of Mental Health. Training shall be provided at the
6613 expense of the department except for travel expenses which shall
6614 be paid by the regional commission.

6615 **SECTION 98.** Section 63-17-57, Mississippi Code of 1972, is
6616 amended as follows:

6617 63-17-57. There is hereby created the Mississippi Motor
6618 Vehicle Commission to be composed of eight (8) members, one (1) of
6619 whom shall be appointed by the Attorney General from the state at
6620 large * * * and one (1) of whom shall be appointed by the
6621 Secretary of State from the state at large * * *, and six (6)
6622 licensees who shall be appointed by the Governor, * * * two (2)
6623 from each Supreme Court District. All appointments * * * shall be
6624 made with the advice and consent of the Senate.

6625 The Mississippi Motor Vehicle Commission, created by former
6626 Section 63-17-57, is continued and reconstituted as follows:
6627 Effective January 1, 2028, each commissioner shall be appointed by



6628 the appointing authority, with the advice and consent of the
6629 Senate, for a term of office of four (4) years, provided that four
6630 (4) commissioners shall be appointed in 2028 to a term ending
6631 December 31, 2031, and two (2) commissioners shall be appointed in
6632 2030 to a term ending December 31, 2033. Appointments made at the
6633 beginning of the four-year cycle shall be made to fill any
6634 member's term which actually expires that year and any member's
6635 term which expires next until the majority of the membership of
6636 the board or commission is reached. Appointments made at the
6637 beginning of the third year of the four-year cycle shall be made
6638 for the remainder of the membership positions irrespective of the
6639 time of their prior appointment. Any question regarding the order
6640 of appointments shall be determined by the Secretary of State in
6641 accordance with the specific statute. All appointment procedures,
6642 vacancy provisions, interim appointment provisions and removal
6643 provisions specifically provided for in Section 7-1-35,
6644 Mississippi Code of 1972, shall be fully applicable to
6645 appointments to the Mississippi Motor Vehicle Commission.

6646 **SECTION 99.** Section 63-17-67, Mississippi Code of 1972, is
6647 amended as follows:

6648 63-17-67. The commission, with the advice and consent of the
6649 Senate, shall employ a qualified person to serve as executive
6650 director thereof, to serve * * * for a term of four (4) years,
6651 consistent with the provisions of Section 7-1-35, Mississippi Code
6652 of 1972. The commission shall fix his salary, subject to the



6653 approval of the State Personnel Board, and shall define and
6654 prescribe his duties. The executive director shall be in charge
6655 of the commission's office and shall devote full time to the
6656 duties thereof. His duties shall include, but not be limited to,
6657 the collection of all fees and charges under the provisions of the
6658 Mississippi Motor Vehicle Commission Law, keeping a record of all
6659 proceedings of the commission and an accurate account of all
6660 monies received and disbursed by the commission, all of which
6661 records shall be considered as public records. The commission may
6662 employ such clerical and professional help and incur such expenses
6663 as may be reasonably necessary for the proper discharge of its
6664 duties.

6665 The commission shall maintain its office and transact its
6666 business, except as otherwise provided, at Jackson, Mississippi,
6667 and the Department of Finance and Administration shall approve
6668 suitable quarters and the remuneration therefor.

6669 **SECTION 100.** Section 73-17-7, Mississippi Code of 1972, is
6670 amended as follows:

6671 73-17-7. (1) There is hereby created the Mississippi State
6672 Board of Nursing Home Administrators. This board shall consist of
6673 seven (7) persons, two (2) appointed from each Mississippi Supreme
6674 Court District and one (1) from the state at large, in addition to
6675 the State Health Officer, or his designee, who shall be an ex
6676 officio member without voting privilege, to be appointed by the
6677 Governor with the advice and consent of the Senate, each of whom



6678 shall be a qualified elector of the State of Mississippi; the
6679 members of said board shall be selected from a list of names
6680 submitted to the Governor as provided for hereinafter. * * * The
6681 members of this board shall include the following:

6682 (a) One (1) educator with expertise in the field of
6683 health care and associated at the time of his appointment with an
6684 institution of higher learning within the State of Mississippi.

6685 (b) A registered nurse.

6686 (c) A licensed and practicing medical doctor or
6687 physician.

6688 (d) Three (3) licensed and practicing nursing home
6689 administrators, no more than one (1) of whom shall be from the
6690 same Supreme Court district, who shall have had at least five (5)
6691 years' actual experience as a nursing home administrator.

6692 (e) A hospital administrator.

6693 Only the board members who are nursing home administrators
6694 may have a direct financial interest in any nursing home.

6695 The Mississippi Nurses Association may submit a list of
6696 nominees for the appointment of the registered nurse member; the
6697 Mississippi State Medical Association may submit a list of
6698 nominees for the appointment of the medical doctor or physician
6699 member; the Mississippi Health Care Association and the
6700 Mississippi Health Facilities Association may submit lists of
6701 nominees for the appointment of the nursing home administrator
6702 members; and the Mississippi State Hospital Association may submit



6703 a list of nominees for the appointment of the hospital
6704 administrator member. Any such list of nominees shall be
6705 submitted at least thirty (30) days before the expiration of the
6706 term for each position.

6707 * * *

6708 The State Board of Nursing Home Administrators, created by
6709 former Section 73-17-7, is continued and reconstituted as follows:
6710 Effective January 1, 2028, appointed members shall be appointed by
6711 the Governor, with the advice and consent of the Senate, for a
6712 term of office of four (4) years, provided that four (4) members
6713 shall be appointed in 2028 to a term ending December 31, 2031, and
6714 three (3) members shall be appointed in 2030 to a term ending
6715 December 31, 2033. Appointments made at the beginning of the
6716 four-year cycle shall be made to fill any member's term which
6717 actually expires that year and any member's term which expires
6718 next until the majority of the membership of the board or
6719 commission is reached. Appointments made at the beginning of the
6720 third year of the four-year cycle shall be made for the remainder
6721 of the membership positions irrespective of the time of their
6722 prior appointment. Any question regarding the order of
6723 appointments shall be determined by the Secretary of State in
6724 accordance with the specific statute. All appointment procedures,
6725 vacancy provisions, interim appointment provisions and removal
6726 provisions specifically provided for in Section 7-1-35,
6727 Mississippi Code of 1972, shall be fully applicable to



6728 appointments to the State Board of Nursing Home Administrators.
6729 The board is authorized to appoint an executive director for a
6730 term of four (4) years, with the advice and consent of the Senate,
6731 and consistent with the provisions of Section 7-1-35, Mississippi
6732 Code of 1972.

6733 (2) The board shall organize by selecting annually from its
6734 members a chairman and a vice chairman, and may do all things
6735 necessary and convenient for carrying into effect the provisions
6736 of this chapter and may from time to time promulgate rules and
6737 regulations. Each member of the board shall receive a per diem as
6738 provided in Section 25-3-69, plus travel and reasonable necessary
6739 expenses incidental to the attendance at each meeting as provided
6740 in Section 25-3-41. Any member who shall not attend two (2)
6741 consecutive meetings of the board shall be subject to removal by
6742 the Governor. The chairman of the board shall notify the Governor
6743 in writing when any such member has failed to attend two (2)
6744 consecutive regular meetings.

6745 (3) The board shall adopt a seal.

6746 (4) The board is hereby authorized to acquire office space
6747 and to employ such personnel as shall be necessary in the
6748 performance of its duties, including a secretary-treasurer, who
6749 shall be bonded in an amount to be fixed by the board, but in no
6750 event less than the amount of Five Thousand Dollars (\$5,000.00).

6751 (5) All fees and any other monies received by the board
6752 shall be deposited in a special fund that is created in the State



6753 Treasury. The monies in the special fund shall be subject to all
6754 provisions of the state budget laws that are applicable to special
6755 fund agencies. Any interest earned on this special fund shall be
6756 credited by the State Treasurer to the fund and shall not be paid
6757 into the State General Fund.

6758 **SECTION 101.** Section 73-15-9, Mississippi Code of 1972, is
6759 amended as follows:

6760 73-15-9. (1) There is hereby created a board to be known as
6761 the Mississippi Board of Nursing, composed of thirteen (13)
6762 members, two (2) of whom shall be nurse educators; three (3) of
6763 whom shall be registered nurses in clinical practice, two (2) to
6764 have as basic nursing preparation an associate degree or diploma
6765 and one (1) to have as basic nursing preparation a baccalaureate
6766 degree; one (1) of whom shall be a registered nurse at large; one
6767 (1) of whom shall be a registered nurse practitioner; four (4) of
6768 whom shall be licensed practical nurses; one (1) of whom shall be
6769 a licensed physician who shall always be a member of the State
6770 Board of Medical Licensure; and one (1) of whom shall represent
6771 consumers of health services. There shall be * * * four (4) board
6772 members from each * * * Mississippi Supreme Court District in the
6773 state and one (1) from the state at large; provided, however, that
6774 the physician member, the consumer representative member and one
6775 (1) registered nurse member shall be at large always.

6776 (2) Members of the Mississippi Board of Nursing, excepting
6777 the member of the State Board of Medical Licensure, shall be



6778 appointed by the Governor, with the advice and consent of the
6779 Senate, from lists of nominees submitted by any Mississippi
6780 registered nurse organization and/or association chartered by the
6781 State of Mississippi whose board of directors is elected by the
6782 membership and whose membership includes registered nurses
6783 statewide, for the nomination of registered nurses, and by the
6784 Mississippi Federation of Licensed Practical Nurses and the
6785 Mississippi Licensed Practical Nurses' Association for the
6786 nomination of a licensed practical nurse. Nominations submitted
6787 by any such registered nurse organization or association to fill
6788 vacancies on the board shall be made and voted on by registered
6789 nurses only. Each list of nominees shall contain a minimum of
6790 three (3) names for each vacancy to be filled. The list of names
6791 shall be submitted at least thirty (30) days before the expiration
6792 of the term for each position. If such list is not submitted, the
6793 Governor is authorized to make an appointment from the group
6794 affected and without nominations. * * *

6795 * * *

6796 The Mississippi Board of Nursing, created by former Section
6797 73-15-9, is continued and reconstituted as follows: Effective
6798 January 1, 2028, each member shall be appointed by the Governor,
6799 with the advice and consent of the Senate, for a term of office of
6800 four (4) years, provided that seven (7) members shall be appointed
6801 in 2028 to a term ending December 31, 2031, and six (6) members
6802 shall be appointed in 2030 to a term ending December 31, 2033.



6803 Appointments made at the beginning of the four-year cycle shall be
6804 made to fill any member's term which actually expires that year
6805 and any member's term which expires next until the majority of the
6806 membership of the board or commission is reached. Appointments
6807 made at the beginning of the third year of the four-year cycle
6808 shall be made for the remainder of the membership positions
6809 irrespective of the time of their prior appointment. Any question
6810 regarding the order of appointments shall be determined by the
6811 Secretary of State in accordance with the specific statute. All
6812 appointment procedures, vacancy provisions, interim appointment
6813 provisions and removal provisions specifically provided for in
6814 Section 7-1-35, Mississippi Code of 1972, shall be fully
6815 applicable to appointments to the Mississippi Board of Nursing.
6816 The board is authorized to appoint an executive director for a
6817 term of four (4) years, with the advice and consent of the Senate,
6818 and consistent with the provisions of Section 7-1-35, Mississippi
6819 Code of 1972.

6820 **SECTION 102.** Section 73-15-17, Mississippi Code of 1972, is
6821 amended as follows:

6822 73-15-17. The Mississippi Board of Nursing is authorized and
6823 empowered to:

6824 (a) Adopt and from time to time revise such rules and
6825 regulations consistent with the law as shall be necessary to
6826 govern its proceedings and carry into effect the provisions of
6827 this article; however, the board shall not adopt any rule or



6828 regulation or impose any requirement regarding the licensing or
6829 certification of advanced practice registered nurses that
6830 conflicts with the prohibitions in Section 73-49-3.

6831 (b) Require the secretary to keep records of all
6832 meetings of the board and keep a record of all proceedings, and to
6833 prepare a register of registered nurses and a register of licensed
6834 practical nurses, all nurses appearing thereon to be duly licensed
6835 under this article, and which registers shall be open for public
6836 inspection at all reasonable times.

6837 (c) Issue subpoenas, require attendance of witnesses,
6838 and administer oaths of persons giving testimony.

6839 (d) Cause the prosecution of all persons violating the
6840 provisions of this article, and incur such necessary expenses
6841 therefor.

6842 (e) Conduct hearings upon charges calling for
6843 discipline of a licensee or revocation of a license or of the
6844 privilege to practice.

6845 (f) Present a true and full report to the Governor and
6846 the Legislature, together with a statement of receipts and
6847 disbursements on or before February 1 of each year.

6848 (g) Maintain an office in the greater Jackson area for
6849 the administration of this article.

6850 (h) File an annual list of all certificates of
6851 registration issued by the board with the Secretary of State's
6852 office for both registered nurses and licensed practical nurses.



6853 (i) File an annual list of all certificates of
6854 registration issued by the board to registered nurses, including
6855 addresses of the persons with the Mississippi Nurses' Association;
6856 and file a similar list of all certificates of registration issued
6857 to licensed practical nurses, including addresses of the persons,
6858 with the Mississippi Federation of Licensed Practical Nurses and
6859 the Mississippi Licensed Practical Nurses Association.

6860 (j) Adopt a seal which shall be in the form of a circle
6861 with the image of an eagle in the center, and around the margin
6862 the words "Mississippi Board of Nursing," and under the image of
6863 the eagle the word "Official." The seal shall be affixed to
6864 certificates and warrants issued by the board, and to all records
6865 sent up on appeal from its decisions.

6866 (k) Schedule dates and locations for state board
6867 examinations for examining qualified applicants for licensure.

6868 (l) Examine, license and renew licenses of duly
6869 qualified applicants.

6870 (m) Appoint, with the advice and consent of the Senate,
6871 and employ, a qualified person who shall not be a member of the
6872 board to serve as executive director, define the duties, fix the
6873 compensation, and delegate to him or her those activities that
6874 will expedite the functions of the board. The executive director
6875 shall serve for a term of four (4) years that is consistent with
6876 the provisions of Section 7-1-35, Mississippi Code of 1972. The



6877 executive director shall meet all the qualifications for board
6878 members, and shall in addition:

6879 (i) Have had at least a master's degree in
6880 nursing, eight (8) years' experience as a registered nurse, five
6881 (5) of which shall be in teaching or in administration, or a
6882 combination thereof; and

6883 (ii) Have been actively engaged in nursing for at
6884 least five (5) years immediately preceding appointment.

6885 (n) Employ, discharge, define duties, and fix
6886 compensation of such other persons as may be necessary to carry
6887 out the provisions of this article.

6888 (o) Secure the services of research consultants as
6889 deemed necessary who shall receive a per diem, travel and other
6890 necessary expenses incurred while engaged by the board.

6891 (p) Enter into contracts with any other state or
6892 federal agency or with any private person, organization or group
6893 capable of contracting, if it finds such action to be in the
6894 public interest and in the furtherance of its responsibilities.

6895 (q) Upon reasonable suspicion that a holder of a
6896 license issued under this article has violated any statutory
6897 ground for denial of licensure as set forth in Section 73-15-29 or
6898 is guilty of any offense specified in Section 73-15-33, require
6899 the license holder to undergo a fingerprint-based criminal history
6900 records check of the Mississippi central criminal database and the
6901 Federal Bureau of Investigation criminal history database, in the



6902 same manner as required for applicants for licensure under
6903 Sections 73-15-19(1) and 73-15-21(1).

6904 (r) Perform the duties prescribed by the Nurse
6905 Licensure Compact in Section 73-15-201.

6906 **SECTION 103.** Section 53-1-5, Mississippi Code of 1972, is
6907 amended as follows:

6908 53-1-5. (1) There is hereby created and established a board
6909 to be known as the State Oil and Gas Board composed of five (5)
6910 members. One (1) member shall be appointed by the Lieutenant
6911 Governor * * * from the state at large; one (1) member shall be
6912 appointed by the Attorney General of the State of
6913 Mississippi * * * from the state at large; and three (3) members
6914 shall be appointed by the Governor, one (1) from each of the
6915 Supreme Court districts * * *.

6916 * * *

6917 * * * (2) All members shall be confirmed by the
6918 Senate. * * *

6919 (3) The State Oil and Gas Board, created by former Section
6920 53-1-5, is continued and reconstituted as follows: Effective
6921 January 1, 2028, the members of the State Oil and Gas Board shall
6922 be appointed by the appointing authority, with the advice and
6923 consent of the Senate, for a term of office of four (4) years,
6924 provided that of the three (3) appointments by the Governor two
6925 (2) shall be appointed in 2028 to a term ending December 31, 2031,
6926 and one (1) shall be appointed in 2030 to a term ending December



6927 31, 2033. Appointments made at the beginning of the four-year
6928 cycle shall be made to fill any member's term which actually
6929 expires that year and any member's term which expires next until
6930 the majority of the membership of the board or commission is
6931 reached. Appointments made at the beginning of the third year of
6932 the four-year cycle shall be made for the remainder of the
6933 membership positions irrespective of the time of their prior
6934 appointment. Any question regarding the order of appointments
6935 shall be determined by the Secretary of State in accordance with
6936 the specific statute. All appointment procedures, vacancy
6937 provisions, interim appointment provisions and removal provisions
6938 specifically provided for in Section 7-1-35, Mississippi Code of
6939 1972, shall be fully applicable to appointments to the State Oil
6940 and Gas Board.

6941 (4) The board shall elect from its number a chairman and a
6942 vice chairman. Each member of the board shall be a citizen of the
6943 United States, and a resident of the State of Mississippi, and a
6944 qualified elector therein, of integrity and sound and nonpartisan
6945 judgment. Each member shall qualify by taking the oath of office
6946 and shall hold office until his successor is appointed and
6947 qualified. The board shall establish its principal office at
6948 Jackson, Mississippi, at which the records of the board shall be
6949 kept.

6950 Each member of the board shall receive as compensation for
6951 his services an annual salary of Seven Thousand Two Hundred



6952 Dollars (\$7,200.00), except the chairman of the board who shall
6953 receive as compensation for his services an annual salary of Nine
6954 Thousand Six Hundred Dollars (\$9,600.00). The receipt of said
6955 compensation shall not entitle members of the board to receive or
6956 be eligible for any state employee group insurance or retirement
6957 benefits.

6958 (* * *5) The board shall meet and hold hearings at such
6959 times and places as may be found by the board, or a majority
6960 thereof, to be necessary to carry out its duties. A majority of
6961 the board shall constitute a quorum, and three (3) affirmative
6962 votes shall be necessary for adoption or promulgation of any rule,
6963 regulation or order. * * *

6964 (* * *6) Where a question which has been presented or has
6965 arisen to be acted upon by the board directly affects the interest
6966 of a member or members of the board, such member or members shall
6967 recuse himself or themselves from acting upon such question.

6968 (* * *7) The board shall adopt an official seal, and may
6969 sue and be sued.

6970 (8) The board is authorized to appoint an executive director
6971 for a term of four (4) years, with the advice and consent of the
6972 Senate, and consistent with the provisions of Section 7-1-35,
6973 Mississippi Code of 1972.

6974 **SECTION 104.** Section 73-19-7, Mississippi Code of 1972, is
6975 amended as follows:



6976 73-19-7. The Governor, with the advice and consent of the
6977 Senate, shall appoint a State Board of Optometry, consisting of
6978 five (5) persons, citizens of Mississippi, each of whom shall be a
6979 nonmedical man or woman actually engaged in the practice of
6980 optometry for five (5) years next preceding his appointment. * * *
6981 The appointments to the board shall be made with one (1) member to
6982 be appointed from each of the * * * Mississippi Supreme Court
6983 Districts as existing * * * at the time of appointment, and two
6984 (2) from the state at large.

6985 The State Board of Optometry, created by former Section
6986 73-19-7, is continued and reconstituted as follows: Effective
6987 January 1, 2028, each board member shall be appointed by the
6988 Governor, with the advice and consent of the Senate, for a term of
6989 office of four (4) years, provided that three (3) members shall be
6990 appointed in 2028 to a term ending December 31, 2031, and two (2)
6991 members shall be appointed in 2030 to a term ending December 31,
6992 2033. Appointments made at the beginning of the four-year cycle
6993 shall be made to fill any member's term which actually expires
6994 that year and any member's term which expires next until the
6995 majority of the membership of the board or commission is reached.
6996 Appointments made at the beginning of the third year of the
6997 four-year cycle shall be made for the remainder of the membership
6998 positions irrespective of the time of their prior appointment.
6999 Any question regarding the order of appointments shall be
7000 determined by the Secretary of State in accordance with the



7001 specific statute. All appointment procedures, vacancy provisions,
7002 interim appointment provisions and removal provisions specifically
7003 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
7004 fully applicable to appointments to the State Board of Optometry.

7005 No person so appointed shall be a stockholder in or a member
7006 of the faculty or of the board of trustees of any school of
7007 optometry, or serve to exceed two (2) five-year terms.

7008 Vacancies on said board shall be filled by appointment by the
7009 Governor, with the advice and consent of the Senate, from a list
7010 of names submitted by the Mississippi Optometric Association
7011 consisting of three (3) of its members, or by appointment of any
7012 qualified member of the association.

7013 **SECTION 105.** Section 73-19-9, Mississippi Code of 1972, is
7014 amended as follows:

7015 73-19-9. The State Board of Optometry shall organize by the
7016 election from its members a president and a secretary, who shall
7017 hold their respective offices for one (1) year.

7018 It shall hold regular meetings for examination, beginning on
7019 the second week of January and July of each year, and additional
7020 meetings at such times and places as the board shall determine,
7021 said additional meetings not to exceed ten (10) meeting days
7022 annually, but the July meeting shall be held in the City of
7023 Jackson.

7024 A majority of the board shall constitute a quorum, but a less
7025 number may adjourn from time to time.



7026 The board shall make such rules and regulations as may be
7027 necessary to carry out the provisions of this chapter; however,
7028 the board shall not adopt any rule or regulation or impose any
7029 requirement regarding the licensing of optometrists that conflicts
7030 with the prohibitions in Section 73-49-3.

7031 The board is authorized to appoint an executive director for
7032 a term of four (4) years, with the advice and consent of the
7033 Senate, and consistent with the provisions of Section 7-1-35,
7034 Mississippi Code of 1972.

7035 **SECTION 106.** Section 47-7-5, Mississippi Code of 1972, is
7036 amended as follows:

7037 47-7-5. (1) Effective January 1, 2028, the State Parole
7038 Board, created under former Section 47-7-5, is hereby created,
7039 continued and reconstituted and shall be composed of five (5)
7040 members, one (1) appointed from each Mississippi Supreme Court
7041 District and two (2) from the state-at-large. The Governor shall
7042 appoint the members to four-year terms of office, with the advice
7043 and consent of the Senate, provided that three (3) members shall
7044 be appointed in 2028 to a term ending December 31, 2031, and two
7045 (2) members shall be appointed in 2030 to a term ending December
7046 31, 2033. * * * Appointments made at the beginning of the
7047 four-year cycle shall be made to fill any member's term which
7048 actually expires that year and any member's term which expires
7049 next until the majority of the membership of the board or
7050 commission is reached. Appointments made at the beginning of the



7051 third year of the four-year cycle shall be made for the remainder
7052 of the membership positions irrespective of the time of their
7053 prior appointment. Any question regarding the order of
7054 appointments shall be determined by the Secretary of State in
7055 accordance with the specific statute. All appointment procedures,
7056 vacancy provisions, interim appointment provisions and removal
7057 provisions specifically provided for in Section 7-1-35,
7058 Mississippi Code of 1972, shall be fully applicable to
7059 appointments to the State Parole Board. Any vacancy shall be
7060 filled by the Governor, with the advice and consent of the Senate.
7061 The Governor shall appoint a chairman of the board.

7062 (2) Any person who is appointed to serve on the board shall
7063 possess at least a bachelor's degree or a high school diploma and
7064 four (4) years' work experience. Each member shall devote his
7065 full time to the duties of his office and shall not engage in any
7066 other business or profession or hold any other public office. A
7067 member shall receive compensation or per diem in addition to his
7068 or her salary. Each member shall keep such hours and workdays as
7069 required of full-time state employees under Section 25-1-98.
7070 Individuals shall be appointed to serve on the board without
7071 reference to their political affiliations. Each board member,
7072 including the chairman, may be reimbursed for actual and necessary
7073 expenses as authorized by Section 25-3-41. Each member of the
7074 board shall complete annual training developed based on guidance
7075 from the National Institute of Corrections, the Association of



7076 Paroling Authorities International, or the American Probation and
7077 Parole Association. Each first-time appointee of the board shall,
7078 within sixty (60) days of appointment, or as soon as practical,
7079 complete training for first-time Parole Board members developed in
7080 consideration of information from the National Institute of
7081 Corrections, the Association of Paroling Authorities
7082 International, or the American Probation and Parole Association.

7083 (3) The board shall have exclusive responsibility for the
7084 granting of parole as provided by Sections 47-7-3 and 47-7-17 and
7085 shall have exclusive authority for revocation of the same. The
7086 board shall have exclusive responsibility for investigating
7087 clemency recommendations upon request of the Governor.

7088 (4) The board, its members and staff, shall be immune from
7089 civil liability for any official acts taken in good faith and in
7090 exercise of the board's legitimate governmental authority.

7091 (5) The budget of the board shall be funded through a
7092 separate line item within the general appropriation bill for the
7093 support and maintenance of the department. Employees of the
7094 department which are employed by or assigned to the board shall
7095 work under the guidance and supervision of the board. There shall
7096 be an executive secretary to the board who shall be responsible
7097 for all administrative and general accounting duties related to
7098 the board. The executive secretary shall keep and preserve all
7099 records and papers pertaining to the board.



7100 (6) The board shall have no authority or responsibility for
7101 supervision of offenders granted a release for any reason,
7102 including, but not limited to, probation, parole or executive
7103 clemency or other offenders requiring the same through interstate
7104 compact agreements. The supervision shall be provided exclusively
7105 by the staff of the Division of Community Corrections of the
7106 department.

7107 (7) (a) The Parole Board is authorized to select and place
7108 offenders in an electronic monitoring program under the conditions
7109 and criteria imposed by the Parole Board. The conditions,
7110 restrictions and requirements of Section 47-7-17 and Sections
7111 47-5-1001 through 47-5-1015 shall apply to the Parole Board and
7112 any offender placed in an electronic monitoring program by the
7113 Parole Board.

7114 (b) Any offender placed in an electronic monitoring
7115 program under this subsection shall pay the program fee provided
7116 in Section 47-5-1013. The program fees shall be deposited in the
7117 special fund created in Section 47-5-1007.

7118 (c) The department shall have absolute immunity from
7119 liability for any injury resulting from a determination by the
7120 Parole Board that an offender be placed in an electronic
7121 monitoring program.

7122 (8) (a) The Parole Board shall maintain a central registry
7123 of paroled inmates. The Parole Board shall place the following
7124 information on the registry: name, address, photograph, crime for



7125 which paroled, the date of the end of parole or flat-time date and
7126 other information deemed necessary. The Parole Board shall
7127 immediately remove information on a parolee at the end of his
7128 parole or flat-time date.

7129 (b) When a person is placed on parole, the Parole Board
7130 shall inform the parolee of the duty to report to the parole
7131 officer any change in address ten (10) days before changing
7132 address.

7133 (c) The Parole Board shall utilize an Internet website
7134 or other electronic means to release or publish the information.

7135 (d) Records maintained on the registry shall be open to
7136 law enforcement agencies and the public and shall be available no
7137 later than July 1, 2003.

7138 (9) An affirmative vote of at least four (4) members of the
7139 Parole Board shall be required to grant parole to an inmate
7140 convicted of capital murder or a sex crime.

7141 (10) This section shall stand repealed on July 1, 2025.

7142 **SECTION 107.** Section 51-15-1, Mississippi Code of 1972, is
7143 amended as follows:

7144 51-15-1. There is hereby created the Pat Harrison Waterway
7145 Commission composed of Clarke, Covington, Forrest, George, Greene,
7146 Jackson, Jasper, Jones, Lamar, Lauderdale, Newton, Perry, Smith,
7147 Stone, and Wayne Counties in the State of Mississippi, to be
7148 governed by a board consisting of one (1) member from each such
7149 county and three (3) members from the state at large, all to be



7150 appointed by the Governor, with the advice and consent of the
7151 Senate, to serve for a term of four (4) years or until their
7152 successors are appointed and qualified. Effective January 1,
7153 2028, the eighteen (18) appointed members shall be appointed by
7154 the Governor, with the advice and consent of the Senate, for a
7155 term of office of four (4) years, provided that ten (10) members
7156 shall be appointed in 2028 to a term ending December 31, 2031, and
7157 nine (9) members shall be appointed in 2030 to a term ending
7158 December 31, 2033. Appointments made at the beginning of the
7159 four-year cycle shall be made to fill any member's term which
7160 actually expires that year and any member's term which expires
7161 next until the majority of the membership of the board or
7162 commission is reached. Appointments made at the beginning of the
7163 third year of the four-year cycle shall be made for the remainder
7164 of the membership positions irrespective of the time of their
7165 prior appointment. Any question regarding the order of
7166 appointments shall be determined by the Secretary of State in
7167 accordance with the specific statute. All appointment procedures,
7168 vacancy provisions, interim appointment provisions and removal
7169 provisions specifically provided for in Section 7-1-35,
7170 Mississippi Code of 1972, shall be fully applicable to
7171 appointments to the Pat Harrison Waterway Commission. The
7172 Governor shall designate in his appointment the chairman and vice
7173 chairman thereof. They shall serve without pay except for their
7174 actual traveling expenses and other necessary expenses incurred in



7175 the performance of their official duties, to be reimbursed as in
7176 the case of state employees under the provisions of general law.
7177 Upon appointment, said members shall meet and organize at
7178 Hattiesburg, Mississippi, and set a regular time and place for the
7179 meetings of the commission, secure offices and all necessary
7180 equipment, and obtain such engineering, professional, clerical,
7181 and other assistance as may be necessary in order to accomplish
7182 the purposes of this article. An executive director may be
7183 appointed by the board to a term of four (4) years, with the
7184 advice and consent of the Senate, and consistent with the
7185 provisions of Section 7-1-35, Mississippi Code of 1972, if this is
7186 deemed advisable, and salaries of all personnel may be paid out of
7187 funds provided under the terms of this article in an amount
7188 agreeable to the commission.

7189 **SECTION 108.** Section 69-48-3, Mississippi Code of 1972, is
7190 amended as follows:

7191 69-48-3. (1) The Mississippi Peanut Promotion Board is
7192 hereby created, to be composed of six (6) members to be appointed
7193 by the Governor * * *, with the advice and consent of the Senate,
7194 with two (2) appointed from each Mississippi Supreme Court
7195 District. All of the six (6) members of the board shall be
7196 producers of peanuts in the State of Mississippi. * * * The
7197 Mississippi Farm Bureau Federation, Inc., and the Mississippi
7198 Peanut Growers Association shall each submit the names of six (6)
7199 peanut producers to the Governor, and he shall appoint three (3)



7200 members from the nominees of each organization to serve on the
7201 board * * *. * * * The Mississippi Peanut Promotion Board,
7202 created by former Section 69-48-3, is continued and reconstituted
7203 as follows: Effective January 1, 2028, members of the board shall
7204 be appointed by the Governor, with the advice and consent of the
7205 Senate, for a term of office of four (4) years, provided that four
7206 (4) members shall be appointed in 2028 to a term ending December
7207 31, 2031, and two (2) members shall be appointed in 2030 to a term
7208 ending December 31, 2033. Appointments made at the beginning of
7209 the four-year cycle shall be made to fill any member's term which
7210 actually expires that year and any member's term which expires
7211 next until the majority of the membership of the board or
7212 commission is reached. Appointments made at the beginning of the
7213 third year of the four-year cycle shall be made for the remainder
7214 of the membership positions irrespective of the time of their
7215 prior appointment. Any question regarding the order of
7216 appointments shall be determined by the Secretary of State in
7217 accordance with the specific statute. All appointment procedures,
7218 vacancy provisions, interim appointment provisions and removal
7219 provisions specifically provided for in Section 7-1-35,
7220 Mississippi Code of 1972, shall be fully applicable to
7221 appointments to the Mississippi Peanut Promotion Board.

7222 (2) The members of the board shall meet and organize
7223 immediately after their appointment, and shall elect a chairman,
7224 vice chairman and secretary-treasurer from the membership of the



7225 board, whose duties shall be those customarily exercised by such
7226 officers or specifically designated by the board. The chairman,
7227 vice chairman and secretary-treasurer shall be bonded in an amount
7228 not less than Twenty Thousand Dollars (\$20,000.00). The cost of
7229 the bonds shall be paid from the funds received under this
7230 chapter. The bond shall be a security for any illegal act of such
7231 member of the board and recovery thereon may be had by the state
7232 for any injury by the illegal act of the member. The board may
7233 establish rules and regulations for its own government and the
7234 administration of the affairs of the board.

7235 **SECTION 109.** Section 51-9-1, Mississippi Code of 1972, is
7236 amended as follows:

7237 51-9-1. There is created the Pearl River Industrial
7238 Commission, composed of Hinds, Leake, Madison, Neshoba, Rankin and
7239 such other counties in the state through which or bordering which
7240 the Pearl River runs. The Governor, with the advice and consent
7241 of the Senate, shall appoint one (1) member to the commission from
7242 each county from a list of three (3) names to be submitted by the
7243 board of supervisors in each participating county. Effective
7244 January 1, 2028, the five (5) appointed members shall be appointed
7245 for a term of office of four (4) years, provided that three (3)
7246 members shall be appointed in 2028 to a term ending December 31,
7247 2031, and two (2) members shall be appointed in 2030 to a term
7248 ending December 31, 2033. Appointments made at the beginning of
7249 the four-year cycle shall be made to fill any member's term which



7250 actually expires that year and any member's term which expires
7251 next until the majority of the membership of the board or
7252 commission is reached. Appointments made at the beginning of the
7253 third year of the four-year cycle shall be made for the remainder
7254 of the membership positions irrespective of the time of their
7255 prior appointment. Any question regarding the order of
7256 appointments shall be determined by the Secretary of State in
7257 accordance with the specific statute. All appointment procedures,
7258 vacancy provisions, interim appointment provisions and removal
7259 provisions specifically provided for in Section 7-1-35,
7260 Mississippi Code of 1972, shall be fully applicable to
7261 appointments to the Pearl River Industrial Commission. The three
7262 (3) names submitted by the board of supervisors of Madison County
7263 and the board of supervisors of Rankin County shall be the names
7264 of persons who reside on and are holders of residential leases
7265 from the Pearl River Valley Water Supply District that are located
7266 in Madison County and Rankin County, respectively, or who reside
7267 in established subdivisions in Madison County and Rankin County,
7268 respectively, in which some of the residential property of the
7269 subdivision is leased from the Pearl River Valley Water Supply
7270 District. In his appointment the Governor shall designate the
7271 chairman and vice chairman of the commission. * * * The board of
7272 supervisors in any county through which or by which the Pearl
7273 River runs, other than those counties named above, may bring that
7274 county in as a member of the commission by resolution presented to



7275 the Governor; and the board of supervisors in such county may, in
7276 its discretion, call an election before taking such action, the
7277 election to be held as nearly as possible in the same manner other
7278 elections are held in the county.

7279 The member appointed from Madison County who is serving on
7280 July 1, 2012, shall continue to serve until January 1, 2013, after
7281 which date the Governor shall appoint a member from Madison County
7282 who meets the residency requirements of this section. The person
7283 appointed under the provisions of this paragraph shall serve for
7284 the remainder of the unexpired term.

7285 **SECTION 110.** Section 25-9-109, Mississippi Code of 1972, is
7286 amended as follows:

7287 25-9-109. There is hereby created a board of five (5)
7288 members to be known as the State Personnel Board to be appointed
7289 by the Governor as hereinafter provided, with the advice and
7290 consent of the Senate, one (1) to be appointed from each
7291 Mississippi Supreme Court District and two (2) from the state at
7292 large.

7293 * * *

7294 The State Personnel Board, created by former Section
7295 25-9-109, is continued and reconstituted as follows: Effective
7296 January 1, 2028, board members shall be appointed by the Governor,
7297 with the advice and consent of the Senate, for a term of office of
7298 four (4) years, provided that three (3) members shall be appointed
7299 in 2028 to a term ending December 31, 2031, and two (2) members



7300 shall be appointed in 2030 to a term ending December 31, 2033.
7301 Appointments made at the beginning of the four-year cycle shall be
7302 made to fill any member's term which actually expires that year
7303 and any member's term which expires next until the majority of the
7304 membership of the board or commission is reached. Appointments
7305 made at the beginning of the third year of the four-year cycle
7306 shall be made for the remainder of the membership positions
7307 irrespective of the time of their prior appointment. Any question
7308 regarding the order of appointments shall be determined by the
7309 Secretary of State in accordance with the specific statute. All
7310 appointment procedures, vacancy provisions, interim appointment
7311 provisions and removal provisions specifically provided for in
7312 Section 7-1-35, Mississippi Code of 1972, shall be fully
7313 applicable to appointments to the State Personnel Board.

7314 All appointees shall have at least a bachelor's degree in
7315 public administration, personnel management or in a
7316 management-related field of study or, in the alternative, shall
7317 have a bachelor's degree in any field and ten (10) years of
7318 experience in a position the duties of which specifically required
7319 the appointee to carry out personnel management responsibilities
7320 in an organization and were the exclusive responsibilities of his
7321 position. An appointee with a graduate degree in public
7322 administration, personnel management or in a management-related
7323 field of study shall also be qualified to serve on the board. In
7324 the alternative, an appointee with a graduate degree in any field



7325 shall be qualified if he has five (5) years of experience in a
7326 position the duties of which specifically required him to carry
7327 out personnel management responsibilities in an organization and
7328 were the exclusive responsibilities of his position.

7329 **SECTION 111.** Section 25-9-119, Mississippi Code of 1972, is
7330 amended as follows:

7331 25-9-119. (1) There is created the position of the State
7332 Personnel Director who shall be selected by the State Personnel
7333 Board, with the advice and consent of the Senate, to a four-year
7334 term of office, consistent with the provisions of Section 7-1-35,
7335 Mississippi Code of 1972. The director shall have at least a
7336 Juris Doctor degree from an accredited law school or a master's
7337 degree in business administration, personnel management or the
7338 equivalent and shall have not less than five (5) years' experience
7339 therein. His salary shall be in accordance with the Mississippi
7340 Compensation Plan. * * *

7341 (2) The duties and responsibilities of the director shall
7342 be:

7343 (a) To serve as executive secretary to the board, to
7344 attend meetings as directed by the board and to provide such
7345 professional, technical and other supportive assistance as may be
7346 required by the board in the performance of its duties;

7347 (b) Consistent with board policy, to administer the
7348 operations of the State Personnel System and to otherwise act in



7349 the capacity of Chief Executive Officer to the State Personnel
7350 Board;

7351 (c) To submit for board approval proposed rules and
7352 regulations which shall require a uniform system of personnel
7353 administration within all agencies included in this chapter. Such
7354 rules and regulations, when approved by the board, shall be
7355 binding upon the state departments, agencies and institutions
7356 covered by this chapter and shall include provisions for the
7357 establishment and maintenance of classification and compensation
7358 plans, the conduct of examinations, employee recruiting, employee
7359 selection, the certification of eligible persons, appointments,
7360 promotions, transfers, demotions, separations, reinstatement,
7361 appeals, reports of performance, payroll certification, employee
7362 training, vacation and sick leave, compensatory leave,
7363 administrative leave, standardized recordkeeping forms and
7364 procedures for leave earned, accrued and used, and all other
7365 phases of personnel administration. Such rules and regulations
7366 shall not be applicable to the emergency hiring of employees by
7367 the Public Employees' Retirement System pursuant to Section
7368 25-11-15(7). Copies of the rules and regulations, or
7369 modifications thereto, as are approved by the State Personnel
7370 Board, shall be provided to the Chairmen of the Accountability,
7371 Efficiency and Transparency Committee of the Senate and the Fees
7372 and Salaries of Public Officers Committee of the House of
7373 Representatives, the Lieutenant Governor and the Governor at least



7374 sixty (60) days before their effective date. The respective
7375 parties may submit comments to the board regarding such rules and
7376 regulations before their effective date;

7377 (i) Compensation plans and modifications thereto
7378 promulgated under rules and regulations shall become effective as
7379 adopted, upon appropriation therefor by the State Legislature;

7380 (ii) The director and the board shall provide for:

7381 1. Cost-of-living adjustments;

7382 2. Salary increases for outstanding
7383 performance based upon documented employee productivity and
7384 exceptional performance in assigned duties; and

7385 3. Plans to compensate employees for
7386 suggestions which result in improved management in technical or
7387 administrative procedures and result in documented cost savings
7388 for the state. In certifying promotions, the director shall
7389 ensure that an employee's anniversary date remains the same
7390 regardless of the date of his promotion;

7391 (d) To submit to the board any proposed legislation as
7392 may be necessary to bring existing statutes relating to the
7393 administration of public employees into uniformity;

7394 (e) To administer the rules and regulations and all
7395 other operational aspects of the State Personnel System and to
7396 assure compliance therewith in all the departments, agencies and
7397 institutions covered by the State Personnel System;



7398 (f) To appoint and prescribe the duties of the State
7399 Personnel System staff, all positions of which shall be included
7400 in the state service;

7401 (g) To prepare an annual budget for the board covering
7402 all the costs of operating the State Personnel System, including
7403 the State Personnel Board, and the costs of administering such
7404 federal laws relating to personnel administration as the board may
7405 direct, including the Intergovernmental Personnel Act of 1970;

7406 (h) To assist state agencies, departments and
7407 institutions in complying with all applicable state and federal
7408 statutes and regulations concerning discrimination in employment,
7409 personnel administration and related matters;

7410 (i) To recommend procedures for the establishment and
7411 abolishment of employment positions within those departments,
7412 agencies and institutions not excluded from this chapter; and

7413 (j) To cooperate with appointing authorities in the
7414 administration of this chapter in order to promote public service
7415 and establish conditions of service which will attract and retain
7416 employees of character and capacity and to increase efficiency and
7417 economy in governmental departments by the improvement of methods
7418 of personnel administration with full recognition of the
7419 requirements and needs of management.

7420 (3) From and after July 1, 2016, the State Personnel Board
7421 shall not charge another state agency a fee, assessment, or other



7422 charge for services or resources received by that agency from the
7423 State Personnel Board.

7424 (4) From and after July 1, 2016, the expenses of this agency
7425 shall be defrayed by appropriation from the State General Fund and
7426 all user charges and fees authorized under this section shall be
7427 deposited into the State General Fund as authorized by law.

7428 **SECTION 112.** Section 73-21-75, Mississippi Code of 1972, is
7429 amended as follows:

7430 73-21-75. (1) The State Board of Pharmacy created by former
7431 Section 73-21-9 is continued and reconstituted as follows: The
7432 board shall consist of seven (7) appointed members. At
7433 least * * * two (2) appointments shall be made from each * * *
7434 Mississippi Supreme Court District. Each appointed member of the
7435 board shall be appointed by the Governor, with the advice and
7436 consent of the Senate, from a list of five (5) names submitted by
7437 the Mississippi Pharmacists Association, with input from the
7438 Magnolia Pharmaceutical Society, the Mississippi Independent
7439 Pharmacies Association (MIPA), Mississippi Society of
7440 Health-System Pharmacists (MSHP) and Mississippi College of
7441 Clinical Pharmacy (MCCP) and other pharmacist associations or
7442 societies. Of the members appointed, one (1) shall, at the time
7443 of appointment, have had five (5) years' experience as a
7444 pharmacist at a facility holding an institutional permit, and one
7445 (1) shall, at the time of appointment, have had five (5) years'
7446 experience as a pharmacist at a facility holding a retail permit.



7447 Any person appointed to the board shall be limited to two (2) full
7448 terms of office during any fifteen-year period * * *.

7449 (2) * * * The State Board of Pharmacy, created by former
7450 Section 73-21-75, is continued and reconstituted as follows:
7451 Effective January 1, 2028, members of the board shall be appointed
7452 by the Governor, with the advice and consent of the Senate, for a
7453 term of office of four (4) years, provided that four (4) members
7454 shall be appointed in 2028 to a term ending December 31, 2031, and
7455 three (3) members shall be appointed in 2030 to a term ending
7456 December 31, 2033. Appointments made at the beginning of the
7457 four-year cycle shall be made to fill any member's term which
7458 actually expires that year and any member's term which expires
7459 next until the majority of the membership of the board or
7460 commission is reached. Appointments made at the beginning of the
7461 third year of the four-year cycle shall be made for the remainder
7462 of the membership positions irrespective of the time of their
7463 prior appointment. Any question regarding the order of
7464 appointments shall be determined by the Secretary of State in
7465 accordance with the specific statute. All appointment procedures,
7466 vacancy provisions, interim appointment provisions and removal
7467 provisions specifically provided for in Section 7-1-35,
7468 Mississippi Code of 1972, shall be fully applicable to
7469 appointments to the State Board of Pharmacy.

7470 (3) * * * The Mississippi Pharmacists Association, with
7471 input from the Magnolia Pharmaceutical Society, the Mississippi



7472 Independent Pharmacies Association (MIPA), Mississippi Society of
7473 Health-System Pharmacists (MSHP) and Mississippi College of
7474 Clinical Pharmacy (MCCP) and other pharmacist associations or
7475 societies, shall submit a list of nominees no more than thirty
7476 (30) days after a vacancy occurs, and the Governor shall fill such
7477 vacancies within ninety (90) days after each such vacancy occurs.
7478 If an election is required to narrow the number of potential
7479 candidates for nominations to the board, the Mississippi
7480 Pharmacists Association shall provide a ballot to each pharmacist
7481 holding a valid Mississippi license.

7482 (4) To be qualified to be a member of the board, a person
7483 shall:

7484 (a) Be an adult citizen of Mississippi for a period of
7485 at least five (5) years preceding his appointment to the board;

7486 (b) Be a pharmacist licensed and in good standing to
7487 practice pharmacy in the State of Mississippi; and

7488 (c) Have actively engaged in the practice of pharmacy
7489 in Mississippi for a period of at least five (5) years.

7490 * * *

7491 **SECTION 113.** Section 73-21-79, Mississippi Code of 1972, is
7492 amended as follows:

7493 73-21-79. (1) The board shall employ an executive director
7494 of the board. The executive director shall be a citizen of
7495 Mississippi and a pharmacist licensed and in good standing to



7496 practice pharmacy in the State of Mississippi, who has had five
7497 (5) years' experience as a pharmacist.

7498 (2) The executive director shall receive a salary to be set
7499 by the board, subject to the approval of the State Personnel
7500 Board, and shall be entitled to necessary expenses incurred in the
7501 performance of his official duties. He shall devote full time to
7502 the duties of his office and shall not be engaged in any other
7503 business that will interfere with the duties of his office.

7504 (3) The duties and responsibilities of the executive
7505 director shall be defined by rules and regulations prescribed by
7506 the board.

7507 (4) The board may, in its discretion, employ persons in
7508 addition to the executive director in such other positions or
7509 capacities as it deems necessary to the proper conduct of board
7510 business. Any pharmacist-investigator employed by the board may
7511 have other part-time employment, provided that he shall not accept
7512 any employment that would cause a conflict of interest in his
7513 pharmacist-investigator duties. The board may employ legal
7514 counsel to assist in the conduct of its business.

7515 (5) The board is authorized to appoint an executive director
7516 for a term of four (4) years, with the advice and consent of the
7517 Senate, and consistent with the provisions of Section 7-1-35,
7518 Mississippi Code of 1972.

7519 **SECTION 114.** Section 73-23-41, Mississippi Code of 1972, is
7520 amended as follows:



7521 73-23-41. (1) There is established a State Board of
7522 Physical Therapy that shall consist of seven (7) members appointed
7523 by the Governor, with the advice and consent of the Senate. Four
7524 (4) members shall be physical therapists, one (1) member shall be
7525 a physical therapist assistant, and one (1) member shall be a
7526 physician, each of whom possesses unrestricted licenses to
7527 practice in his or her profession. The Governor shall also
7528 appoint one (1) member who shall be a consumer at large who is not
7529 associated with or financially interested in any health care
7530 profession and who has an interest in consumer rights. Each of
7531 the four (4) members who are physical therapists shall be
7532 appointed from a list of * * * two (2) persons from each of
7533 the * * * Mississippi * * * Supreme Court Districts, as such
7534 districts currently exist, submitted by the Mississippi Physical
7535 Therapy Association, all of whom must be residents of Mississippi
7536 and must have engaged in the practice of physical therapy within
7537 the state for at least four (4) years. * * * The State Board of
7538 Physical Therapy, created by former Section 73-23-41, is continued
7539 and reconstituted as follows: Effective January 1, 2028, each
7540 board member shall be appointed by the Governor, with the advice
7541 and consent of the Senate, for a term of office of four (4) years,
7542 provided that four (4) members shall be appointed in 2028 to a
7543 term ending December 31, 2031, and three (3) members shall be
7544 appointed in 2030 to a term ending December 31, 2033.
7545 Appointments made at the beginning of the four-year cycle shall be



7546 made to fill any member's term which actually expires that year
7547 and any member's term which expires next until the majority of the
7548 membership of the board or commission is reached. Appointments
7549 made at the beginning of the third year of the four-year cycle
7550 shall be made for the remainder of the membership positions
7551 irrespective of the time of their prior appointment. Any question
7552 regarding the order of appointments shall be determined by the
7553 Secretary of State in accordance with the specific statute. All
7554 appointment procedures, vacancy provisions, interim appointment
7555 provisions and removal provisions specifically provided for in
7556 Section 7-1-35, Mississippi Code of 1972, shall be fully
7557 applicable to appointments to the State Board of Physical Therapy.
7558 No person shall be appointed for more than two (2) consecutive
7559 four-year terms. However, any board member initially appointed
7560 for less than a full four-year term is eligible to serve for two
7561 (2) additional consecutive four-year terms.

7562 (2) The board shall annually elect a chairman, secretary and
7563 treasurer. The board shall provide for the timely orientation and
7564 training of new professional and public appointees to the board
7565 regarding board licensing and disciplinary procedures, this
7566 chapter and board rules, regulations, policies and procedures. A
7567 member may be removed by the board only for due cause. Failure to
7568 attend at least half of the board meetings in a fiscal year shall
7569 constitute cause. The board shall meet at least once each
7570 quarter, and those meetings shall be held in compliance with the



7571 Open Meetings Law (Section 25-41-1 et seq.). A majority of board
7572 members shall constitute a quorum for the transaction of business.
7573 The board shall keep an official record of its meetings. * * *
7574 Members of the board shall receive the per diem authorized under
7575 Section 25-3-69 for each day spent actually discharging their
7576 official duties, and shall receive reimbursement for mileage and
7577 necessary travel expenses incurred as provided in Section 25-3-41.
7578 A board member who acts within the scope of board duties, without
7579 malice and in the reasonable belief that the member's action is
7580 warranted by law is immune from civil liability.

7581 **SECTION 115.** Section 73-23-43, Mississippi Code of 1972, is
7582 amended as follows:

7583 73-23-43. (1) The board shall have the following general
7584 powers and duties:

7585 (a) To examine and determine the qualifications and
7586 fitness of applicants for licenses to practice as physical
7587 therapists and licenses to act as physical therapist assistants in
7588 this state and prepare or approve and conduct all examinations of
7589 applicants for licensure;

7590 (b) To issue, renew, deny, suspend or revoke licenses
7591 to practice as physical therapists and licenses to act as physical
7592 therapist assistants in this state or otherwise discipline
7593 licensed physical therapists and physical therapist assistants;

7594 (c) To investigate alleged or suspected violations of
7595 the provisions of this chapter or other laws of this state



7596 pertaining to physical therapy and any rules and regulations
7597 adopted by the board;

7598 (d) To establish reasonable fees for application for
7599 examination, certificates of licensure and renewal, and other
7600 services provided by the board;

7601 (e) To adopt, amend or repeal any rules or regulations
7602 necessary to carry out the purposes of this chapter and the duties
7603 and responsibilities of the board, in accordance with Section
7604 25-43-1.101 et seq. Such rules, when lawfully adopted, shall have
7605 the effect of law;

7606 (f) To hire appropriate support personnel to carry out
7607 the provisions of this chapter;

7608 (g) To adopt a code of ethics for physical therapists
7609 and physical therapist assistants licensed under this chapter
7610 which may be the current code of ethics of the American Physical
7611 Therapy Association;

7612 (h) To regulate the practice of physical therapy by
7613 interpreting and enforcing this chapter;

7614 (i) To provide for the examination of physical
7615 therapists and physical therapist assistants;

7616 (j) To establish mechanisms for assessing the
7617 continuing professional competence of physical therapists and
7618 physical therapist assistants to practice physical therapy;

7619 (k) To set criteria for continuing education;



7620 (1) To establish and collect fees for sustaining the
7621 necessary operation and expenses of the board;

7622 (m) To publish, at least annually, final disciplinary
7623 action against a licensee;

7624 (n) To report final disciplinary action taken against a
7625 licensee to other state or federal regulatory agencies and to a
7626 national disciplinary database recognized by the board or as
7627 required by law;

7628 (o) To share documents, materials, or other
7629 information, including confidential and privileged documents,
7630 materials, or information, received or maintained by the board
7631 with other state or federal agencies, and with a national
7632 disciplinary database recognized by the board or as required by
7633 law provided that the recipient agrees to maintain the
7634 confidentiality and privileged status of the document, material or
7635 other information;

7636 (p) To participate in or conduct performance audits;

7637 (q) To, through its employees and/or representatives,
7638 enter and make inspections of any place where physical therapy is
7639 practiced and inspect and/or copy any record pertaining to clients
7640 or the practice of physical therapy under this chapter;

7641 (r) To issue subpoenas for the attendance and testimony
7642 of witnesses and the production of papers, records or other
7643 documentary evidence. Any member of the board may administer
7644 oaths or affirmations to witnesses appearing before the board. If



7645 any subpoenaed person fails or refuses to attend any proceeding
7646 before the board, refuses to testify, refuses to produce any books
7647 and papers the production of which is called for by a subpoena, or
7648 otherwise fails to comply with any subpoena issued pursuant to
7649 this subsection, the attendance of such witness, the giving of his
7650 or her testimony, the production of the books and papers or other
7651 compliance with the subpoena shall be enforced by any court of
7652 competent jurisdiction of this state in the manner provided for
7653 the enforcement of attendance and testimony of witnesses in civil
7654 cases in the courts of this state.

7655 (s) To conduct a criminal history records check on
7656 licensees whose licensure is subject to investigation by the board
7657 and on applicants for licensure. In order to determine the
7658 applicant's or licensee's suitability for licensing, the applicant
7659 or licensee shall be fingerprinted. The board shall submit the
7660 fingerprints to the Department of Public Safety for a check of the
7661 state criminal records and forward to the Federal Bureau of
7662 Investigation for a check of the national criminal records. The
7663 Department of Public Safety shall disseminate the results of the
7664 state check and the national check to the board for a suitability
7665 determination. The board shall be authorized to charge and
7666 collect from the applicant or licensee, in addition to all other
7667 applicable fees and costs, such amount as may be incurred by the
7668 board in requesting and obtaining state and national criminal
7669 history records information on the applicant or licensee.



7670 Any and all state or national criminal history records
7671 information obtained by the board that is not already a matter of
7672 public record shall be deemed nonpublic and confidential
7673 information restricted to the exclusive use of the board, its
7674 members, officers, investigators, agents and attorneys in
7675 evaluating the applicant's eligibility or disqualification for
7676 licensure, and shall be exempt from the Mississippi Public Records
7677 Act of 1983. Except when introduced into evidence in a hearing
7678 before the board to determine licensure, no such information or
7679 records related thereto shall, except with the written consent of
7680 the applicant or by order of a court of competent jurisdiction, be
7681 released or otherwise disclosed by the board to any other person
7682 or agency; and

7683 (t) Perform the duties prescribed by the Physical
7684 Therapy Licensure Compact provided for in Section 73-23-101. The
7685 State Board of Physical Therapy shall be the physical therapy
7686 licensing board.

7687 The powers and duties enumerated above are granted for the
7688 purpose of enabling the board to safeguard the public health,
7689 safety and welfare against unqualified or incompetent
7690 practitioners of physical therapy and persons acting as physical
7691 therapist assistants, and are to be liberally construed to
7692 accomplish this objective.

7693 (2) The board shall maintain a register listing the name of
7694 every physical therapist and physical therapist assistant licensed



7695 to practice in this state, his last known place of business and
7696 last known place of residence, and the date and number of his
7697 license. The board shall, at least once a year, compile a list of
7698 physical therapists and physical therapist assistants licensed to
7699 practice in this state and such a list shall be available to any
7700 person upon application to the board and the payment of such
7701 charges as may be fixed by it.

7702 (3) The board is authorized to appoint an executive director
7703 for a term of four (4) years, with the advice and consent of the
7704 Senate, and consistent with the provisions of Section 7-1-35,
7705 Mississippi Code of 1972.

7706 **SECTION 116.** Section 73-29-7, Mississippi Code of 1972, is
7707 amended as follows:

7708 73-29-7. (1) There is hereby established a Polygraph
7709 Examiners Board consisting of three (3) members who shall be
7710 citizens of the United States and residents of the state for at
7711 least two (2) years prior to appointment and at the time of
7712 appointment are active polygraph examiners. No two (2) board
7713 members may be employed by the same person or agency. At least
7714 one (1) member must be a qualified examiner of a governmental law
7715 enforcement agency, and shall be the supervisor of the polygraph
7716 section of the Department of Public Safety, and at least one (1)
7717 member must be a qualified polygraph examiner in the commercial
7718 field. The members shall be appointed by the Governor of the
7719 State of Mississippi, with the advice and consent of the



7720 Senate * * *, one (1) from each Mississippi Supreme Court
7721 District. * * * The Polygraph Examiners Board, created by former
7722 Section 73-29-7, is continued and reconstituted as follows:
7723 Effective January 1, 2028, each board member shall be appointed by
7724 the Governor, with the advice and consent of the Senate, for a
7725 term of office of four (4) years, provided that two (2) members
7726 shall be appointed in 2028 to a term ending December 31, 2031, and
7727 one (1) member shall be appointed in 2030 to a term ending
7728 December 31, 2033. Appointments made at the beginning of the
7729 four-year cycle shall be made to fill any member's term which
7730 actually expires that year and any member's term which expires
7731 next until the majority of the membership of the board or
7732 commission is reached. Appointments made at the beginning of the
7733 third year of the four-year cycle shall be made for the remainder
7734 of the membership positions irrespective of the time of their
7735 prior appointment. Any question regarding the order of
7736 appointments shall be determined by the Secretary of State in
7737 accordance with the specific statute. All appointment procedures,
7738 vacancy provisions, interim appointment provisions and removal
7739 provisions specifically provided for in Section 7-1--35,
7740 Mississippi Code of 1972, shall be fully applicable to
7741 appointments to the Polygraph Examiners Board.

7742 (2) The board shall elect a chairman, vice chairman and
7743 secretary from among its members.



7744 (3) The vote of a majority of the board members is
7745 sufficient for passage of any business or proposal which comes
7746 before the board.

7747 (4) The members of the board shall receive Twenty-two
7748 Dollars and Fifty Cents (\$22.50) per diem for each day spent in
7749 the actual discharge of their duties.

7750 (5) The Department of Public Safety is hereby authorized to
7751 provide the board with an appropriate office and such
7752 administrative and clerical services as may be necessary to carry
7753 out the board's responsibilities, including investigative and
7754 testing services, budgetary support and such other services and
7755 support deemed appropriate by the Commissioner of Public Safety.

7756 **SECTION 117.** Section 37-106-9, Mississippi Code of 1972, is
7757 amended as follows:

7758 37-106-9. (1) There is hereby created the Postsecondary
7759 Education Financial Assistance Board which shall consist of the
7760 following nine (9) members and two (2) nonvoting advisory members:
7761 two (2) people to be appointed by the Board of Trustees of State
7762 Institutions of Higher Learning, one (1) from its membership to
7763 serve for an initial period of four (4) years and one (1)
7764 institutional representative to serve for an initial period of
7765 three (3) years; two (2) people to be appointed by the Mississippi
7766 Community College Board, one (1) from its membership to serve for
7767 an initial period of three (3) years and one (1) institutional
7768 representative to serve for an initial period of two (2) years;



7769 two (2) people to be appointed by the Governor, one (1) to serve
7770 for an initial period of two (2) years and one (1) to serve for an
7771 initial period of one (1) year; two (2) people to be appointed by
7772 the Executive Director of the Mississippi Association of
7773 Independent Colleges and Universities, one (1) association
7774 representative to serve for an initial period of two (2) years and
7775 one (1) institutional representative to serve for an initial
7776 period of one (1) year; and one (1) person to be appointed by the
7777 Lieutenant Governor for an initial period of (4) years. All
7778 subsequent appointments shall be for a period of four (4) years.
7779 Vacancies shall be filled for the length of the unexpired term
7780 only. The Postsecondary Education Financial Assistance Board,
7781 created by former Section 37-106-9, is continued and reconstituted
7782 as follows: Effective January 1, 2028, each board member shall be
7783 appointed by the Governor or prescribed appointing authority, with
7784 the advice and consent of the Senate, for a term of office of four
7785 (4) years, provided that five (5) members shall be appointed in
7786 2028 to a term ending December 31, 2031, and four (4) members
7787 shall be appointed in 2030 to a term ending December 31, 2033.
7788 Appointments made at the beginning of the four-year cycle shall be
7789 made to fill any member's term which actually expires that year
7790 and any member's term which expires next until the majority of the
7791 membership of the board or commission is reached. Appointments
7792 made at the beginning of the third year of the four-year cycle
7793 shall be made for the remainder of the membership positions



7794 irrespective of the time of their prior appointment. Any question
7795 regarding the order of appointments shall be determined by the
7796 Secretary of State in accordance with the specific statute. All
7797 appointment procedures, vacancy provisions, interim appointment
7798 provisions and removal provisions specifically provided for in
7799 Section 7-1-35, Mississippi Code of 1972, shall be fully
7800 applicable to appointments to the Postsecondary Education
7801 Financial Assistance Board. The board shall elect from its
7802 membership a chairman. Additionally, the Chairmen of the House
7803 and Senate Universities and Colleges Committees shall serve as
7804 nonvoting advisory members.

7805 (2) The agency shall designate one (1) member of its staff
7806 to serve as director, to administer the provisions of this
7807 financial assistance program. The director shall serve a term of
7808 four (4) years subject to the advice and consent of the Senate and
7809 consistent with the provisions of Section 7-1-35, Mississippi Code
7810 of 1972. The director shall be assigned by the agency sufficient
7811 staff, professional and clerical, funds and quarters to administer
7812 this program.

7813 (3) The director:

7814 (a) Subject to the review of the board, shall have the
7815 power of final approval of any application submitted;

7816 (b) Subject to the approval of the board, shall have
7817 authority to promulgate the necessary rules and regulations for



7818 effective administration of this chapter, including the method of
7819 making application for assistance authorized by this chapter.

7820 **SECTION 118.** Section 73-31-5, Mississippi Code of 1972, is
7821 amended as follows:

7822 73-31-5. (1) There is created a Mississippi Board of
7823 Psychology consisting of seven (7) members who are citizens of the
7824 United States and residing in the State of Mississippi appointed
7825 by the Governor, with the advice and consent of the Senate, two
7826 (2) from each Mississippi Supreme Court District and one (1) from
7827 the state at large. One (1) member of the board shall be a person
7828 who is not a psychologist or a mental health professional but who
7829 has expressed a continuing interest in the field of psychology.
7830 Each board member shall otherwise be licensed under this chapter.
7831 The composition of the board shall at all times include
7832 psychologists engaged in the professional practice of psychology
7833 and psychologists who are faculty at institutions of higher
7834 learning that grant doctoral degrees or staff or faculty of an
7835 American Psychological Association accredited doctoral level
7836 internship or postdoctoral fellowship.

7837 (2) * * * The State Board of Psychology, created by former
7838 Section 73-31-5, is continued and reconstituted as follows:
7839 Effective January 1, 2028, each board member shall be appointed by
7840 the Governor or prescribed appointing authority, with the advice
7841 and consent of the Senate, for a term of office of four (4) years,
7842 provided that four (4) members to be designated by the appointing



7843 authority shall be appointed in 2028 to a term ending December 31,
7844 2031, and three (3) members shall be appointed in 2030 to a term
7845 ending December 31, 2033. Appointments made at the beginning of
7846 the four-year cycle shall be made to fill any member's term which
7847 actually expires that year and any member's term which expires
7848 next until the majority of the membership of the board or
7849 commission is reached. Appointments made at the beginning of the
7850 third year of the four-year cycle shall be made for the remainder
7851 of the membership positions irrespective of the time of their
7852 prior appointment. Any question regarding the order of
7853 appointments shall be determined by the Secretary of State in
7854 accordance with the specific statute. All appointment procedures,
7855 vacancy provisions, interim appointment provisions and removal
7856 provisions specifically provided for in Section 7-1-35,
7857 Mississippi Code of 1972, shall be fully applicable to
7858 appointments to the State Board of Psychology. All appointments
7859 of psychologist members of the board shall be made from a list
7860 containing the names of at least three (3) eligible nominees for
7861 each vacancy submitted by the Mississippi Psychological
7862 Association. * * *

7863 * * *

7864 (* * *3) Each board member shall serve without
7865 compensation, but shall receive actual traveling and incidental
7866 expenses necessarily incurred while engaged in the discharge of
7867 official duties.



7868 **SECTION 119.** Section 73-31-7, Mississippi Code of 1972, is
7869 amended as follows:

7870 73-31-7. (1) The board shall annually elect officers from
7871 its membership. The board shall meet at any other times as it
7872 deems necessary or advisable, or as deemed necessary and advisable
7873 by the chairman or a majority of its members or the Governor.
7874 Reasonable notice of all meetings shall be given in the manner
7875 prescribed by the board. A majority of the board shall constitute
7876 a quorum at any meeting or hearing. Any meeting at which the
7877 chairman is not present shall be chaired by his designee.

7878 (2) The board is authorized and empowered to:

7879 (a) Adopt and, from time to time, revise any rules and
7880 regulations not inconsistent with, and as may be necessary to
7881 carry into effect the provisions of this chapter.

7882 (b) Within the funds available, employ and/or contract
7883 with a stenographer and other personnel, and contract for
7884 services, as are necessary for the proper performance of its work
7885 under this chapter.

7886 (c) Adopt a seal, and the executive secretary or board
7887 administrator shall have the care and custody thereof.

7888 (d) Examine, license, and renew the license of duly
7889 qualified applicants.

7890 (e) Conduct hearings upon complaints concerning the
7891 disciplining or licensing of applicants and psychologists.



7892 (f) Deny, approve, withhold, revoke, suspend and/or
7893 otherwise discipline applicants and licensed psychologists.

7894 (g) Issue an educational letter to a licensee in order
7895 to assist that individual in his or her practice as a
7896 psychologist. Such a letter will not be considered to be
7897 disciplinary action.

7898 (h) Cause the prosecution and enjoinder of all persons
7899 violating this chapter, and incur necessary expenses therefor.

7900 (i) Charge a fee of not more than Seven Hundred Dollars
7901 (\$700.00) to a qualified psychologist as determined by the board
7902 who is applying for certification by the board to conduct
7903 examinations in civil commitment proceedings.

7904 (j) Purchase general liability insurance coverage,
7905 including errors and omissions insurance, to cover the official
7906 actions of the board members and contract personnel and suits
7907 against them in their individual capacity. That coverage shall be
7908 in an amount determined by the board to be adequate, and the costs
7909 of the insurance shall be paid out of any funds available to the
7910 board.

7911 (k) As additional responsibilities, effective July 1,
7912 2018, the board shall administer and support the function of the
7913 Mississippi Autism Board under Sections 73-75-1 through 73-75-25,
7914 relating to the licensure of licensed behavior analysts and
7915 licensed assistant behavior analysts.



7916 (3) Within thirty (30) days after the close of each fiscal
7917 year ending June 30, the board shall submit an official report,
7918 reviewed and signed by all board members, to the Governor
7919 concerning the work of the board during the preceding fiscal year.
7920 The report shall include the names of all psychologists to whom
7921 licenses have been granted; any cases heard and decisions rendered
7922 in relation to the work of the board; the names, remuneration and
7923 duties of any employees of the board; and an account of all monies
7924 received and expended by the board.

7925 (4) The board is authorized to appoint an executive director
7926 for a term of four (4) years, with the advice and consent of the
7927 Senate, and consistent with the provisions of Section 7-1-35,
7928 Mississippi Code of 1972.

7929 **SECTION 120.** Section 25-11-15, Mississippi Code of 1972, is
7930 amended as follows:

7931 25-11-15. (1) Board of trustees: The general
7932 administration and responsibility for the proper operation of the
7933 Public Employees' Retirement System and the federal-state
7934 agreement and for making effective the provisions of Articles 1
7935 and 3 are vested in a board of trustees.

7936 (2) The board shall consist of ten (10) trustees, as
7937 follows:

7938 (a) The State Treasurer;



7939 (b) One (1) member who shall be appointed by the
7940 Governor, with the advice and consent of the Senate, for a term of
7941 four (4) years, who shall be a member of the system;

7942 (c) Two (2) members of the system having at least ten
7943 (10) years of creditable service who are state employees who are
7944 not employees of the state institutions of higher learning, who
7945 shall be elected by members of the system who are employees of
7946 state agencies and by members of the Mississippi Highway Safety
7947 Patrol Retirement System, but not by employees of the state
7948 institutions of higher learning;

7949 (d) Two (2) members of the system having at least ten
7950 (10) years of creditable service who do not hold office in the
7951 legislative or judicial departments of municipal or county
7952 government, one (1) of whom shall be an employee of a
7953 municipality, instrumentality or juristic entity thereof, who
7954 shall be elected by members of the system who are employees of the
7955 municipalities, instrumentalities or juristic entities thereof and
7956 by members of the municipal systems and the firemen's and
7957 policemen's disability and relief funds administered by the board
7958 of trustees, and one (1) of whom shall be an employee of a county,
7959 instrumentality or juristic entity thereof, who shall be elected
7960 by members of the system who are employees of the counties,
7961 instrumentalities or juristic entities thereof;

7962 (e) One (1) member of the system having at least ten
7963 (10) years of creditable service who is an employee of a state



7964 institution of higher learning, who shall be elected by members of
7965 the system who are employees of the state institutions of higher
7966 learning as included in Section 37-101-1. Any member of the board
7967 on July 1, 1984, who is an employee of an institution of higher
7968 learning shall serve as the member trustee representing the
7969 institutions of higher learning until the end of the term for
7970 which he or she was elected;

7971 (f) Two (2) retired members who are receiving a
7972 retirement allowance from the system, who shall be elected by the
7973 retired members or beneficiaries receiving a retirement allowance
7974 from the system and by the retired members or beneficiaries of the
7975 municipal systems, the firemen's and policemen's disability and
7976 relief funds and the Mississippi Highway Safety Patrol Retirement
7977 System administered by the board of trustees, to serve for a term
7978 of six (6) years under rules and regulations adopted by the board
7979 to govern that election; however, any retired member of the board
7980 in office on April 19, 1993, shall serve as a retired trustee
7981 until the end of the term for which he or she was elected;

7982 (g) One (1) member of the system having at least ten
7983 (10) years of creditable service who is an employee of any public
7984 school district or junior college or community college district
7985 that participates in the system, who shall be elected by the
7986 members of the system who are employees of any public school
7987 district or junior college or community college district; however,
7988 any member of the board on June 30, 1989, who is a certified



7989 classroom teacher shall serve as the member representing a
7990 classroom teacher until the end of the term for which the member
7991 was appointed;

7992 (h) In the first election to be held for trustees one
7993 (1) member shall be elected for a term of two (2) years, and one
7994 (1) member for a term of four (4) years, and one (1) member for a
7995 term of six (6) years. Thereafter, their successors shall be
7996 elected for terms of six (6) years. All elections shall be held
7997 in accordance with rules and regulations adopted by the board to
7998 govern those elections and the board shall be the sole judge of
7999 all questions arising incident to or connected with the elections.

8000 (i) Any person eligible to vote for the election of a
8001 member of the board of trustees and who meets the qualifications
8002 for the office may seek election to the office and serve if
8003 elected. For purposes of determining eligibility to seek office
8004 as a member of the board of trustees, the required creditable
8005 service in "the system" shall include each system administered by
8006 the board of trustees in which the person is a member.

8007 The members described above and serving on the board on June
8008 30, 1989, shall continue to serve on the board until the
8009 expiration of their terms.

8010 (3) If a vacancy occurs in the office of a trustee, the
8011 vacancy shall be filled for the unexpired term in the same manner
8012 as the office was previously filled. However, if the unexpired
8013 term is six (6) months or less, an election shall be held to fill



8014 the office vacated for the next succeeding full term of office,
8015 and the person so elected to fill the next full term shall be
8016 appointed by the board to fill the remainder of the unexpired
8017 term. Whenever any member who is elected to a position to
8018 represent a class of members ceases to be a member of that class,
8019 that board member is no longer eligible for membership on the
8020 board. The position shall be declared vacant, and the unexpired
8021 term shall be filled in the same manner as the office was
8022 previously filled.

8023 (4) Each trustee shall, within ten (10) days after his or
8024 her appointment or election, take an oath of office as provided by
8025 law and, in addition, shall take an oath that he or she will
8026 diligently and honestly administer the affairs of the board, and
8027 that he or she will not knowingly violate or willingly permit to
8028 be violated any of the provisions of law applicable to Articles 1
8029 and 3. The oath shall be signed by the member making it,
8030 certified by the officer before whom it is taken, and immediately
8031 filed in the office of the Secretary of State.

8032 (5) Each trustee shall be entitled to one (1) vote. Six (6)
8033 members shall constitute a quorum at any meeting of the board, and
8034 a majority of those present shall be necessary for a decision.

8035 (6) Subject to the limitations of Articles 1 and 3, the
8036 board shall establish rules and regulations for the administration
8037 of the system created by those articles and for the transaction of
8038 its business, and to give force and effect to the provisions of



8039 those articles wherever necessary to carry out the intent and
8040 purposes of the Legislature. The cited articles are remedial law
8041 and shall be liberally construed to accomplish their purposes.

8042 (7) Notwithstanding any other law to the contrary, in the
8043 event of a natural disaster or other occurrence that results in
8044 the failure of the retirement system's computer system or a
8045 significant disruption of the normal activities of the retirement
8046 system, the executive director of the board, or his or her deputy,
8047 shall be authorized to contract with another entity, governmental
8048 or private, during the period of the failure or disruption, for
8049 services, commodities, work space and supplies as necessary to
8050 carry out the administration of all systems and programs
8051 administered by the board. The board shall be authorized to pay
8052 the reasonable cost of those services, commodities, work space and
8053 supplies. At the meeting of the board next following the
8054 execution of a contract authorized under this subsection,
8055 documentation of the contract, including a description of the
8056 services, commodities, work space or supplies, the price thereof
8057 and the nature of the disaster or occurrence, shall be presented
8058 to the board and placed on the minutes of the board. Because of
8059 their emergency nature, purchases made under this subsection shall
8060 not be required to comply with the provisions of Section 31-7-13
8061 or any other law governing public purchases.

8062 (8) The computer equipment and software owned by the Public
8063 Employees' Retirement System are assets of the Trust Fund by



8064 virtue of the Constitution, Section 272-A and acquisition and
8065 operation thereof shall be under the jurisdiction of the Public
8066 Employees' Retirement System.

8067 (9) The board shall elect a chairman and shall by a majority
8068 vote of all of its members appoint a secretary whose title shall
8069 be executive director, who shall serve * * * for a term of four
8070 (4) years, with the advice and consent of the Senate, and
8071 consistent with the provisions of Section 7-1-35, Mississippi Code
8072 of 1972. The executive director shall not be a member of the
8073 board of trustees, * * * be entitled to membership in the system,
8074 and * * * act as secretary of the board. The board of trustees
8075 shall employ such actuarial, clerical and other employees as are
8076 required to transact the business of the system, and shall fix the
8077 compensation of all employees, subject to the rules and
8078 regulations of the State Personnel Board.

8079 (10) Each member of the board shall receive as compensation
8080 for his or her services Three Hundred Dollars (\$300.00) per month.
8081 All members of the board shall be reimbursed for their necessary
8082 traveling expenses, which shall be paid in accordance with the
8083 requirements of Section 25-3-41 or other applicable statutes with
8084 respect to traveling expenses of state officials and employees on
8085 official business. All members of the board shall be entitled to
8086 be members of the system and shall be entitled to creditable
8087 service for all time served as a member of the board, except for
8088 the retired members, who shall not be entitled to be a member of



8089 the system and who shall be eligible to receive the retirement
8090 allowance and compensation for services from the system while
8091 serving as a member of the board. Members of the board who are
8092 employed in state service (as defined in Section 25-11-103) shall
8093 not be required to take annual leave from their state service
8094 employment while performing his or her official duties as a member
8095 of the board.

8096 (11) All expenses of the board incurred in the
8097 administration of Articles 1 and 3 shall be paid from such funds
8098 as may be appropriated by the Legislature for that purpose or from
8099 administrative fees collected from political subdivisions or
8100 juristic entities of the state. Each political subdivision of the
8101 state and each instrumentality of the state or of a political
8102 subdivision or subdivisions that submit a plan for approval by the
8103 board as provided in Section 25-11-11 shall reimburse the board,
8104 for coverage into the administrative expense fund, its pro rata
8105 share of the total expense of administering Articles 1 and 3 as
8106 provided by regulations of the board.

8107 (12) The Lieutenant Governor may designate two (2) Senators
8108 and the Speaker of the House of Representatives may designate two
8109 (2) Representatives to attend any meeting of the Board of Trustees
8110 of the Public Employees' Retirement System. The appointing
8111 authorities may designate alternate members from their respective
8112 houses to serve when the regular designees are unable to attend
8113 the meetings of the board. The legislative designees shall have



8114 no jurisdiction or vote on any matter within the jurisdiction of
8115 the board. For attending meetings of the board, the legislators
8116 shall receive per diem and expenses, which shall be paid from the
8117 contingent expense funds of their respective houses in the same
8118 amounts as provided for committee meetings when the Legislature is
8119 not in session; however, no per diem and expenses for attending
8120 meetings of the board will be paid while the Legislature is in
8121 session. No per diem and expenses will be paid except for
8122 attending meetings of the board without prior approval of the
8123 proper committee in their respective houses.

8124 **SECTION 121.** Section 27-104-7, Mississippi Code of 1972, is
8125 amended as follows:

8126 27-104-7. (1) (a) There is created the Public Procurement
8127 Review Board, which shall be reconstituted on January 1, 2018, and
8128 shall be composed of the following members:

8129 (i) Three (3) individuals appointed by the
8130 Governor with the advice and consent of the Senate;

8131 (ii) Two (2) individuals appointed by the
8132 Lieutenant Governor with the advice and consent of the Senate; and

8133 (iii) The Executive Director of the Department of
8134 Finance and Administration, serving as an ex officio and nonvoting
8135 member.

8136 (b) The initial terms of each appointee shall be as
8137 follows:



8138 (i) One (1) member appointed by the Governor to
8139 serve for a term ending on June 30, 2019;

8140 (ii) One (1) member appointed by the Governor to
8141 serve for a term ending on June 30, 2020;

8142 (iii) One (1) member appointed by the Governor to
8143 serve for a term ending on June 30, 2021;

8144 (iv) One (1) member appointed by the Lieutenant
8145 Governor to serve for a term ending on June 30, 2019; and

8146 (v) One (1) member appointed by the Lieutenant
8147 Governor to serve for a term ending on June 30, 2020.

8148 After the expiration of the initial terms, all appointed
8149 members' terms shall be for a period of four (4) years from the
8150 expiration date of the previous term, and until such time as the
8151 member's successor is duly appointed and qualified.

8152 (c) The Public Procurement Review Board, created by
8153 former Section 27-104-7, is continued and reconstituted as
8154 follows: Effective January 1, 2028, all members appointed to the
8155 board by the Governor or Lieutenant Governor shall be appointed,
8156 with the advice and consent of the Senate, for a term of office of
8157 four (4) years, provided that three (3) members as designated by
8158 the Governor or Lieutenant Governor shall be appointed in 2028 to
8159 a term ending December 31, 2031, and two (2) members as designated
8160 by the Governor or Lieutenant Governor shall be appointed in 2030
8161 to a term ending December 31, 2033. Appointments made at the
8162 beginning of the four-year cycle shall be made to fill any



8163 member's term which actually expires that year and any member's
8164 term which expires next until the majority of the membership of
8165 the board or commission is reached. Appointments made at the
8166 beginning of the third year of the four-year cycle shall be made
8167 for the remainder of the membership positions irrespective of the
8168 time of their prior appointment. Any question regarding the order
8169 of appointments shall be determined by the Secretary of State in
8170 accordance with the specific statute. All appointment procedures,
8171 vacancy provisions, interim appointment provisions and removal
8172 provisions specifically provided for in Section 7-1-35,
8173 Mississippi Code of 1972, shall be fully applicable to
8174 appointments to the Public Procurement Review Board.

8175 (* * *d) When appointing members to the Public
8176 Procurement Review Board, the Governor and Lieutenant Governor
8177 shall take into consideration persons who possess at least five
8178 (5) years of management experience in general business, health
8179 care or finance for an organization, corporation or other public
8180 or private entity. Any person, or any employee or owner of a
8181 company, who receives any grants, procurements or contracts that
8182 are subject to approval under this section shall not be appointed
8183 to the Public Procurement Review Board. Any person, or any
8184 employee or owner of a company, who is a principal of the source
8185 providing a personal or professional service shall not be
8186 appointed to the Public Procurement Review Board if the principal
8187 owns or controls a greater than five percent (5%) interest or has



8188 an ownership value of One Million Dollars (\$1,000,000.00) in the
8189 source's business, whichever is smaller. No member shall be an
8190 officer or employee of the State of Mississippi while serving as a
8191 voting member on the Public Procurement Review Board.

8192 (* * *e) Members of the Public Procurement Review
8193 Board shall be entitled to per diem as authorized by Section
8194 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

8195 (* * *f) The members of the Public Procurement Review
8196 Board shall elect a chair from among the membership, and he or she
8197 shall preside over the meetings of the board. The board shall
8198 annually elect a vice chair, who shall serve in the absence of the
8199 chair. No business shall be transacted, including adoption of
8200 rules of procedure, without the presence of a quorum of the board.
8201 Three (3) members shall be a quorum. No action shall be valid
8202 unless approved by a majority of the members present and voting,
8203 entered upon the minutes of the board and signed by the chair.
8204 Necessary clerical and administrative support for the board shall
8205 be provided by the Department of Finance and Administration.
8206 Minutes shall be kept of the proceedings of each meeting, copies
8207 of which shall be filed on a monthly basis with the chairs of the
8208 Accountability, Efficiency and Transparency Committees of the
8209 Senate and House of Representatives and the chairs of the
8210 Appropriations Committees of the Senate and House of
8211 Representatives.



8212 (2) The Public Procurement Review Board shall have the
8213 following powers and responsibilities:

8214 (a) Approve all purchasing regulations governing the
8215 purchase or lease by any agency, as defined in Section 31-7-1, of
8216 commodities and equipment, except computer equipment acquired
8217 pursuant to Sections 25-53-1 through 25-53-29;

8218 (b) Adopt regulations governing the approval of
8219 contracts let for the construction and maintenance of state
8220 buildings and other state facilities as well as related contracts
8221 for architectural and engineering services.

8222 The provisions of this paragraph (b) shall not apply to such
8223 contracts involving buildings and other facilities of state
8224 institutions of higher learning which are self-administered as
8225 provided under this paragraph (b) or Section 37-101-15(m);

8226 (c) Adopt regulations governing any lease or rental
8227 agreement by any state agency or department, including any state
8228 agency financed entirely by federal funds, for space outside the
8229 buildings under the jurisdiction of the Department of Finance and
8230 Administration. These regulations shall require each agency
8231 requesting to lease such space to provide the following
8232 information that shall be published by the Department of Finance
8233 and Administration on its website: the agency to lease the space;
8234 the terms of the lease; the approximate square feet to be leased;
8235 the use for the space; a description of a suitable space; the
8236 general location desired for the leased space; the contact



8237 information for a person from the agency; the deadline date for
8238 the agency to have received a lease proposal; any other specific
8239 terms or conditions of the agency; and any other information
8240 deemed appropriate by the Division of Real Property Management of
8241 the Department of Finance and Administration or the Public
8242 Procurement Review Board. The information shall be provided
8243 sufficiently in advance of the time the space is needed to allow
8244 the Division of Real Property Management of the Department of
8245 Finance and Administration to review and preapprove the lease
8246 before the time for advertisement begins;

8247 (d) Adopt, in its discretion, regulations to set aside
8248 at least five percent (5%) of anticipated annual expenditures for
8249 the purchase of commodities from minority businesses; however, all
8250 such set-aside purchases shall comply with all purchasing
8251 regulations promulgated by the department and shall be subject to
8252 all bid requirements. Set-aside purchases for which competitive
8253 bids are required shall be made from the lowest and best minority
8254 business bidder; however, if no minority bid is available or if
8255 the minority bid is more than two percent (2%) higher than the
8256 lowest bid, then bids shall be accepted and awarded to the lowest
8257 and best bidder. However, the provisions in this paragraph shall
8258 not be construed to prohibit the rejection of a bid when only one
8259 (1) bid is received. Such rejection shall be placed in the
8260 minutes. For the purposes of this paragraph, the term "minority
8261 business" means a business which is owned by a person who is a



8262 citizen or lawful permanent resident of the United States and who
8263 is:

8264 (i) Black: having origins in any of the black
8265 racial groups of Africa;

8266 (ii) Hispanic: of Mexican, Puerto Rican, Cuban,
8267 Central or South American, or other Spanish or Portuguese culture
8268 or origin regardless of race;

8269 (iii) Asian-American: having origins in any of
8270 the original people of the Far East, Southeast Asia, the Indian
8271 subcontinent, or the Pacific Islands;

8272 (iv) American Indian or Alaskan Native: having
8273 origins in any of the original people of North America; or

8274 (v) Female;

8275 (e) In consultation with and approval by the Chairs of
8276 the Senate and House Public Property Committees, approve leases,
8277 for a term not to exceed eighteen (18) months, entered into by
8278 state agencies for the purpose of providing parking arrangements
8279 for state employees who work in the Woolfolk Building, the Carroll
8280 Gartin Justice Building or the Walter Sillers Office Building;

8281 (f) (i) Except as otherwise provided in subparagraph
8282 (ii) of this paragraph, promulgate rules and regulations governing
8283 the solicitation and selection of contractual services personnel,
8284 including personal and professional services contracts for any
8285 form of consulting, policy analysis, public relations, marketing,
8286 public affairs, legislative advocacy services or any other



8287 contract that the board deems appropriate for oversight, with the
8288 exception of:

8289 1. Any personal service contracts entered
8290 into by any agency that employs only nonstate service employees as
8291 defined in Section 25-9-107(c);

8292 2. Any personal service contracts entered
8293 into for computer or information technology-related services
8294 governed by the Mississippi Department of Information Technology
8295 Services;

8296 3. Any personal service contracts entered
8297 into by the individual state institutions of higher learning;

8298 4. Any personal service contracts entered
8299 into by the Mississippi Department of Transportation;

8300 5. Any personal service contracts entered
8301 into by the Department of Human Services through June 30, 2019,
8302 which the Executive Director of the Department of Human Services
8303 determines would be useful in establishing and operating the
8304 Department of Child Protection Services;

8305 6. Any personal service contracts entered
8306 into by the Department of Child Protection Services through June
8307 30, 2019;

8308 7. Any contracts for entertainers and/or
8309 performers at the Mississippi State Fairgrounds entered into by
8310 the Mississippi Fair Commission;



8311 8. Any contracts entered into by the
8312 Department of Finance and Administration when procuring aircraft
8313 maintenance, parts, equipment and/or services;

8314 9. Any contract entered into by the
8315 Department of Public Safety for service on specialized equipment
8316 and/or software required for the operation of such specialized
8317 equipment for use by the Office of Forensics Laboratories;

8318 10. Any personal or professional service
8319 contract entered into by the Mississippi Department of Health or
8320 the Department of Revenue solely in connection with their
8321 respective responsibilities under the Mississippi Medical Cannabis
8322 Act from February 2, 2022, through June 30, 2026;

8323 11. Any contract for attorney, accountant,
8324 actuary auditor, architect, engineer, anatomical pathologist, or
8325 utility rate expert services;

8326 12. Any personal service contracts approved
8327 by the Executive Director of the Department of Finance and
8328 Administration and entered into by the Coordinator of Mental
8329 Health Accessibility through June 30, 2022;

8330 13. Any personal or professional services
8331 contract entered into by the State Department of Health in
8332 carrying out its responsibilities under the ARPA Rural Water
8333 Associations Infrastructure Grant Program through June 30, 2026;
8334 and



8335 14. And any personal or professional services
8336 contract entered into by the Mississippi Department of
8337 Environmental Quality in carrying out its responsibilities under
8338 the Mississippi Municipality and County Water Infrastructure Grant
8339 Program Act of 2022, through June 30, 2026.

8340 Any such rules and regulations shall provide for maintaining
8341 continuous internal audit covering the activities of such agency
8342 affecting its revenue and expenditures as required under Section
8343 7-7-3(6)(d). Any rules and regulation changes related to personal
8344 and professional services contracts that the Public Procurement
8345 Review Board may propose shall be submitted to the Chairs of the
8346 Accountability, Efficiency and Transparency Committees of the
8347 Senate and House of Representatives and the Chairs of the
8348 Appropriation Committees of the Senate and House of
8349 Representatives at least fifteen (15) days before the board votes
8350 on the proposed changes, and those rules and regulation changes,
8351 if adopted, shall be promulgated in accordance with the
8352 Mississippi Administrative Procedures Act.

8353 (ii) From and after July 1, 2024, the Public
8354 Procurement Review Board shall promulgate rules and regulations
8355 that require the Department of Finance and Administration to
8356 conduct personal and professional services solicitations as
8357 provided in subparagraph (i) of this paragraph for those services
8358 in excess of Seventy-five Thousand Dollars (\$75,000.00) for the
8359 Department of Marine Resources, the Department of Wildlife,



8360 Fisheries and Parks, the Mississippi Emergency Management Agency
8361 and the Mississippi Development Authority, with assistance to be
8362 provided from these entities. Any powers that have been conferred
8363 upon agencies in order to comply with the provisions of this
8364 section for personal and professional services solicitations shall
8365 be conferred upon the Department of Finance and Administration to
8366 conduct personal and professional services solicitations for the
8367 Department of Marine Resources, the Department of Wildlife,
8368 Fisheries and Parks, the Mississippi Emergency Management Agency
8369 and the Mississippi Development Authority for those services in
8370 excess of Seventy-five Thousand Dollars (\$75,000.00). The
8371 Department of Finance and Administration shall make any
8372 submissions that are required to be made by other agencies to the
8373 Public Procurement Review Board for the Department of Marine
8374 Resources, the Department of Wildlife, Fisheries and Parks, the
8375 Mississippi Emergency Management Agency and the Mississippi
8376 Development Authority.

8377 The provisions of this subparagraph (ii) shall stand repealed
8378 on June 30, 2027;

8379 (g) Approve all personal and professional services
8380 contracts involving the expenditures of funds in excess of
8381 Seventy-five Thousand Dollars (\$75,000.00), except as provided in
8382 paragraph (f) of this subsection (2) and in subsection (8);

8383 (h) Develop mandatory standards with respect to
8384 contractual services personnel that require invitations for public



8385 bid, requests for proposals, record keeping and financial
8386 responsibility of contractors. The Public Procurement Review
8387 Board shall, unless exempted under this paragraph (h) or under
8388 paragraph (i) or (o) of this subsection (2), require the agency
8389 involved to submit the procurement to a competitive procurement
8390 process, and may reserve the right to reject any or all resulting
8391 procurements;

8392 (i) Prescribe certain circumstances by which agency
8393 heads may enter into contracts for personal and professional
8394 services without receiving prior approval from the Public
8395 Procurement Review Board. The Public Procurement Review Board may
8396 establish a preapproved list of providers of various personal and
8397 professional services for set prices with which state agencies may
8398 contract without bidding or prior approval from the board;

8399 (i) Agency requirements may be fulfilled by
8400 procuring services performed incident to the state's own programs.
8401 The agency head shall determine in writing whether the price
8402 represents a fair market value for the services. When the
8403 procurements are made from other governmental entities, the
8404 private sector need not be solicited; however, these contracts
8405 shall still be submitted for approval to the Public Procurement
8406 Review Board.

8407 (ii) Contracts between two (2) state agencies,
8408 both under Public Procurement Review Board purview, shall not
8409 require Public Procurement Review Board approval. However, the



8410 contracts shall still be entered into the enterprise resource
8411 planning system;

8412 (j) Provide standards for the issuance of requests for
8413 proposals, the evaluation of proposals received, consideration of
8414 costs and quality of services proposed, contract negotiations, the
8415 administrative monitoring of contract performance by the agency
8416 and successful steps in terminating a contract;

8417 (k) Present recommendations for governmental
8418 privatization and to evaluate privatization proposals submitted by
8419 any state agency;

8420 (l) Authorize personal and professional service
8421 contracts to be effective for more than one (1) year provided a
8422 funding condition is included in any such multiple year contract,
8423 except the State Board of Education, which shall have the
8424 authority to enter into contractual agreements for student
8425 assessment for a period up to ten (10) years. The State Board of
8426 Education shall procure these services in accordance with the
8427 Public Procurement Review Board procurement regulations;

8428 (m) Request the State Auditor to conduct a performance
8429 audit on any personal or professional service contract;

8430 (n) Prepare an annual report to the Legislature
8431 concerning the issuance of personal and professional services
8432 contracts during the previous year, collecting any necessary
8433 information from state agencies in making such report;



8434 (o) Develop and implement the following standards and
8435 procedures for the approval of any sole source contract for
8436 personal and professional services regardless of the value of the
8437 procurement:

8438 (i) For the purposes of this paragraph (o), the
8439 term "sole source" means only one (1) source is available that can
8440 provide the required personal or professional service.

8441 (ii) An agency that has been issued a binding,
8442 valid court order mandating that a particular source or provider
8443 must be used for the required service must include a copy of the
8444 applicable court order in all future sole source contract reviews
8445 for the particular personal or professional service referenced in
8446 the court order.

8447 (iii) Any agency alleging to have a sole source
8448 for any personal or professional service, other than those
8449 exempted under paragraph (f) of this subsection (2) and subsection
8450 (8), shall publish on the procurement portal website established
8451 by Sections 25-53-151 and 27-104-165, for at least fourteen (14)
8452 days, the terms of the proposed contract for those services. In
8453 addition, the publication shall include, but is not limited to,
8454 the following information:

8455 1. The personal or professional service
8456 offered in the contract;



8457 2. An explanation of why the personal or
8458 professional service is the only one that can meet the needs of
8459 the agency;

8460 3. An explanation of why the source is the
8461 only person or entity that can provide the required personal or
8462 professional service;

8463 4. An explanation of why the amount to be
8464 expended for the personal or professional service is reasonable;
8465 and

8466 5. The efforts that the agency went through
8467 to obtain the best possible price for the personal or professional
8468 service.

8469 (iv) If any person or entity objects and proposes
8470 that the personal or professional service published under
8471 subparagraph (iii) of this paragraph (o) is not a sole source
8472 service and can be provided by another person or entity, then the
8473 objecting person or entity shall notify the Public Procurement
8474 Review Board and the agency that published the proposed sole
8475 source contract with a detailed explanation of why the personal or
8476 professional service is not a sole source service.

8477 (v) 1. If the agency determines after review that
8478 the personal or professional service in the proposed sole source
8479 contract can be provided by another person or entity, then the
8480 agency must withdraw the sole source contract publication from the
8481 procurement portal website and submit the procurement of the



8482 personal or professional service to an advertised competitive bid
8483 or selection process.

8484 2. If the agency determines after review that
8485 there is only one (1) source for the required personal or
8486 professional service, then the agency may appeal to the Public
8487 Procurement Review Board. The agency has the burden of proving
8488 that the personal or professional service is only provided by one
8489 (1) source.

8490 3. If the Public Procurement Review Board has
8491 any reasonable doubt as to whether the personal or professional
8492 service can only be provided by one (1) source, then the agency
8493 must submit the procurement of the personal or professional
8494 service to an advertised competitive bid or selection process. No
8495 action taken by the Public Procurement Review Board in this appeal
8496 process shall be valid unless approved by a majority of the
8497 members of the Public Procurement Review Board present and voting.

8498 (vi) The Public Procurement Review Board shall
8499 prepare and submit a quarterly report to the House of
8500 Representatives and Senate Accountability, Efficiency and
8501 Transparency Committees that details the sole source contracts
8502 presented to the Public Procurement Review Board and the reasons
8503 that the Public Procurement Review Board approved or rejected each
8504 contract. These quarterly reports shall also include the
8505 documentation and memoranda required in subsection (4) of this
8506 section. An agency that submitted a sole source contract shall be



8507 prepared to explain the sole source contract to each committee by
8508 December 15 of each year upon request by the committee;

8509 (p) Assess any fines and administrative penalties
8510 provided for in Sections 31-7-401 through 31-7-423 * * *;

8511 (q) To appoint and employ an executive director to a
8512 term of four (4) years, with the advice and consent of the Senate,
8513 and consistent with the provisions of Section 7-1-35, Mississippi
8514 Code of 1972.

8515 (3) All submissions shall be made sufficiently in advance of
8516 each monthly meeting of the Public Procurement Review Board as
8517 prescribed by the Public Procurement Review Board. If the Public
8518 Procurement Review Board rejects any contract submitted for review
8519 or approval, the Public Procurement Review Board shall clearly set
8520 out the reasons for its action, including, but not limited to, the
8521 policy that the agency has violated in its submitted contract and
8522 any corrective actions that the agency may take to amend the
8523 contract to comply with the rules and regulations of the Public
8524 Procurement Review Board.

8525 (4) All sole source contracts for personal and professional
8526 services awarded by state agencies, other than those exempted
8527 under Section 27-104-7(2)(f) and (8), whether approved by an
8528 agency head or the Public Procurement Review Board, shall contain
8529 in the procurement file a written determination for the approval,
8530 using a request form furnished by the Public Procurement Review
8531 Board. The written determination shall document the basis for the



8532 determination, including any market analysis conducted in order to
8533 ensure that the service required was practicably available from
8534 only one (1) source. A memorandum shall accompany the request
8535 form and address the following four (4) points:

8536 (a) Explanation of why this service is the only service
8537 that can meet the needs of the purchasing agency;

8538 (b) Explanation of why this vendor is the only
8539 practicably available source from which to obtain this service;

8540 (c) Explanation of why the price is considered
8541 reasonable; and

8542 (d) Description of the efforts that were made to
8543 conduct a noncompetitive negotiation to get the best possible
8544 price for the taxpayers.

8545 (5) In conjunction with the State Personnel Board, the
8546 Public Procurement Review Board shall develop and promulgate rules
8547 and regulations to define the allowable legal relationship between
8548 contract employees and the contracting departments, agencies and
8549 institutions of state government under the jurisdiction of the
8550 State Personnel Board, in compliance with the applicable rules and
8551 regulations of the federal Internal Revenue Service (IRS) for
8552 federal employment tax purposes. Under these regulations, the
8553 usual common law rules are applicable to determine and require
8554 that such worker is an independent contractor and not an employee,
8555 requiring evidence of lawful behavioral control, lawful financial
8556 control and lawful relationship of the parties. Any state



8557 department, agency or institution shall only be authorized to
8558 contract for personnel services in compliance with those
8559 regulations.

8560 (6) No member of the Public Procurement Review Board shall
8561 use his or her official authority or influence to coerce, by
8562 threat of discharge from employment, or otherwise, the purchase of
8563 commodities, the contracting for personal or professional
8564 services, or the contracting for public construction under this
8565 chapter.

8566 (7) Notwithstanding any other laws or rules to the contrary,
8567 the provisions of subsection (2) of this section shall not be
8568 applicable to the Mississippi State Port Authority at Gulfport.

8569 (8) Nothing in this section shall impair or limit the
8570 authority of the Board of Trustees of the Public Employees'
8571 Retirement System to enter into any personal or professional
8572 services contracts directly related to their constitutional
8573 obligation to manage the trust funds, including, but not limited
8574 to, actuarial, custodial banks, cash management, investment
8575 consultant and investment management contracts. Nothing in this
8576 section shall impair or limit the authority of the State Treasurer
8577 to enter into any personal or professional services contracts
8578 involving the management of trust funds, including, but not
8579 limited to, actuarial, custodial banks, cash management,
8580 investment consultant and investment management contracts.



8581 (9) Through December 31, 2024, the provisions of this
8582 section related to rental agreements or leasing of real property
8583 for the purpose of conducting agency business shall not apply to
8584 the Office of Workforce Development created in Section 37-153-7.

8585 **SECTION 122.** Section 45-1-2, Mississippi Code of 1972, is
8586 amended as follows:

8587 45-1-2. (1) The Executive Director of the Department of
8588 Public Safety shall be the Commissioner of Public Safety.

8589 (2) The Commissioner of Public Safety shall establish the
8590 organizational structure of the Department of Public Safety, which
8591 shall include the creation of any units necessary to implement the
8592 duties assigned to the department and consistent with specific
8593 requirements of law including, but not limited to:

8594 (a) Office of Public Safety Planning;

8595 (b) Office of Mississippi Highway Safety Patrol;

8596 (c) Office of Mississippi Bureau of Investigation (to
8597 be directed by a Lieutenant Colonel of the Mississippi Highway
8598 Safety Patrol);

8599 (d) Office of Forensic Laboratories, which includes the
8600 Mississippi Forensics Laboratory and the Office of the State
8601 Medical Examiner;

8602 (e) Office of Law Enforcement Officers' Training
8603 Academy;

8604 (f) Office of Support Services;



8605 (g) Office of Narcotics, which shall be known as the
8606 Bureau of Narcotics;
8607 (h) Office of Homeland Security;
8608 (i) Office of Capitol Police;
8609 (j) Office of Driver Service Bureau; and
8610 (k) Office of Commercial Transportation Enforcement
8611 Division.

8612 (3) The department shall be headed by a commissioner, who
8613 shall be appointed by * * * the Governor to a term of four (4)
8614 years. The appointment of the commissioner shall be made with the
8615 advice and consent of the Senate. The commissioner shall have, at
8616 a minimum, a bachelor's degree from an accredited college or
8617 university. All appointment procedures, vacancy provisions,
8618 interim appointment provisions and removal provisions specifically
8619 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
8620 fully applicable to appointments to the Commissioner of Public
8621 Safety.

8622 (4) Notwithstanding any provision of law to the contrary,
8623 the commissioner shall appoint heads of offices, who shall serve
8624 at the pleasure of the commissioner. The commissioner shall have
8625 the authority to organize the offices established by subsection
8626 (2) of this section as deemed appropriate to carry out the
8627 responsibilities of the department. The commissioner may assign
8628 to the appropriate offices such powers and duties as deemed
8629 appropriate to carry out the department's lawful functions. The



8630 organization charts of the department shall be presented annually
8631 with the budget request of the Governor for review by the
8632 Legislature.

8633 (5) The commissioner shall appoint, from within the
8634 Department of Public Safety, a statewide safety training officer
8635 who shall serve at the pleasure of the commissioner and whose duty
8636 it shall be to perform public training for both law enforcement
8637 and private persons throughout the state concerning proper
8638 emergency response to the mentally ill, terroristic threats or
8639 acts, domestic conflict, other conflict resolution, and such other
8640 matters as the commissioner may direct.

8641 (6) The commissioner, after consultation with the
8642 Mississippi Association of Chiefs of Police and the Mississippi
8643 Sheriffs' Association, shall be responsible for establishing
8644 guidelines for response to active shooter situations and any
8645 related jurisdictional issues.

8646 (7) The commissioner shall establish within the department
8647 the Mississippi Office of Homeland Security for the purpose of
8648 seeing that the laws are faithfully executed and for the purpose
8649 of investigating cyber-related crimes and suppressing crimes of
8650 violence and acts of intimidation and terror. The commissioner is
8651 hereby authorized to employ within the Office of Homeland Security
8652 a director, investigators and other qualified personnel as he may
8653 deem necessary to make investigation of cyber-related crimes,
8654 crimes of violence and acts of terrorism or intimidation, to aid



8655 in the arrest and prosecution of persons charged with such
8656 cyber-related crimes, crimes of violence, acts of terrorism or
8657 intimidation, or threats of violence and to perform other duties
8658 as necessary to accomplish these purposes. Investigators and
8659 other law enforcement personnel employed by the commissioner shall
8660 have full power to investigate, apprehend, and arrest persons
8661 committing cyber-related crimes, acts of violence, intimidation,
8662 or terrorism anywhere in the state, and shall be vested with the
8663 power of police officers in the performance of such duties as
8664 provided herein. Such investigators and other personnel shall
8665 perform their duties under the direction of the commissioner, or
8666 his designee. The commissioner shall be authorized to offer and
8667 pay suitable rewards to other persons for aiding in such
8668 investigation and in the apprehension and conviction of persons
8669 charged with cyber-related crimes, acts of violence, or threats of
8670 violence, or intimidation, or acts of terrorism.

8671 (8) The commissioner shall establish within the Office of
8672 Homeland Security a Mississippi Analysis and Information Center
8673 (MSAIC Fusion Center) which shall be the highest priority for the
8674 allocation of available federal resources for statewide
8675 information sharing, including the deployment of personnel and
8676 connectivity with federal data systems. Subject to appropriation
8677 therefor, the Mississippi Fusion Center shall employ three (3)
8678 regional analysts dedicated to analyzing and resolving potential
8679 threats identified by the agency's statewide social media



8680 intelligence platform and the dissemination of school safety
8681 information.

8682 **SECTION 123.** Section 51-35-317, Mississippi Code of 1972, is
8683 amended as follows:

8684 51-35-317. All powers of the district shall be exercised by
8685 a board of directors, to be composed of the following:

8686 (a) In the event the proposed flood and drainage
8687 control district lies wholly within the limits of one (1)
8688 municipality, the governing authorities of said municipality shall
8689 appoint three (3) directors and the board of supervisors of the
8690 county in which said municipality lies shall appoint two (2)
8691 directors.

8692 (b) In the event the proposed flood and drainage
8693 control district is comprised of lands lying partly in a
8694 municipality and partly outside the limits of a municipality but
8695 wholly in one (1) county, the governing authorities of said
8696 municipality shall appoint three (3) directors and the board of
8697 supervisors of the county in which said municipality lies shall
8698 appoint two (2) directors. However, should the assessed valuation
8699 of land and property and improvements in said district outside the
8700 municipality, according to the last preceding tax assessment roll
8701 for county and state taxes, exceed said assessment for the land
8702 and property and improvements of the district lying within the
8703 municipality, the board of supervisors of the county in which said



8704 district lies shall appoint three (3) directors and said
8705 municipality shall appoint two (2) directors.

8706 (c) In the event the proposed flood and drainage
8707 control district is comprised of lands lying, in whole or in part,
8708 in one or more municipalities which are in existence at the time
8709 of the creation of such district, and in one or more counties and
8710 not falling within the description of paragraph (a) or (b) above,
8711 each such municipality shall appoint one (1) director and the
8712 board of supervisors of each county in which part of the lands of
8713 the proposed district lie shall appoint one (1) director. If a
8714 district is enlarged under Section 51-35-315(w), each municipality
8715 within the enlarged district with a population above one hundred
8716 thousand (100,000), according to the most recent decennial census,
8717 shall have two (2) additional directors, who shall be the
8718 emergency manager for such municipality and the emergency manager
8719 for the county in which such municipality is located. However, in
8720 the event that selection of directors in said manner results in an
8721 even number of directors, the Governor of the State of Mississippi
8722 shall appoint one (1) additional director so that there shall be
8723 an odd number of directors.

8724 (d) Each director shall take and subscribe to the oath
8725 of office required by Section 268 of the Constitution of the State
8726 of Mississippi, before a chancery clerk, that he will faithfully
8727 discharge the duties of the office, which oath shall be filed with
8728 the said clerk and by him preserved.



8729 (e) Each director shall receive a fee not to exceed
8730 such amount as set forth in Section 25-3-69 for attending each
8731 meeting of the board and for each day actually spent in attending
8732 to the necessary business of the district and shall receive
8733 reimbursement for actual expenses thus incurred upon the express
8734 authorization of the board.

8735 (f) The board of directors shall annually elect from
8736 its number a president and a vice president of the district and
8737 such other officers as in the judgment of the board are necessary.
8738 The president shall be the chief executive officer of the district
8739 and the presiding officer of the board, and shall have the same
8740 right to vote as any other director. The vice president shall
8741 perform all the duties and exercise all powers conferred by this
8742 article upon the president when the president is absent or fails
8743 or declines to act, except the president's right to vote. The
8744 board shall also appoint a secretary and a treasurer who may or
8745 may not be members of the board, and it may combine these offices.
8746 The treasurer shall give a bond in the sum of not less than Fifty
8747 Thousand Dollars (\$50,000.00), as set by the board of directors,
8748 and each director shall give a bond in the sum of not less than
8749 Ten Thousand Dollars (\$10,000.00), and the premiums on said bonds
8750 shall be an expense of the district. The condition of each such
8751 bond shall be that the treasurer or director will faithfully
8752 perform all duties of the office and account for all money which



8753 shall come into his custody as treasurer or director of the
8754 district.

8755 (g) In the event a county or municipality entitled to
8756 appoint a director or directors to the district shall not do so
8757 within twenty (20) days from the date of the order of the chancery
8758 court creating the district, the chancery court or the chancellor
8759 in vacation shall forthwith exercise the right of said county or
8760 municipality in appointing a director or directors.

8761 (h) Each director shall hold office for a period of
8762 four (4) years from the date of his appointment. However, in
8763 order to * * * ensure continuity of experience among the members
8764 of the board of directors in any district created after March 26,
8765 1981, one (1) member of the initial board of directors shall hold
8766 office for only one (1) year, one (1) member shall hold office for
8767 only two (2) years, and one (1) member shall hold office for only
8768 three (3) years, and, at the initial meeting of the board of
8769 directors, they shall determine by lot which of their members
8770 shall serve for only one (1), two (2), or three (3) years.

8771 (i) The Urban Flood Control Board, created by former
8772 Section 51-35-317, is continued and reconstituted as follows:
8773 Effective January 1, 2028, the members designated in paragraphs
8774 (a), (b) and (c) of this section shall be appointed by the
8775 Governor, with the advise and consent of the Senate, to a term of
8776 four (4) years; provided that two (2) such members shall be
8777 appointed in 2028 to a term ending December 31, 2031, and one (1)



8778 such member shall be appointed in 2030 to a term ending December
8779 31, 2033. All appointment procedures, vacancy provisions, interim
8780 appointment provisions and removal provisions specifically
8781 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
8782 fully applicable to appointments to the Urban Flood Control Board.

8783 (* * *j) No person shall be disqualified from serving
8784 as a member of the board of directors by virtue of his having
8785 previously served as a director, by virtue of his holding any
8786 other office, political or otherwise, or by virtue of his not
8787 residing in or owning lands in said district.

8788 **SECTION 124.** Section 73-34-7, Mississippi Code of 1972, is
8789 amended as follows:

8790 73-34-7. (1) (a) There is hereby established a board to be
8791 known as the Mississippi Real Estate Appraisal Board, which shall
8792 consist of five (5) members.

8793 (b) The five (5) members shall be appointed by the
8794 Governor, with the advice and consent of the Senate, one (1) from
8795 each * * * Supreme Court District as such district existed * * *
8796 at the time of appointment, and * * * two (2) from the state at
8797 large. The provisions of this paragraph (b) shall not affect
8798 persons who are members of the board as of January 1, 2023. Such
8799 member(s) shall serve out their respective terms, upon the
8800 expiration of which the provisions of this paragraph (b) shall
8801 take effect. Nothing provided herein shall be construed as
8802 prohibiting the reappointment of any member of the board.



8803 (c) The Mississippi Real Estate Appraisal Board,
8804 created by former Section 73-34-7, is continued and reconstituted
8805 as follows: Effective January 1, 2028, the members designated in
8806 paragraphs (a) and (b) of this subsection shall be appointed by
8807 the Governor, with the advise and consent of the Senate, provided
8808 that three (3) such members shall be appointed in 2028 to a term
8809 ending December 31, 2031, and two (2) such members shall be
8810 appointed in 2030 to a term ending December 31, 2033.
8811 Appointments made at the beginning of the four-year cycle shall be
8812 made to fill any member's term which actually expires that year
8813 and any member's term which expires next until the majority of the
8814 membership of the board or commission is reached. Appointments
8815 made at the beginning of the third year of the four-year cycle
8816 shall be made for the remainder of the membership positions
8817 irrespective of the time of their prior appointment. Any question
8818 regarding the order of appointments shall be determined by the
8819 Secretary of State in accordance with the specific statute. All
8820 appointment procedures, vacancy provisions, interim appointment
8821 provisions and removal provisions specifically provided for in
8822 Section 7-1-35, Mississippi Code of 1972, shall be fully
8823 applicable to appointments to the Mississippi Real Estate
8824 Appraisal Board.

8825 (* * *d) At least two (2) members shall be certified
8826 general real estate appraisers and at least two (2) members shall
8827 be certified residential real estate appraisers. Not more than



8828 two (2) positions on the board shall be filled with appointees who
8829 hold membership in the same professional appraisal organization.
8830 Each member shall serve for a term of four (4) years. Upon the
8831 expiration of a member's term, such member shall continue to serve
8832 until the appointment and qualification of a successor. No person
8833 shall be appointed as a member of the board for more than three
8834 (3) consecutive terms. The Governor may remove an appointed
8835 member for cause.

8836 (2) The board shall meet not less than twice a calendar
8837 year. Written notice shall be given to each member of the time
8838 and place of each meeting of the board at least ten (10) days
8839 prior to the scheduled date of the meeting.

8840 (3) A quorum of the board shall be three (3) voting members,
8841 and at least one (1) present member must be a licensed certified
8842 general real estate appraiser or a certified residential real
8843 estate appraiser. Appointed members of the board are entitled to
8844 mileage and actual expenses as authorized by Section 25-3-41 and
8845 per diem as provided by Section 25-3-69.

8846 (4) The board shall elect a chairman and such other officers
8847 as it deems necessary. Such officers shall serve as such for
8848 terms established by the board.

8849 **SECTION 125.** Section 73-34-9, Mississippi Code of 1972, is
8850 amended as follows:

8851 73-34-9. (1) The board shall have the following powers and
8852 duties:



8853 (a) To receive applications for licensure as a real
8854 estate appraiser and applications for registration as an appraisal
8855 management company under this chapter; to establish appropriate
8856 administrative procedures for the processing of those
8857 applications; to approve or disapprove applications for licensing
8858 or registration under this chapter; to issue licenses to qualified
8859 applicants under the provisions of this chapter; and to maintain a
8860 registry of the names and addresses of individuals who are
8861 currently licensed under this chapter.

8862 (b) To administer licensing examinations in the places
8863 and at the times as may be required to carry out its
8864 responsibilities under this chapter.

8865 (c) To collect all licensing fees required or permitted
8866 by this chapter.

8867 (d) To take appropriate action upon a decision and the
8868 related findings of fact made by the board if, after an
8869 administrative hearing, the board (i) determines that a licensed
8870 appraiser or a licensed state certified real estate appraiser
8871 under this chapter has violated the standards of appraisal
8872 practice or ethical rules established under Section 73-34-37, or
8873 has committed one or more of the acts that are prohibited by
8874 Section 73-34-35, and (ii) recommends that the license of the
8875 appraiser be suspended or revoked, that renewal be denied, or that
8876 some other disciplinary action be taken.

8877 (e) To solicit bids and enter into contracts.



8878 (f) To promote research and conduct studies relating to
8879 the profession of real estate appraising and sponsor real estate
8880 appraisal educational activities.

8881 (g) To adopt rules and regulations for the
8882 administration of this chapter that are not inconsistent with the
8883 provisions of this chapter or the Constitution and laws of
8884 Mississippi or of the United States.

8885 (h) To employ an administrator or director who shall
8886 keep a record of all proceedings, transactions, communications and
8887 official acts of the board and perform any other duties as the
8888 board may require.

8889 (i) To employ an appropriate staff to investigate
8890 allegations that licensed appraisers or licensed state certified
8891 real estate appraisers under this chapter failed to comply with
8892 the terms or provisions of this chapter.

8893 (j) To employ any other professional, clerical and
8894 technical assistance as may be necessary to properly administer
8895 the work of this chapter.

8896 (k) To be responsible for matters relating to real
8897 estate appraisal standards, real estate appraiser qualifications,
8898 testing standards and appraisal management companies and enforce
8899 the same through its disciplinary functions.

8900 (l) To hold meetings; to hold public hearings and
8901 administrative hearings; and to prepare examination specifications
8902 for licensed appraisers and licensed state certified appraisers.



8903 (m) To enable the board to carry out its
8904 responsibilities under this chapter with respect to licensing and
8905 registering, the board shall have:

8906 (i) The power to compel the attendance of
8907 witnesses;

8908 (ii) The power to require a licensed appraiser or
8909 an applicant for licensure to produce books, appraisal documents,
8910 records and other papers;

8911 (iii) The power to administer oaths; and

8912 (iv) The power to take testimony and receive
8913 evidence concerning all matters within its jurisdiction.

8914 These powers may be exercised directly by the board in such
8915 manner as the board shall determine.

8916 (n) To establish appropriate administrative procedures
8917 for disciplinary proceedings conducted under the provisions of
8918 this chapter.

8919 (o) To keep a record of its proceedings and issue an
8920 annual report of its activities.

8921 (p) To further define by rule or regulation, and with
8922 respect to each of the categories of licensed appraiser, the type
8923 of educational experience, appraisal experience and equivalent
8924 experience that will meet the statutory requirements of this
8925 chapter and of the Appraiser Qualifications Board.

8926 (q) To approve or disapprove applications for licensing
8927 or registration under this chapter.



8928 (r) To suspend or revoke licenses or registrations
8929 under the disciplinary proceedings provided for in this chapter.

8930 (s) To present an annual budget to the Mississippi
8931 Legislature for approval.

8932 (t) To implement all requirements directed by the
8933 Appraiser Qualifications Board, Appraisal Subcommittee of the
8934 Federal Financial Institutions Examination Council or their
8935 designated agent.

8936 (u) To make rules and regulations providing for an
8937 inactive license or registration status and for the reactivation
8938 thereof.

8939 (v) To make rules and regulations necessary to
8940 implement its powers and duties under this chapter.

8941 (w) To do all other things necessary to carry out the
8942 provisions of this chapter.

8943 (x) To adopt rules consistent with the provisions of
8944 this chapter which may be reasonably necessary to implement,
8945 administer, and enforce the provisions of this chapter.

8946 (y) To provide for at least one (1) member of the board
8947 to represent the appraisal management company industry.

8948 (z) To establish the standard for measuring residential
8949 properties up to four (4) family buildings as promulgated by the
8950 American National Standards Institute or as provided in the
8951 American Measurement Standard Manual. The board shall require



8952 appraisals required to use those standards to indicate on the
8953 appraisal or separately appended document which standard was used.

8954 (aa) To conduct surveys as necessary.

8955 (bb) The board is authorized to appoint and employ an
8956 executive director for a term of four (4) years, with the advice
8957 and consent of the Senate, and consistent with the provisions of
8958 Section 7-1-35, Mississippi Code of 1972.

8959 (2) The members of the board shall be immune from any civil
8960 action or criminal prosecution for initiating or assisting in any
8961 lawful investigation of the actions of, or participating in any
8962 disciplinary proceeding concerning, an appraiser licensed under
8963 this chapter, provided that the action is taken without malicious
8964 intent and in the reasonable belief that the action was taken in
8965 accordance with the powers and duties vested in the members of the
8966 board under this chapter.

8967 **SECTION 126.** Section 73-35-5, Mississippi Code of 1972, is
8968 amended as follows:

8969 73-35-5. (1) There is hereby created the Mississippi Real
8970 Estate Commission. The commission shall consist of five (5)
8971 persons, to be appointed by the Governor with the advice and
8972 consent of the Senate. Each appointee shall have been a resident
8973 and citizen of this state for at least six (6) years prior to his
8974 appointment, and his vocation for at least five (5) years shall
8975 have been that of a real estate broker. One (1) member shall be
8976 appointed for the term of one (1) year; two (2) members for terms



8977 of two (2) years; two (2) members for terms of four (4) years;
8978 thereafter, the term of the members of said commission shall be
8979 for four (4) years and until their successors are appointed and
8980 qualify. There shall be * * * one (1) commissioner from
8981 each * * * Supreme Court District, as such districts are
8982 constituted * * * at the time of appointment, and two (2) from the
8983 state at large. The commissioners appointed from each of
8984 the * * * Supreme Court Districts shall be bona fide residents of
8985 the district from which each is appointed, and the commissioners
8986 appointed from the state at large shall be bona fide residents of
8987 the State of Mississippi. * * * Members to fill vacancies shall
8988 be appointed by the Governor for the unexpired term. The Governor
8989 may remove any commissioner for cause. The State of Mississippi
8990 shall not be required to furnish office space for such
8991 commissioners. The provisions of this section shall not affect
8992 persons who are members of the Real Estate Commission as of
8993 January 1, 2002. Such members shall serve out their respective
8994 terms, upon the expiration of which the provisions of this section
8995 shall take effect. Nothing provided herein shall be construed as
8996 prohibiting the reappointment of any member of the said
8997 commission.

8998 (2) The Mississippi Real Estate Commission, created by
8999 former Section 73-35-5, is continued and reconstituted as follows:
9000 Effective January 1, 2028, the members designated in subsection
9001 (1) of this section shall be appointed by the Governor, with the



9002 advise and consent of the Senate, provided that three (3) such
9003 members shall be appointed in 2028 to a term ending December 31,
9004 2031, and two (2) such members shall be appointed in 2030 to a
9005 term ending December 31, 2033. Appointments made at the beginning
9006 of the four-year cycle shall be made to fill any member's term
9007 which actually expires that year and any member's term which
9008 expires next until the majority of the membership of the board or
9009 commission is reached. Appointments made at the beginning of the
9010 third year of the four-year cycle shall be made for the remainder
9011 of the membership positions irrespective of the time of their
9012 prior appointment. Any question regarding the order of
9013 appointments shall be determined by the Secretary of State in
9014 accordance with the specific statute. All appointment procedures,
9015 vacancy provisions, interim appointment provisions and removal
9016 provisions specifically provided for in Section 7-1-35,
9017 Mississippi Code of 1972, shall be fully applicable to
9018 appointments to the Mississippi Real Estate Commission.

9019 (* * *3) The commission shall organize by selecting from
9020 its members a chairman, and may do all things necessary and
9021 convenient for carrying into effect the provisions of this
9022 chapter, and may from time to time promulgate rules and
9023 regulations. Each member of the commission shall receive per diem
9024 as authorized in Section 25-3-69, Mississippi Code of 1972, and
9025 his actual and necessary expenses incurred in the performance of



9026 duties pertaining to his office as authorized in Section 25-3-41,
9027 Mississippi Code of 1972.

9028 (* * *4) The commission shall adopt a seal by which it
9029 shall authenticate its proceedings. Copies of all records and
9030 papers in the office of the commission, duly certified and
9031 authenticated by the seal of said commission, shall be received in
9032 evidence in all courts equally and with like effect as the
9033 original. All records kept in the office of the commission under
9034 the authority of this chapter shall be open to public inspection
9035 except pending investigative files.

9036 (5) The board is authorized to appoint an executive director
9037 for a term of four (4) years, with the advice and consent of the
9038 Senate, and consistent with the provisions of Section 7-1-35,
9039 Mississippi Code of 1972.

9040 **SECTION 127.** Section 37-33-155, Mississippi Code of 1972, is
9041 amended as follows:

9042 37-33-155. (1) There is created the State Board of
9043 Rehabilitation Services, which shall consist of two (2) appointed
9044 members and the following five (5) officials: the Executive
9045 Officer of the State Department of Health; the Executive Director
9046 of the State Department of Mental Health; the State Superintendent
9047 of Public Education, or his designee; the Director of the Division
9048 of Vocational and Technical Education of the State Department of
9049 Education; and the Executive Director of the Department of Human
9050 Services.



9051 Of the two (2) appointed members, one (1) shall be either an
9052 individual who is a client of vocational rehabilitation services
9053 or a parent of an individual who is a client of vocational
9054 rehabilitation services, and the other shall be either an
9055 individual who is visually impaired or a parent of an individual
9056 who is visually impaired. The appointed members shall be
9057 appointed by the Governor from the state at large, with one (1)
9058 appointed for a term to expire on July 1, 1994, and the other
9059 appointed for a term to expire on July 1, 1996. Upon the
9060 expiration of the initial terms, the members shall be appointed
9061 for terms of five (5) years from the expiration date of the
9062 previous term. All original and subsequent appointments shall be
9063 with the advice and consent of the Senate. An appointment to fill
9064 a vacancy, other than by expiration of a term of office, shall be
9065 made for the balance of the unexpired term. No board appointee
9066 shall be an employee or elected official of the State of
9067 Mississippi or a political subdivision thereof, or an employee of
9068 the former State Department of Rehabilitation Services before July
9069 1, 1989, or an employee of the Division of Rehabilitation Services
9070 of the Department of Human Services or any subordinate
9071 administrative unit of the division before July 1, 1991, or an
9072 employee of the State Department of Rehabilitation Services after
9073 June 30, 1991.

9074 The State Board of Rehabilitation Services, created by former
9075 Section 37-33-155, is continued and reconstituted as follows:



9076 Effective January 1, 2028, the appointed members designated in
9077 this subsection shall be appointed by the Governor, with the
9078 advise and consent of the Senate, provided that one (1) such
9079 member shall be appointed in 2028 to a term ending December 31,
9080 2031, and one (1) such member shall be appointed in 2030 to a term
9081 ending December 31, 2033. Appointments made at the beginning of
9082 the four-year cycle shall be made to fill any member's term which
9083 actually expires that year and any member's term which expires
9084 next until the majority of the membership of the board or
9085 commission is reached. Appointments made at the beginning of the
9086 third year of the four-year cycle shall be made for the remainder
9087 of the membership positions irrespective of the time of their
9088 prior appointment. Any question regarding the order of
9089 appointments shall be determined by the Secretary of State in
9090 accordance with the specific statute. All appointment procedures,
9091 vacancy provisions, interim appointment provisions and removal
9092 provisions specifically provided for in Section 7-1-35,
9093 Mississippi Code of 1972, shall be fully applicable to
9094 appointments to the State Board of Rehabilitation Services.

9095 (2) The board shall elect a chairperson from its membership
9096 at the first meeting of the original board members and every two
9097 (2) years thereafter on July 15 of the year. A majority of the
9098 membership of the board shall constitute a quorum for the
9099 transaction of any business, and the board shall meet at least
9100 quarterly and hold other meetings as are necessary for the purpose



9101 of conducting required business. All meetings of the board shall
9102 be called by the chairperson, except the first meeting of the
9103 original board members, which shall be called by the Governor.

9104 (3) The appointed members of the board shall be compensated
9105 at a per diem rate as authorized by Section 25-3-69, plus actual
9106 and necessary expenses as authorized by Section 25-3-41. Members
9107 of the board appointed before July 1, 1991, shall be paid
9108 compensation and expenses under this subsection from funds
9109 available to the Division of Rehabilitation Services of the
9110 Department of Human Services.

9111 **SECTION 128.** Section 37-33-159, Mississippi Code of 1972, is
9112 amended as follows:

9113 37-33-159. The State Board of Rehabilitation Services shall
9114 appoint, with the advice and consent of the Senate, an Executive
9115 Director of the State Department of Rehabilitation Services, in
9116 accordance with standards established by the State Personnel Board
9117 and on the basis of his education, training, experience and
9118 demonstrated ability. The executive director shall serve a term
9119 of four (4) years, consistent with the provisions of Section
9120 7-1-35, Mississippi Code of 1972. The executive director shall
9121 serve as secretary and executive officer of the board, and he
9122 shall serve at the will and pleasure of the board. The salary of
9123 the executive director shall be set by the board, subject to the
9124 approval of the State Personnel Board, and shall be provided for
9125 out of any funds made available for such purpose by the



9126 Legislature, the federal government or other gifts or grants. The
9127 executive director shall be responsible to the board for the
9128 proper administration of the programs of rehabilitation provided
9129 under this chapter in conformity with the policies adopted by the
9130 board and shall be responsible for appointing directors of offices
9131 and any necessary supervisors, assistants and employees. The
9132 salary and compensation of such employees shall be subject to the
9133 rules and regulations adopted and promulgated by the State
9134 Personnel Board as created under Section 25-9-101 et seq.

9135 **SECTION 129.** Section 25-58-21, Mississippi Code of 1972, is
9136 amended as follows:

9137 25-58-21. (1) There is established the Mississippi
9138 Coordinating Council for Remote Sensing and Geographic Information
9139 Systems, hereinafter referred to as the "council." The council
9140 shall set and assure enforcement of policies and standards to make
9141 it easier for remote sensing and geographic information system
9142 users around the state to share information and to facilitate
9143 cost-sharing arrangements to reduce the costs of acquiring remote
9144 sensing and geographic information system data. The council shall
9145 not oversee or regulate the activities of higher education
9146 entities where it relates to the fields of teaching or research;
9147 however, the council shall be informed of these activities for the
9148 purpose of coordinating these higher education activities with
9149 other public remote sensing and GIS initiatives to achieve the



9150 maximum benefit for the State of Mississippi and its taxpayers.

9151 The council's responsibilities include, but are not limited to:

9152 (a) Coordination of remote sensing and geographic
9153 information system activities within Mississippi;

9154 (b) Establishing policies and standards to guide
9155 Mississippi Department of Information Technology Services (MDITS)
9156 in the review and approval of state and local government
9157 procurement of both hardware and software development relating to
9158 remote sensing and geographic information systems;

9159 (c) Oversight of MDITS' implementation of these
9160 responsibilities;

9161 (d) Preparing a plan, with proposed state funding
9162 priorities, for Mississippi's remote sensing and geographic
9163 information system activities, including development, operation
9164 and maintenance of the Mississippi Digital Earth Model;

9165 (e) Oversight of the Mississippi Department of
9166 Environmental Quality's development and maintenance of the
9167 Mississippi Digital Earth Model, including establishing policies
9168 and standards for the procurement of remote sensing and geographic
9169 information system data by state and local governmental entities
9170 and establishing the order in which the seven (7) core data layers
9171 shall be developed;

9172 (f) Designating Mississippi's official representative
9173 to the National States Geographic Information Council and to any
9174 other national or regional remote sensing or geographical



9175 information system organizations on which Mississippi has an
9176 official seat;

9177 (g) Establishing and designating the members of an
9178 advisory committee made up of policy level officials from major
9179 state, local, regional and federal agencies, including, but not
9180 limited to, the National Association of Space Administration, the
9181 Mississippi Institute for Forestry Inventory, the Mississippi
9182 Department of Wildlife, Fisheries and Parks, the Mississippi
9183 Public Utilities Staff, the Department of Marine Resources, the
9184 county E911 coordinator, the State Health Officer, the
9185 Commissioner of Agriculture and Commerce, the * * * Department of
9186 Revenue, the Council of Consulting Engineers and the Mississippi
9187 Band of Choctaw Indians, as well as members of the private sector;

9188 (h) Creating a staff level technical users committee,
9189 in which any public or private sector entity in Mississippi
9190 interested in remote sensing and geographic information may be
9191 allowed to participate;

9192 (i) Coordinating with the * * * Department of Revenue
9193 to assure that state and local governmental entities do not have
9194 to comply with two (2) sets of requirements imposed by different
9195 organizations.

9196 (2) The Mississippi Coordinating Council for Remote Sensing
9197 and Geographic Information Systems will be composed of the
9198 following members:



9199 (a) The Executive Director of the Mississippi
9200 Department of Environmental Quality;
9201 (b) The Executive Director of the Mississippi
9202 Department of Information Technology Services;
9203 (c) The Executive Director of the Mississippi
9204 Department of Transportation;
9205 (d) The Executive Director of the Mississippi Emergency
9206 Management Agency;
9207 (e) The Executive Director of the Mississippi
9208 Development Authority;
9209 (f) The Secretary of State;
9210 (g) The Executive Director of the Mississippi Forestry
9211 Commission;
9212 (h) The Director of the Mississippi State Board of
9213 Registered Professional Geologists;
9214 (i) A representative from the Institutions of Higher
9215 Learning, appointed by the Commissioner of the Institutions of
9216 Higher Learning;
9217 (j) One (1) mayor, serving a municipality, appointed by
9218 the Executive Director of the Mississippi Municipal League;
9219 (k) The Executive Director of the Mississippi Municipal
9220 League or his designee who will serve as the member;
9221 (l) One (1) county supervisor appointed by the
9222 Executive Director of the Mississippi Association of Supervisors;



9223 (m) The Executive Director of the Mississippi
9224 Association of Supervisors or his designee who will serve as the
9225 member;

9226 (n) A member of the Tax Assessors/Collectors
9227 Association or the executive director of the association, to be
9228 appointed by the president of that association;

9229 (o) A representative of the Planning and Development
9230 Districts, appointed by the Governor;

9231 (p) A Senator, as a nonvoting member, appointed by the
9232 Lieutenant Governor;

9233 (q) A Representative, as a nonvoting member, appointed
9234 by the Speaker of the House;

9235 (r) A county surveyor who is a member of the
9236 Mississippi Association of Professional Surveyors, appointed by
9237 the president of the association; and

9238 The members listed in paragraphs (a) through (g) may appoint
9239 a designee, but the designee must be the head of an office,
9240 bureau, division or branch within the member's agency.

9241 The members of the council shall serve for a term concurrent
9242 with their service as an elected or appointed official or
9243 concurrent with the term of the appointing official.

9244 The Mississippi Coordinating Council for Remote Sensing and
9245 Geographic Information Systems, created by former Section
9246 25-58-21, is continued and reconstituted as follows: Effective
9247 January 1, 2028, the appointed members of the council designated



9248 in paragraphs (a) through (r) of this subsection shall be
9249 appointed by the Governor, with the advise and consent of the
9250 Senate, provided that four (4) such members shall be appointed in
9251 2028 to a term ending December 31, 2031, and four (4) such members
9252 shall be appointed in 2030 to a term ending December 31, 2033.
9253 Appointments made at the beginning of the four-year cycle shall be
9254 made to fill any member's term which actually expires that year
9255 and any member's term which expires next until the majority of the
9256 membership of the board or commission is reached. Appointments
9257 made at the beginning of the third year of the four-year cycle
9258 shall be made for the remainder of the membership positions
9259 irrespective of the time of their prior appointment. Any question
9260 regarding the order of appointments shall be determined by the
9261 Secretary of State in accordance with the specific statute. All
9262 appointment procedures, vacancy provisions, interim appointment
9263 provisions and removal provisions specifically provided for in
9264 Section 7-1-35, Mississippi Code of 1972, shall be fully
9265 applicable to appointments to the Mississippi Coordinating Council
9266 for Remote Sensing and Geographic Information Systems.

9267 The Executive Director of the Department of Environmental
9268 Quality shall serve as council chair and the Executive Director of
9269 Information Technology Services as vice chair for the first two
9270 (2) years. After the first two (2) years, the council shall elect
9271 from its members a chair and vice chair, for terms to be specified
9272 by the council.



9273 With regard to the designee chosen by the Executive Director
9274 of the Mississippi Municipal League or the Executive Director of
9275 the Mississippi Association of Supervisors, the designee shall
9276 become a permanent member of the council for a term concurrent
9277 with the term of the appointing executive director.

9278 (3) At the direction of the chairman of the council and
9279 contingent upon the availability of sufficient funds, each member
9280 may receive reimbursement for reasonable expenses, including
9281 travel expenses in accordance with rates established pursuant to
9282 Section 25-3-41, incurred in attending meetings of the council.
9283 Any member of the council who is also a state employee may not
9284 receive per diem compensation for attending meetings of the * * *
9285 council, but may be reimbursed in accordance with Section 25-3-41
9286 for mileage and actual expenses incurred in the performance of the
9287 duties, if authorized by vote, at a meeting of the council, which
9288 action must be recorded in the official minutes of the meeting.
9289 Legislative members of the council will be paid from the
9290 contingent expense funds of their respective houses in the same
9291 amounts as provided for committee meetings when the Legislature is
9292 not in session.

9293 (4) The council may accept money from any source, public or
9294 private, to be expended in implementing the duties under this
9295 section.



9296 (5) The council may utilize staff employed by the agencies
9297 affected by this section and any other assistance made available
9298 to it.

9299 **SECTION 130.** Section 73-59-21, Mississippi Code of 1972, is
9300 amended as follows:

9301 73-59-21. (1) There is hereby created the Standing
9302 Committee on Residential Builders and Remodelers which shall be
9303 subordinate to the State Board of Contractors as set forth in
9304 Section 31-3-3. The standing committee shall be composed of the
9305 two (2) residential builders who serve as members of the State
9306 Board of Contractors and three (3) additional residential builders
9307 as defined in Section 73-59-1 to be appointed by the Governor.
9308 The terms of the ex officio members shall be concurrent with their
9309 terms as members of the State Board of Contractors. The initial
9310 terms of the three (3) additional residential builders on the
9311 Standing Committee on Residential Builders and Remodelers shall be
9312 one (1), three (3) and five (5) years, respectively, beginning
9313 July 1, 2000. Upon the expiration of the initial term of any
9314 member not serving ex officio, his or her successor shall be
9315 appointed for a term of five (5) years.

9316 (2) The Governor shall appoint one (1) of the two (2) ex
9317 officio members as Chairman of the Standing Committee on
9318 Residential Builders and Remodelers. The Executive Director of
9319 the State Board of Contractors as set forth in Section 31-3-11
9320 shall serve as secretary of the standing committee. The standing



9321 committee shall meet no less than once per quarter of each year at
9322 a date and time to be set by its chairman upon at least five (5)
9323 business days' notice by regular mail. The members of the
9324 standing committee shall be entitled to receive a per diem as
9325 provided in Section 31-3-9.

9326 (3) The Standing Committee on Residential Builders and
9327 Remodelers, created by former Section 73-59-21, is continued and
9328 reconstituted as follows: Effective January 1, 2028, the
9329 appointed members of the council designated in subsections (1) and
9330 (2) of this section shall be appointed by the Governor, with the
9331 advise and consent of the Senate, provided that three (3) such
9332 members shall be appointed in 2028 to a term ending December 31,
9333 2031, and two (2) such members shall be appointed in 2030 to a
9334 term ending December 31, 2033. Appointments made at the beginning
9335 of the four-year cycle shall be made to fill any member's term
9336 which actually expires that year and any member's term which
9337 expires next until the majority of the membership of the board or
9338 commission is reached. Appointments made at the beginning of the
9339 third year of the four-year cycle shall be made for the remainder
9340 of the membership positions irrespective of the time of their
9341 prior appointment. Any question regarding the order of
9342 appointments shall be determined by the Secretary of State in
9343 accordance with the specific statute. All appointment procedures,
9344 vacancy provisions, interim appointment provisions and removal
9345 provisions specifically provided for in Section 7-1-35,



9346 Mississippi Code of 1972, shall be fully applicable to
9347 appointments to the Standing Committee on Residential Builders and
9348 Remodelers.

9349 (4) Three (3) members of the Standing Committee on
9350 Residential Builders and Remodelers shall constitute a quorum and
9351 a majority vote of those present and voting at any meeting shall
9352 be necessary to transact business.

9353 (* * *5) The Standing Committee on Residential Builders and
9354 Remodelers shall have the power to make recommendations to the
9355 State Board of Contractors pertaining to all duties set forth in
9356 Sections 73-59-11 and 73-59-13. The standing committee shall have
9357 only the power to make recommendations to the State Board of
9358 Contractors and the State Board of Contractors shall have the
9359 power and authority to accept or reject any recommendation made by
9360 the standing committee. Hearings regarding residential builders
9361 and remodelers shall be exclusively under the jurisdiction of the
9362 Standing Committee on Residential Builders and Remodelers.

9363 **SECTION 131.** Section 27-3-1, Mississippi Code of 1972, is
9364 amended as follows:

9365 27-3-1. (1) There is hereby created a Department of
9366 Revenue, the head of which shall be the Commissioner of Revenue,
9367 who shall be appointed by the Governor, with the advice and
9368 consent of the Senate. Each term of office of the Commissioner of
9369 Revenue shall be for six (6) years, or until his successor shall
9370 be appointed and qualified. The Governor shall include in his



9371 appointment, the expiration date of the appointment. Vacancies
9372 shall be filled by the Governor for the unexpired portion of the
9373 term in which the vacancy occurs.

9374 (2) Effective July 1, 2028, the Commissioner of Revenue
9375 shall be appointed by the Governor, with the advise and consent of
9376 the Senate, to a term of four (4) years. All appointment
9377 procedures, vacancy provisions, interim appointment provisions and
9378 removal provisions specifically provided for in Section 7-1-35,
9379 Mississippi Code of 1972, shall be fully applicable to appointment
9380 of the commissioner.

9381 (3) The Commissioner of Revenue shall be a qualified
9382 elector, shall have at least a bachelor's degree from an
9383 accredited college or university, and shall possess a special
9384 knowledge of taxation and revenue as pertaining to the State of
9385 Mississippi. The Commissioner of Revenue shall be full-time and
9386 shall not be actively engaged in any other business or occupation.

9387 (* * *4) The Commissioner of Revenue shall, before entering
9388 upon the discharge of the duties of his office, take and subscribe
9389 to the oath of office prescribed by the Constitution, shall file
9390 the oath in the Office of the Secretary of State, and shall
9391 execute a bond in some surety company authorized to do business in
9392 the state, to be approved by the Governor, and filed in the Office
9393 of the Secretary of State in the penal sum of Two Hundred Fifty
9394 Thousand Dollars (\$250,000.00), conditioned for the faithful and
9395 impartial discharge of the duties of his office. The premium on



9396 the bond shall be paid as provided by law out of funds
9397 appropriated to the Department of Revenue.

9398 (* * *5) The Commissioner of Revenue is not subject to
9399 removal from office other than by impeachment or by removal from
9400 office as provided for under Section 25-5-1, except that in
9401 addition to impeachment and removal, the Commissioner of Revenue
9402 may also be removed from office for a criminal conviction for
9403 violating the Internal Revenue Code.

9404 **SECTION 132.** Section 69-10-2, Mississippi Code of 1972, is
9405 amended as follows:

9406 69-10-2. (1) The Mississippi Rice Promotion Board is
9407 created, to be composed of twelve (12) members to be appointed by
9408 the Governor to serve terms of four (4) years, as hereinafter
9409 provided. All of the twelve (12) members of the board shall be
9410 producers of rice in the State of Mississippi. Within ten (10)
9411 days following March 9, 1995, the Mississippi Farm Bureau
9412 Federation, Inc., the Mississippi Rice Council for Market
9413 Development and the Delta Council shall each submit the names of
9414 six (6) rice producers to the Governor, and he shall appoint four
9415 (4) members from the nominees of each organization to serve on the
9416 board on rotating four-year terms. The original board shall be
9417 appointed with members of each of the aforementioned organizations
9418 appointed as follows: one (1) for one (1) year, one (1) for two
9419 (2) years, one (1) for three (3) years and one (1) for four (4)
9420 years. Each year thereafter, not less than thirty (30) days



9421 before the expiration of the terms of expiring board members, the
9422 aforementioned organizations shall submit the names of four (4)
9423 nominees to the Governor and succeeding boards shall be appointed
9424 by the Governor in the same manner, giving equal representation to
9425 each organization. Vacancies which occur shall be filled in the
9426 same manner as the original appointments were made.

9427 (2) The Mississippi Rice Promotion Board, created by former
9428 Section 69-10-2, is continued and reconstituted as follows:
9429 Effective January 1, 2028, the appointed members of the council
9430 designated in subsection (1) of this section shall be appointed by
9431 the Governor, with the advise and consent of the Senate, provided
9432 that six (6) such members shall be appointed in 2028 to a term
9433 ending December 31, 2031, and six (6) such members shall be
9434 appointed in 2030 to a term ending December 31, 2033.
9435 Appointments made at the beginning of the four-year cycle shall be
9436 made to fill any member's term which actually expires that year
9437 and any member's term which expires next until the majority of the
9438 membership of the board or commission is reached. Appointments
9439 made at the beginning of the third year of the four-year cycle
9440 shall be made for the remainder of the membership positions
9441 irrespective of the time of their prior appointment. Any question
9442 regarding the order of appointments shall be determined by the
9443 Secretary of State in accordance with the specific statute. All
9444 appointment procedures, vacancy provisions, interim appointment
9445 provisions and removal provisions specifically provided for in



9446 Section 7-1-35, Mississippi Code of 1972, shall be fully
9447 applicable to appointments to the Mississippi Rice Promotion
9448 Board.

9449 (* * *3) The members of the board shall meet and organize
9450 immediately after their appointment, and shall elect a chairman,
9451 vice chairman and secretary-treasurer from the membership of the
9452 board, whose duties shall be those customarily exercised by such
9453 officers or specifically designated by the board. The chairman,
9454 vice chairman and secretary-treasurer shall be bonded in an amount
9455 not less than Twenty Thousand Dollars (\$20,000.00). The cost of
9456 the bonds shall be paid from the funds received under the
9457 provisions of Section 69-10-1 et seq. Such bond shall be a
9458 security for any illegal act of such member of the board and
9459 recovery thereon may be had by the state for any injury by such
9460 illegal act of such member. The board may establish rules and
9461 regulations for its own government and the administration of the
9462 affairs of the board.

9463 **SECTION 133.** Section 55-5-53, Mississippi Code of 1972, is
9464 amended as follows:

9465 55-5-53. (1) The commission shall be composed of ten (10)
9466 members, of whom two (2) shall be residents of DeSoto, Tunica and
9467 Coahoma Counties; two (2) shall be residents of Bolivar and
9468 Washington Counties; two (2) shall be residents of Sharkey,
9469 Issaquena and Warren Counties; two (2) shall be residents of
9470 Claiborne and Jefferson Counties; and two (2) shall be residents



9471 of Adams and Wilkinson Counties. On the original commission, two
9472 (2) members shall be appointed for terms of one (1), two (2),
9473 three (3), four (4) and five (5) years, each. All successor
9474 members shall be appointed for terms of five (5) years, except for
9475 members appointed to fill an unexpired term. Immediately upon
9476 making any appointment to the commission, the Governor shall
9477 notify the Mississippi River Parkway Commission, referred to as
9478 the National Commission in Sections 55-5-51 through 55-5-63,
9479 giving the names and addresses of the member or members appointed.

9480 (2) The Mississippi River Parkway Commission, created by
9481 former Section 55-5-53, is continued and reconstituted as follows:
9482 Effective January 1, 2028, the appointed members of the council
9483 designated in subsection (1) of this section shall be appointed by
9484 the Governor to four-year terms, with the advise and consent of
9485 the Senate, provided that five (5) such members shall be appointed
9486 in 2028 to a term ending December 31, 2031, and five (5) such
9487 members shall be appointed in 2030 to a term ending December 31,
9488 2033. Appointments made at the beginning of the four-year cycle
9489 shall be made to fill any member's term which actually expires
9490 that year and any member's term which expires next until the
9491 majority of the membership of the board or commission is reached.
9492 Appointments made at the beginning of the third year of the
9493 four-year cycle shall be made for the remainder of the membership
9494 positions irrespective of the time of their prior appointment.
9495 Any question regarding the order of appointments shall be



9496 determined by the Secretary of State in accordance with the
9497 specific statute. All appointment procedures, vacancy provisions,
9498 interim appointment provisions and removal provisions specifically
9499 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
9500 fully applicable to appointments to the Mississippi River Parkway
9501 Commission.

9502 **SECTION 134.** Section 49-17-45, Mississippi Code of 1972, is
9503 amended as follows:

9504 49-17-45. (1) The Mississippi Commission on Environmental
9505 Quality, acting through the Department of Environmental Quality,
9506 shall establish and administer, in accordance with the federal
9507 Clean Air Act, the Mississippi Small Business Stationary Source
9508 Technical and Environmental Compliance Assistance Program
9509 (PROGRAM).

9510 (2) There is created the Mississippi Small Business
9511 Compliance Advisory Panel. The Mississippi Small Business
9512 Compliance Advisory Panel shall consist of the following members,
9513 the term of each to be concurrent with the term of the appointing
9514 official of that member:

9515 (a) One (1) member representing the Air Pollution
9516 Control Program of the Department of Environmental Quality;

9517 (b) Two (2) members who are not owners or
9518 representatives of owners of a small business, appointed by the
9519 Governor;



9520 (c) Two (2) members who each shall be the owner or
9521 representatives of an owner of a small business, appointed by the
9522 Speaker of the House of Representatives; and

9523 (d) Two (2) members who each shall be the owner or
9524 representatives of an owner of a small business, appointed by the
9525 Lieutenant Governor.

9526 (3) The Mississippi Small Business Compliance Advisory
9527 Panel, created by former Section 49-17-45, is continued and
9528 reconstituted as follows: Effective January 1, 2028, the
9529 appointed members of the panel designated in subsection (1) of
9530 this section shall be appointed by the Governor to a term of
9531 office of four (4) years, with the advise and consent of the
9532 Senate, provided that four (4) such members shall be appointed in
9533 2028 to a term ending December 31, 2031, and three (3) such
9534 members shall be appointed in 2030 to a term ending December 31,
9535 2033. Appointments made at the beginning of the four-year cycle
9536 shall be made to fill any member's term which actually expires
9537 that year and any member's term which expires next until the
9538 majority of the membership of the board or commission is reached.
9539 Appointments made at the beginning of the third year of the
9540 four-year cycle shall be made for the remainder of the membership
9541 positions irrespective of the time of their prior appointment.
9542 Any question regarding the order of appointments shall be
9543 determined by the Secretary of State in accordance with the
9544 specific statute. All appointment procedures, vacancy provisions,



9545 interim appointment provisions and removal provisions specifically
9546 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
9547 fully applicable to appointments to the Mississippi Small Business
9548 Compliance Advisory Panel.

9549 (4) The panel shall elect one (1) member to serve as
9550 chairman. The panel shall meet at the call of the chairman at
9551 Jackson, Mississippi, or such other places within the state
9552 designated by the panel; however, the panel shall not meet more
9553 than four (4) times during a calendar year.

9554 (* * *5) Members of the Mississippi Small Business
9555 Compliance Advisory Panel shall serve without salary, but each
9556 shall be entitled to receive per diem as provided in Section
9557 25-3-69 and his actual travel and hotel expenses incurred while in
9558 the performance of his duties as a member of the committee in
9559 accordance with Section 25-3-41. Per diem and expenses shall be
9560 paid on an itemized statement approved by the State Fiscal Officer
9561 from fees collected under Section 49-17-30.

9562 (* * *6) The Mississippi Small Business Compliance Advisory
9563 Panel shall:

- 9564 (a) Render advisory opinions concerning:
- 9565 (i) The effectiveness of the Small Business
9566 Stationary Source Technical and Environmental Compliance
9567 Assistance Program;
 - 9568 (ii) Difficulties encountered; and
 - 9569 (iii) Degree and severity of enforcement;



9570 (b) Make periodic reports to the Administrator of the
9571 United States Environmental Protection Agency concerning the
9572 compliance of the State Small Business Stationary Source Technical
9573 and Environmental Compliance Assistance Program with the
9574 requirements of the federal Paperwork Reduction Act, the federal
9575 Regulatory Flexibility Act, and the federal Equal Access to
9576 Justice Act;

9577 (c) Review information for small business stationary
9578 sources to * * * ensure such information is understandable by the
9579 layperson; and

9580 (d) Have the Small Business Stationary Source Technical
9581 and Environmental Compliance Assistance Program serve as the
9582 secretariat for the development and dissemination of such reports
9583 and advisory opinions.

9584 **SECTION 135.** Section 25-43-4.103, Mississippi Code of 1972,
9585 is amended as follows:

9586 25-43-4.103. (1) There is established a Small Business
9587 Regulatory Review Committee.

9588 (2) The duties of the committee shall be to:

9589 (a) Provide agencies with input regarding proposed
9590 permanent rules which may have an economic impact upon small
9591 business and for which a notice of intended action is published by
9592 the Secretary of State on or after July 1, 2012;

9593 (b) Review any rule promulgated by a state agency for
9594 which notice has been given by the agency to the committee that



9595 the proposed rule has or may have an economic effect upon small
9596 business and make recommendations to the agency and or the
9597 Legislature regarding the need for a rule or legislation;

9598 (c) Petition an agency to amend, revise * * * or revoke
9599 an existing regulation based on an economic impact on small
9600 business; and

9601 (d) Advise and assist agencies in complying with the
9602 provisions of and performing any and all acts and duties set forth
9603 and authorized in the Mississippi Small Business Regulatory
9604 Flexibility Act.

9605 (3) The committee is assigned to the Mississippi Development
9606 Authority for administrative purposes only. The department shall
9607 act as a coordinator for the committee, and shall not be required
9608 to provide legal counsel for the committee.

9609 (4) The committee shall consist of twelve (12) members,
9610 appointed as follows:

9611 (a) Four (4) members to be appointed by the Governor,
9612 one (1) of whom shall be the Executive Director of the Mississippi
9613 Development Authority, or his designee;

9614 (b) Four (4) members to be appointed by the Lieutenant
9615 Governor, two (2) of whom may be State Senators who own small
9616 businesses; and

9617 (c) Four (4) members to be appointed by the Speaker of
9618 the House of Representatives, two (2) of whom may be State
9619 Representatives who own small businesses.



9620 Any legislative member appointed to the committee shall serve
9621 as an ex officio, nonvoting member.

9622 (5) The appointing authorities shall appoint members of the
9623 committee for which no qualifications are specified under
9624 subsection (4) from:

9625 (a) Lists of nominees, which may include small business
9626 owners, association representatives and small business regulatory
9627 advisors who have legal or accounting experience, submitted by the
9628 following business organizations:

9629 (i) National Federation of Independent Business;

9630 (ii) Mississippi Manufacturers Association;

9631 (iii) Mississippi Retail Association;

9632 (iv) Mississippi Petroleum Marketers and
9633 Convenience Stores Association;

9634 (v) Mississippi Minority Contractors Association;

9635 (vi) Mississippi Economic Council;

9636 (vii) Mississippi Farm Bureau Federation; and

9637 (viii) Any local chamber of commerce; and/or

9638 (b) Small business owners or operators not affiliated
9639 with or nominated by the business organizations listed in
9640 paragraph (a) of this subsection.

9641 (6) Appointments to the committee shall be representative of
9642 a variety of small businesses in this state. Except as otherwise
9643 provided in this section, appointed members shall be either



9644 current or former owners or principal officers of a small
9645 business.

9646 (7) The initial appointments to the committee shall be made
9647 within sixty (60) days from July 1, 2012. The Mississippi
9648 Development Authority shall provide the name and address of each
9649 appointee to the Governor, Lieutenant Governor, the President Pro
9650 Tempore of the Senate, the Speaker of the House of Representatives
9651 and the Secretary of State.

9652 (8) (a) Members initially appointed to the committee shall
9653 serve for terms ending December 31, 2014. Thereafter, appointed
9654 members shall serve two-year terms that expire on December 31 of
9655 the second year.

9656 (b) The Governor shall appoint the initial chair of the
9657 committee from the appointed members for a term ending December
9658 31, 2014. Subsequent chairs of the committee shall be elected by
9659 the committee from the appointed members for two-year terms that
9660 expire on December 31 of the second year.

9661 (9) The Small Business Regulatory Review Committee, created
9662 by former Section 25-43-4.103, is continued and reconstituted as
9663 follows: Effective January 1, 2028, the appointed members of the
9664 committee designated in subsection (4) of this section shall be
9665 appointed by the Governor for a term of four (4) years, with the
9666 advise and consent of the Senate, provided that six (6) such
9667 members shall be appointed in 2028 to a term ending December 31,
9668 2031, and six (6) such members shall be appointed in 2030 to a



9669 term ending December 31, 2033. Appointments made at the beginning
9670 of the four-year cycle shall be made to fill any member's term
9671 which actually expires that year and any member's term which
9672 expires next until the majority of the membership of the board or
9673 commission is reached. Appointments made at the beginning of the
9674 third year of the four-year cycle shall be made for the remainder
9675 of the membership positions irrespective of the time of their
9676 prior appointment. Any question regarding the order of
9677 appointments shall be determined by the Secretary of State in
9678 accordance with the specific statute. All appointment procedures,
9679 vacancy provisions, interim appointment provisions and removal
9680 provisions specifically provided for in Section 7-1-35,
9681 Mississippi Code of 1972, shall be fully applicable to
9682 appointments to the Small Business Regulatory Review Committee.

9683 (10) Members of the committee shall not receive any
9684 compensation.

9685 (* * *11) The committee shall meet as determined by the
9686 chair of the committee.

9687 (* * *12) A majority of the voting members of the committee
9688 shall constitute a quorum to do business. The concurrence of a
9689 majority of the members of the committee present and voting shall
9690 be necessary to make any action of the committee valid.

9691 **SECTION 136.** Section 73-53-8, Mississippi Code of 1972, is
9692 amended as follows:



9693 73-53-8. (1) There is created the Board of Examiners for
9694 Social Workers and Marriage and Family Therapists to license and
9695 regulate social workers and marriage and family therapists. The
9696 board shall be composed of ten (10) members, six (6) of which
9697 shall be social workers and four (4) of which shall be marriage
9698 and family therapists.

9699 (2) Of the social worker members of the board, two (2) must
9700 be licensed social workers, and four (4) must be licensed master
9701 social workers or licensed certified social workers or a
9702 combination thereof. The marriage and family therapist members of
9703 the board must be licensed marriage and family therapists. For at
9704 least two (2) years immediately preceding his or her appointment,
9705 each marriage and family therapist appointee must have been
9706 actively engaged as a marriage and family therapist in rendering
9707 professional services in marriage and family therapy, or in the
9708 education and training of master's, doctoral or post-doctoral
9709 students of marriage and family therapy, or in marriage and family
9710 therapy research, and during the two (2) years preceding his or
9711 her appointment, must have spent the majority of the time devoted
9712 to that activity in this state. The initial marriage and family
9713 therapist appointees shall be deemed to be and shall become
9714 licensed practicing marriage and family therapists immediately
9715 upon their appointment and qualification as members of the board.
9716 All subsequent marriage and family therapist appointees to the



9717 board must be licensed marriage and family therapists before their
9718 appointment.

9719 (3) The Governor shall appoint six (6) members of the board,
9720 four (4) of which shall be social workers and two (2) of which
9721 shall be marriage and family therapists, and the Lieutenant
9722 Governor shall appoint four (4) members of the board, two (2) of
9723 which shall be social workers and two (2) of which shall be
9724 marriage and family therapists. Social worker members of the
9725 board shall be appointed from nominations submitted by the
9726 Mississippi Chapter of the National Association of Social Workers,
9727 and marriage and family therapist members of the board shall be
9728 appointed from nominations submitted by the Mississippi
9729 Association for Marriage and Family Therapy. All appointments
9730 shall be made with the advice and consent of the Senate.

9731 (4) The initial appointments to the board shall be made as
9732 follows: The Governor shall appoint one (1) social worker member
9733 for a term that expires on June 30, 1999, one (1) social worker
9734 member for a term that expires on June 30, 2001, two (2) social
9735 worker members for terms that expire on June 30, 2002, one (1)
9736 marriage and family therapist member for a term that expires on
9737 June 30, 1998, and one (1) marriage and family therapist member
9738 for a term that expires on June 30, 2000. The Lieutenant Governor
9739 shall appoint one (1) social worker member for a term that expires
9740 on June 30, 1998, one (1) social worker member for a term that
9741 expires on June 30, 2000, one (1) marriage and family therapist



9742 member for a term that expires on June 30, 1999, and one (1)
9743 marriage and family therapist member of the board for a term that
9744 expires on June 30, 2001. After the expiration of the initial
9745 terms, all subsequent appointments shall be made by the original
9746 appointing authorities for terms of four (4) years from the
9747 expiration date of the previous term. Upon the expiration of his
9748 or her term of office, a board member shall continue to serve
9749 until his or her successor has been appointed and has qualified.
9750 No person may be appointed more than once to fill an unexpired
9751 term or more than two (2) consecutive full terms.

9752 (5) Any vacancy on the board before the expiration of a term
9753 shall be filled by appointment of the original appointing
9754 authority for the remainder of the unexpired term. Appointments
9755 to fill vacancies shall be made from nominations submitted by the
9756 appropriate organization as specified in subsection (2) of this
9757 section for the position being filled.

9758 (6) The Board of Examiners for Social Workers and Marriage
9759 and Family Therapists, created by former Section 73-53-8, is
9760 continued and reconstituted as follows: Effective January 1,
9761 2028, the appointed members of the board designated in subsections
9762 (1) through (4) of this section shall be appointed by the Governor
9763 for a term of office of four (4) years, with the advise and
9764 consent of the Senate, provided that five (5) such members shall
9765 be appointed in 2028 to a term ending December 31, 2031, and five
9766 (5) such members shall be appointed in 2030 to a term ending



9767 December 31, 2033. Appointments made at the beginning of the
9768 four-year cycle shall be made to fill any member's term which
9769 actually expires that year and any member's term which expires
9770 next until the majority of the membership of the board or
9771 commission is reached. Appointments made at the beginning of the
9772 third year of the four-year cycle shall be made for the remainder
9773 of the membership positions irrespective of the time of their
9774 prior appointment. Any question regarding the order of
9775 appointments shall be determined by the Secretary of State in
9776 accordance with the specific statute. All appointment procedures,
9777 vacancy provisions, interim appointment provisions and removal
9778 provisions specifically provided for in Section 7-1-35,
9779 Mississippi Code of 1972, shall be fully applicable to
9780 appointments to the Board of Examiners for Social Workers and
9781 Marriage and Family Therapists.

9782 (7) The appointing authorities shall give due regard to
9783 geographic distribution, race and sex in making all appointments
9784 to the board.

9785 (* * *8) The board shall select one (1) of its members to
9786 serve as chairman during the term of his or her appointment to the
9787 board. No person may serve as chairman for more than four (4)
9788 years. The board may remove any member of the board or the
9789 chairman from his or her position as chairman for (a) malfeasance
9790 in office, or (b) conviction of a felony or a crime of moral
9791 turpitude while in office, or (c) failure to attend three (3)



9792 consecutive board meetings. However, no member may be removed
9793 until after a public hearing of the charges against him or her,
9794 and at least thirty (30) days' prior written notice to the accused
9795 member of the charges against him or her and of the date fixed for
9796 such hearing. No board member shall participate in any matter
9797 before the board in which he has a pecuniary interest, personal
9798 bias or other similar conflict of interest.

9799 (* * *9) Board members shall receive no compensation for
9800 their services, but shall be reimbursed for their actual and
9801 necessary expenses incurred in the performance of official board
9802 business as provided in Section 25-3-41.

9803 (* * *10) Four (4) social worker members and three (3)
9804 marriage and family therapist members of the board shall
9805 constitute a quorum of the board. In making its decisions and
9806 taking actions affecting the members of one (1) of the professions
9807 regulated by the board, the board shall consider the
9808 recommendations of the board members who are members of that
9809 profession. If the board is unable to have a quorum present at a
9810 regularly scheduled meeting location, the board may allow other
9811 members to participate in the meeting by telephone or other
9812 electronic means. In the case of an administrative hearing, when
9813 recusals from the process are necessary, a quorum may consist of a
9814 simple majority of six (6) members.

9815 (* * *11) The principal office of the board shall be in the
9816 City of Jackson, but the board may act and exercise all of its



9817 powers at any other place. The board shall adopt an official
9818 seal, which shall be judicially noticed and which shall be affixed
9819 to all licenses issued by the board.

9820 (* * *12) The board is authorized to appoint an executive
9821 director for a term of four (4) years, with the advice and consent
9822 of the Senate, and consistent with the provisions of Section
9823 7-1-35, Mississippi Code of 1972. The board is authorized to
9824 employ, subject to the approval of the State Personnel Board, an
9825 executive director and such attorneys, experts and other employees
9826 as it may, from time to time, find necessary for the proper
9827 performance of its duties and for which the necessary funds are
9828 available, and to set the salary of the executive director,
9829 subject to the approval of the State Personnel Board.

9830 (* * *13) The board, by a majority vote, from time to time,
9831 may make such provisions as it deems appropriate to authorize the
9832 performance by any board member or members, employee or other
9833 agent of the board of any function given the board in this chapter
9834 or Sections 73-54-1 through 73-54-39.

9835 **SECTION 137.** Section 69-9-3, Mississippi Code of 1972, is
9836 amended as follows:

9837 69-9-3. (1) The Mississippi Soybean Promotion Board is
9838 hereby created, to be composed of twelve (12) members to be
9839 appointed by the Governor to serve terms of three (3) years, as
9840 hereinafter provided. All of the twelve (12) members of the board
9841 shall be producers of soybeans in the State of Mississippi.



9842 Within ten (10) days following June 1, 1970, each of the following
9843 organizations, namely, Mississippi Farm Bureau Federation, Inc.,
9844 Mississippi Feed and Grain Association, Mississippi Soybean
9845 Association and Delta Council shall submit the names of six (6)
9846 soybean producers to the Governor, and he shall appoint three (3)
9847 members from the nominees of each organization to serve on the
9848 board on rotating three-year terms. The original board shall be
9849 appointed with members of each of the aforementioned organizations
9850 appointed as follows: one (1) for one (1) year, one (1) for two
9851 (2) years, and one (1) for three (3) years. Each year thereafter,
9852 not less than thirty (30) days prior to the expiration of the
9853 terms of expiring board members, the aforementioned organizations
9854 shall submit the names of three (3) nominees to the Governor and
9855 succeeding boards shall be appointed by the Governor in the same
9856 manner, giving equal representation to each organization.
9857 Vacancies which occur shall be filled in the same manner as the
9858 original appointments were made.

9859 (2) The Mississippi Soybean Promotion Board created by
9860 former Section 69-9-3, is continued and reconstituted as follows:
9861 Effective January 1, 2028, the appointed members of the board
9862 designated in subsection (1) of this section shall be appointed by
9863 the Governor to a term of office of four (4) years, with the
9864 advise and consent of the Senate, provided that six (6) such
9865 members shall be appointed in 2028 to a term ending December 31,
9866 2031, and six (6) such members shall be appointed in 2030 to a



9867 term ending December 31, 2033. Appointments made at the beginning
9868 of the four-year cycle shall be made to fill any member's term
9869 which actually expires that year and any member's term which
9870 expires next until the majority of the membership of the board or
9871 commission is reached. Appointments made at the beginning of the
9872 third year of the four-year cycle shall be made for the remainder
9873 of the membership positions irrespective of the time of their
9874 prior appointment. Any question regarding the order of
9875 appointments shall be determined by the Secretary of State in
9876 accordance with the specific statute. All appointment procedures,
9877 vacancy provisions, interim appointment provisions and removal
9878 provisions specifically provided for in Section 7-1-35,
9879 Mississippi Code of 1972, shall be fully applicable to
9880 appointments to the Mississippi Soybean Promotion Board.

9881 (* * *3) The members of the board shall meet and organize
9882 immediately after their appointment, and shall elect a chairman,
9883 vice chairman and secretary-treasurer from the membership of the
9884 board, whose duties shall be those customarily exercised by such
9885 officers or specifically designated by the board. The chairman,
9886 vice chairman and secretary-treasurer shall be bonded in an amount
9887 not less than Twenty Thousand Dollars (\$20,000.00). The cost of
9888 said bonds shall be paid from the funds received under the
9889 provisions of this chapter. Such bond shall be a security for any
9890 illegal act of such member of the board and recovery thereon may
9891 be had by the state for any injury by such illegal act of such



9892 member. The board may establish rules and regulations for its own
9893 government and the administration of the affairs of the board.

9894 **SECTION 138.** Section 65-9-9, Mississippi Code of 1972, is
9895 amended as follows:

9896 65-9-9. The State Aid Engineer shall be appointed by the
9897 Governor for a term of two (2) years, subject to removal pursuant
9898 to Section 25-9-101 et seq. by the Governor at any time; provided,
9899 however, upon the expiration of the term of the State Aid Engineer
9900 serving on July 1, 1985, the State Aid Engineer shall be appointed
9901 by the Governor for a term of four (4) years. The State Aid
9902 Engineer shall be a registered engineer with at least eight (8)
9903 years' experience as a county road or highway engineer and a
9904 thorough knowledge of rural road problems. He shall be paid a
9905 salary equal to that paid assistant chief engineers of the
9906 Mississippi Department of Transportation as established by the
9907 department's personnel and merit system, plus travel expenses
9908 actually incurred by him in the discharge of his duties; and he
9909 shall, each month, make a detailed report to the Governor of such
9910 expenses. He shall be authorized to employ assistant state aid
9911 engineers, together with such other engineers, employees, and
9912 other assistants as may be necessary to carry out the terms of
9913 this chapter, all of whom may be removed at any time by the State
9914 Aid Engineer. The compensation of all such engineers, employees,
9915 and assistants shall be comparable to the salaries of like
9916 employees of the Mississippi Department of Transportation.



9917 Effective July 1, 2028, the State Aid Engineer designated in
9918 this section shall be appointed by the Governor to a term of
9919 office of four (4) years, with the advise and consent of the
9920 Senate. All appointment procedures, vacancy provisions, interim
9921 appointment provisions and removal provisions specifically
9922 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
9923 fully applicable to appointments of the State Aid Engineer.

9924 The State Aid Engineer, before entering upon the discharge of
9925 his duties, shall give bond in the sum of Twenty-five Thousand
9926 Dollars (\$25,000.00) in some surety company authorized to do
9927 business in this state, which bond shall be conditioned for the
9928 faithful performance of his duties; and likewise each assistant
9929 state aid engineer shall give bond in the sum of Ten Thousand
9930 Dollars (\$10,000.00) conditioned for the faithful performance of
9931 his duties. The State Aid Engineer is hereby authorized to
9932 require other assistants who are charged with responsible duties
9933 to likewise give bond in amounts not to exceed Ten Thousand
9934 Dollars (\$10,000.00) each, conditioned for the faithful
9935 performance of their duties.

9936 The salaries of the State Aid Engineer and his assistants and
9937 of all other employees of the Office of State Aid Road
9938 Construction, and all other expenses incurred by the Office of
9939 State Aid Road Construction in carrying out the provisions of this
9940 chapter, including the premiums of bonds of the State Aid
9941 Engineer, assistant state aid engineers, and other assistants,



9942 shall be paid from the State Aid Road Fund in the State Treasury
9943 prior to allocation to the several counties, by requisition drawn
9944 by the State Aid Engineer directed to the Department of Finance
9945 and Administration, which will issue its warrant to the State
9946 Treasurer in the sum and for the purpose stated in the
9947 requisition. The State Aid Engineer shall, each month, make a
9948 detailed report to the Governor of all expenditures so made.

9949 **SECTION 139.** Section 27-4-1, Mississippi Code of 1972, is
9950 amended as follows:

9951 27-4-1. (1) The Board of Tax Appeals is established as an
9952 independent agency which shall not in any way be subject to the
9953 supervision or control of the Department of Revenue.

9954 (2) The Board of Tax Appeals shall consist of three (3)
9955 members: a chairman and two (2) associate members. Except as
9956 provided in subsection (5) of this section, the chairman and
9957 associate members shall be appointed by the Governor with the
9958 advice and consent of the Senate. Each member of the board shall
9959 be a qualified elector, shall have at least a bachelor's degree
9960 from an accredited college or university, and shall possess a
9961 special knowledge of taxation and revenue in the State of
9962 Mississippi. The members of the Board of Tax Appeals, while
9963 holding office, shall not engage in any other occupation or
9964 business interfering with or inconsistent with their official
9965 duties on the board.



9966 (3) The initial term of the Chairman of the Board of Tax
9967 Appeals shall begin on July 1, 2010, and expire on June 30, 2016.
9968 The initial term of one (1) associate member of the board shall
9969 expire June 30, 2012. The initial term of the other associate
9970 member shall expire June 30, 2014. Upon the expiration of the
9971 initial terms, the term of office of each member shall be for six
9972 (6) years, or until his successor is appointed and qualified. The
9973 Governor shall include in his appointment of the chairman and
9974 associate members the expiration date of each appointment.
9975 Vacancies shall be filled by the Governor for the unexpired
9976 portion of the term in which the vacancy occurs.

9977 (4) The Board of Tax Appeals, created by former Section
9978 27-4-1, is continued and reconstituted as follows: Effective
9979 January 1, 2028, the appointed members of the board designated in
9980 subsections (2) and (3) of this section shall be appointed by the
9981 Governor to a term of office of four (4) years, with the advise
9982 and consent of the Senate, provided that two (2) such members
9983 shall be appointed in 2028 to a term ending December 31, 2031, and
9984 one (1) such member shall be appointed in 2030 to a term ending
9985 December 31, 2033. Appointments made at the beginning of the
9986 four-year cycle shall be made to fill any member's term which
9987 actually expires that year and any member's term which expires
9988 next until the majority of the membership of the board or
9989 commission is reached. Appointments made at the beginning of the
9990 third year of the four-year cycle shall be made for the remainder



9991 of the membership positions irrespective of the time of their
9992 prior appointment. Any question regarding the order of
9993 appointments shall be determined by the Secretary of State in
9994 accordance with the specific statute. All appointment procedures,
9995 vacancy provisions, interim appointment provisions and removal
9996 provisions specifically provided for in Section 7-1-35,
9997 Mississippi Code of 1972, shall be fully applicable to
9998 appointments to the Board of Tax Appeals.

9999 (* * *5) No person appointed by the Governor to the Board
10000 of Tax Appeals shall be eligible to take office unless his name
10001 shall have been submitted to the Mississippi Senate for its advice
10002 and consent at least thirty (30) days prior to the scheduled
10003 adjournment of the regular session of the Legislature being held
10004 in the calendar year in which the term of the office of the
10005 incumbent shall expire; however, if for any reason an appointment
10006 is not given the advice and consent of the Mississippi Senate
10007 prior to the adjournment of such regular session, the Governor may
10008 submit another appointment at any time to the Mississippi Senate
10009 for its advice and consent at a regular or extraordinary session
10010 of the Legislature. The foregoing prohibition shall not apply
10011 when a vacancy shall occur by death or resignation of the
10012 incumbent.

10013 (* * *6) On July 1, 2010, the Associate Commissioner of the
10014 State Tax Commission whose appointment as associate commissioner
10015 has an expiration date of June 30, 2012, shall fill the position



10016 of the associate member of the Board of Tax Appeals whose term
10017 expires on June 30, 2012. On July 1, 2010, the Associate
10018 Commissioner of the State Tax Commission whose appointment as
10019 associate commissioner has an expiration date of June 30, 2014,
10020 shall fill the position of the associate member of the Board of
10021 Tax Appeals whose term expires on June 30, 2014. This change of
10022 positions from an Associate Commissioner of the State Tax
10023 Commission to an associate member of the Board of Tax Appeals
10024 shall be treated as a continuation of the same appointment without
10025 the need for an additional appointment by the Governor or the
10026 advice and consent of the Senate.

10027 (* * *7) Each member of the Board of Tax Appeals shall,
10028 before entering upon the discharge of the duties of his office,
10029 take and subscribe to the oath of office prescribed by the
10030 Constitution and shall file the oath in the Office of the
10031 Secretary of State, and each member, including the chairman, shall
10032 execute a bond in some surety company authorized to do business in
10033 the state, to be approved by the Governor, and filed in the Office
10034 of the Secretary of State in the penal sum of Fifty Thousand
10035 Dollars (\$50,000.00), conditioned for the faithful and impartial
10036 discharge of the duties of his office. The premium on the bonds
10037 shall be paid as provided by law out of funds appropriated to the
10038 Board of Tax Appeals.

10039 (* * *8) The members of the Board of Tax Appeals are * * *
10040 subject to removal from office * * * by impeachment or by removal



10041 from office as provided for under Section 25-5-1, * * * or the
10042 provisions in Section 7-1-35 and a member of the Board of Tax
10043 Appeals may also be removed from office for a criminal conviction
10044 for violating the Internal Revenue Code.

10045 (* * * 9) It is the duty of the Department of Finance and
10046 Administration to provide suitable and adequate quarters and
10047 equipment for the Board of Tax Appeals, for the executive director
10048 and employees of the board and for filing their records, books and
10049 papers.

10050 (* * * 10) The members of the Board of Tax Appeals shall
10051 receive an annual salary fixed by the State Personnel Board. The
10052 actual traveling expenses of the board members, the executive
10053 director of the board and the employees of the board incurred in
10054 the performance of their official duties shall be allowed, and
10055 such salaries and expenses shall be payable out of funds
10056 appropriated for the expenses of the Board of Tax Appeals.

10057 **SECTION 140.** Section 51-27-1, Mississippi Code of 1972, is
10058 amended as follows:

10059 51-27-1. (1) The Governor, on behalf of this state, is
10060 hereby authorized to execute a Compact in substantially the
10061 following form with the State of Alabama; and the Legislature
10062 hereby signifies in advance its approval and ratification of such
10063 Compact, which Compact is as follows:

10064 TOMBIGBEE-TENNESSEE WATERWAY DEVELOPMENT COMPACT



10065 Article I. The purpose of this Compact is to promote the
10066 development of a navigable waterway connecting the Tennessee and
10067 Tombigbee Rivers by way of the east fork of the Tombigbee River
10068 and Mackeys and Yellow Creeks so as to provide a nine-foot
10069 navigable channel from the junction of the Tombigbee and Warrior
10070 Rivers at Demopolis in the State of Alabama to the junction of
10071 Yellow Creek with the Tennessee River at Pickwick Pool in the
10072 State of Mississippi, and to establish a joint interstate
10073 authority to assist in these efforts.

10074 Article II. This Compact shall become effective immediately
10075 as to the states ratifying it whenever the States of Alabama and
10076 Mississippi have ratified it and Congress has given consent
10077 thereto. Any state not mentioned in this article which is
10078 contiguous with any member state may become a party to this
10079 Compact, subject to approval by the Legislature of each of the
10080 member states.

10081 Article III. The states which are parties to this Compact
10082 (hereinafter referred to as "party states") do hereby establish
10083 and create a joint agency which shall be known as the
10084 Tennessee-Tombigbee Waterway Development Authority (hereinafter
10085 referred to as the "authority"). The membership of such authority
10086 shall consist of the Governor of each party state and five (5)
10087 other citizens of each party state, to be appointed by the
10088 Governor thereof. Each appointive member of the authority shall
10089 be a citizen of that state who is interested in the promotion and



10090 development of waterways and water transportation. The appointive
10091 members of the authority shall serve for terms of four (4) years
10092 each. Vacancies on the authority shall be filled by appointment
10093 by the Governor for the unexpired portion of the term. The
10094 members of the authority shall not be compensated, but each shall
10095 be entitled to actual expenses incurred in attending meetings, or
10096 incurred otherwise in the performance of his duties as a member of
10097 the authority. The members of the authority shall hold regular
10098 quarterly meetings and such special meetings as its business may
10099 require. They shall choose annually a chairman and vice chairman
10100 from among their members, and the chairmanship shall rotate each
10101 year among the party states in order of their acceptance of this
10102 Compact. The secretary of the authority (hereinafter provided
10103 for) shall notify each member in writing of all meetings of the
10104 authority in such a manner and under such rules and regulations as
10105 the authority may prescribe. The authority shall adopt rules and
10106 regulations for the transaction of its business; and the secretary
10107 shall keep a record of all its business and shall furnish a copy
10108 thereof to each member of the authority. It shall be the duty of
10109 the authority, in general, to promote, encourage * * * and
10110 coordinate the efforts of the party states to secure the
10111 development of the Tennessee-Tombigbee Waterway. Toward this end,
10112 the authority shall have power to hold hearings; to conduct
10113 studies and surveys of all problems, benefits * * * and other
10114 matters associated with the development of the Tennessee-Tombigbee



10115 Waterway, and to make reports thereon; to acquire, by gift or
10116 otherwise, and hold and dispose of such money and property as may
10117 be provided for the proper performance of their function; to
10118 cooperate with other public or private groups, whether local,
10119 state, regional * * * or national, having an interest in waterways
10120 development; to formulate and execute plans and policies for
10121 emphasizing the purpose of this Compact before the Congress of the
10122 United States and other appropriate officers and agencies of the
10123 United States; and to exercise such other powers as may be
10124 appropriate to enable it to accomplish its functions and duties in
10125 connection with the development of the Tennessee-Tombigbee
10126 Waterway and to carry out the purposes of this Compact.

10127 The Tennessee-Tombigbee Waterway Development Authority,
10128 created by former Section 51-27-1, is continued and reconstituted
10129 as follows: Effective January 1, 2028, the appointed members of
10130 the board designated from Mississippi shall be appointed by the
10131 Governor to terms of office of four (4) years, with the advise and
10132 consent of the Senate, provided that one-half (1/2) of such
10133 members shall be appointed in 2028 to a term ending December 31,
10134 2031, and one-half (1/2) of such members shall be appointed in
10135 2030 to a term ending December 31, 2033. Appointments made at the
10136 beginning of the four-year cycle shall be made to fill any
10137 member's term which actually expires that year and any member's
10138 term which expires next until the majority of the membership of
10139 the board or commission is reached. Appointments made at the



10140 beginning of the third year of the four-year cycle shall be made
10141 for the remainder of the membership positions irrespective of the
10142 time of their prior appointment. Any question regarding the order
10143 of appointments shall be determined by the Secretary of State in
10144 accordance with the specific statute. All appointment procedures,
10145 vacancy provisions, interim appointment provisions and removal
10146 provisions specifically provided for in Section 7-1-35,
10147 Mississippi Code of 1972, shall be fully applicable to
10148 appointments to the Tennessee-Tombigbee Waterway Development
10149 Authority.

10150 Article IV. The authority shall appoint a secretary, who
10151 shall be a person familiar with the nature, procedures, and
10152 significance of inland waterways development and the
10153 informational, educational, and publicity methods of stimulating
10154 general interest in such developments, and who shall be the
10155 compact administrator. His term of office shall be at the
10156 pleasure of the authority and he shall receive such compensation
10157 as the authority shall prescribe. He shall maintain custody of
10158 the authority's books, records, and papers, which he shall keep at
10159 the office of the authority, and he shall perform all functions
10160 and duties, and exercise all powers and authorities, that may be
10161 delegated to him by the authority.

10162 Article V. Each party state agrees that, when authorized by
10163 its legislature, it will from time to time make available and pay
10164 over to the authority such funds as may be required for the



10165 establishment and operation of the authority. The contribution of
10166 each party state shall be in the proportion that its population
10167 bears to the total population of the states which are parties
10168 hereto, as shown by the most recent official report of the United
10169 States Bureau of the Census, or upon such other basis as may be
10170 agreed upon.

10171 Article VI. Nothing in this Compact shall be construed so as
10172 to conflict with any existing statute, or to limit the powers of
10173 any party state, or to repeal or prevent legislation, or to
10174 authorize or permit curtailment or diminution of any other
10175 waterway project, or to affect any existing or future cooperative
10176 arrangement or relationship between any federal agency and a party
10177 state.

10178 Article VII. This Compact shall continue in force and remain
10179 binding upon each party state until the Legislature or Governor of
10180 each or either state takes action to withdraw therefrom; provided
10181 that such withdrawal shall not become effective until six (6)
10182 months after the date of the action taken by the Legislature or
10183 Governor. Notice of such action shall be given to the other party
10184 state or states by the Secretary of State of the party state which
10185 takes such action.

10186 (2) There is hereby granted to the Governor, to the members
10187 of the authority for Mississippi, and to the Compact administrator
10188 all the powers provided for in said Compact and in this section.
10189 All officers of the State of Mississippi are hereby authorized and



10190 directed to do all things falling within their respective
10191 jurisdictions which are necessary or incidental to carrying out
10192 the purpose of said Compact.

10193 **SECTION 141.** Section 41-113-9, Mississippi Code of 1972, is
10194 amended as follows:

10195 41-113-9. (1) There is created the Mississippi Tobacco
10196 Control Advisory Council, which shall consist of thirteen (13)
10197 members. The thirteen (13) members of the advisory council shall
10198 consist of the following:

10199 (a) Four (4) members appointed by the Governor, with
10200 one (1) member from a list of three (3) physicians recommended by
10201 the Mississippi State Medical Association, one (1) member from a
10202 list of three (3) individuals recommended by the Mississippi
10203 Chapter of the American Heart Association, and two (2) individuals
10204 who are not affiliated with the tobacco industry who possess
10205 knowledge, skill * * * and prior experience in scientifically
10206 proven smoking prevention, reduction and cessation programs,
10207 health care services or preventive health measures;

10208 (b) Two (2) members appointed by the Lieutenant
10209 Governor, with one (1) member from a list of three (3) nurses
10210 recommended by the Mississippi Nurses' Association, and one (1)
10211 member from a list of three (3) individuals recommended by the
10212 Mississippi Chapter of the American Lung Association;

10213 (c) Two (2) members approved by the Speaker of the
10214 House of Representatives, with one (1) member from a list of three



10215 (3) social workers recommended by the Mississippi Chapter of the
10216 National Association of Social Workers (NASW), and one (1) member
10217 from a list of three (3) individuals recommended by the
10218 Mississippi Chapter of the American Cancer Society;

10219 (d) The Attorney General, or his or her designee;

10220 (e) The State Superintendent of Public Education, or
10221 his or her designee;

10222 (f) The Vice-Chancellor of Health Affairs of the
10223 University of Mississippi Medical Center, or his or her designee;

10224 (g) The Dean of the College of Health at the University
10225 of Southern Mississippi, or his or her designee; and

10226 (h) The Administrator of the School of Health Sciences
10227 of the College of Public Service at Jackson State University, or
10228 his or her designee.

10229 (2) The Lieutenant Governor shall appoint one (1) member of
10230 the Senate and the Speaker of the House shall appoint one (1)
10231 Representative to attend meetings of the Tobacco Control Advisory
10232 Council.

10233 (3) For those members that are required to be appointed from
10234 lists of individuals recommended by certain nominating groups, if
10235 none of the recommended names are acceptable to the appointing
10236 official, then the nominating group shall submit another list of
10237 three (3) different individuals until an acceptable individual is
10238 submitted to the appointing official.



10239 (4) The members who are state officials or university
10240 officials shall serve as members for as long as they hold the
10241 designated office or university position. The appointed members
10242 shall serve for terms that are concurrent with the terms of the
10243 appointing officials, or until their successors are appointed and
10244 qualified.

10245 (5) Any vacancy in an appointed member position shall be
10246 filled within thirty (30) days of the vacancy by the original
10247 appointing official, and the individual appointed to fill the
10248 vacancy shall meet the same qualifications as required for the
10249 former member.

10250 (6) The initial appointments to the advisory council shall
10251 be made not later than forty-five (45) days after March 30, 2007,
10252 and the first meeting of the advisory council shall be held within
10253 sixty (60) days after March 30, 2007, at a time, date and location
10254 specified by the State Board of Health.

10255 (7) The Mississippi Tobacco Control Advisory Council,
10256 created by former Section 41-113-9, is continued and reconstituted
10257 as follows: Effective January 1, 2028, the appointed members of
10258 the council designated in subsections (1) and (2) of this section
10259 shall be appointed by the Governor to terms of office of four (4)
10260 years, with the advise and consent of the Senate, provided that
10261 seven (7) such members shall be appointed in 2028 to a term ending
10262 December 31, 2031, and six (6) such members shall be appointed in
10263 2030 to a term ending December 31, 2033. Appointments made at the



10264 beginning of the four-year cycle shall be made to fill any
10265 member's term which actually expires that year and any member's
10266 term which expires next until the majority of the membership of
10267 the board or commission is reached. Appointments made at the
10268 beginning of the third year of the four-year cycle shall be made
10269 for the remainder of the membership positions irrespective of the
10270 time of their prior appointment. Any question regarding the order
10271 of appointments shall be determined by the Secretary of State in
10272 accordance with the specific statute. All appointment procedures,
10273 vacancy provisions, interim appointment provisions and removal
10274 provisions specifically provided for in Section 7-1-35,
10275 Mississippi Code of 1972, shall be fully applicable to
10276 appointments to the Mississippi Tobacco Control Advisory Council.

10277 (8) The advisory council shall annually elect a chairman
10278 from among its members. The advisory council shall meet at least
10279 quarterly. A quorum for meetings of the advisory council shall be
10280 a majority of the voting members of the advisory council. The
10281 members of the advisory council shall receive the per diem
10282 compensation provided under Section 25-3-69 plus expense
10283 reimbursement as provided under Section 25-3-41 for attending
10284 meetings and necessary business of the advisory council.

10285 (* * *9) The Mississippi Tobacco Advisory Council shall
10286 advise and make recommendations to the State Board of Health
10287 regarding rules and regulations promulgated pursuant to this
10288 program.



10289 **SECTION 142.** Section 51-13-105, Mississippi Code of 1972, is
10290 amended as follows:

10291 51-13-105. All powers of the district shall be exercised by
10292 a board of directors, to be composed of the following:

10293 (a) Each member of the Tombigbee Valley Authority as
10294 created by virtue of Sections 51-13-1 through 51-13-9, whose
10295 county becomes a part of the Tombigbee River Valley Water
10296 Management District shall be a member of the Board of Directors of
10297 the Tombigbee River Valley Water Management District, and each
10298 state-at-large member of the Tombigbee Valley Authority shall
10299 become a member of the Board of Directors of the Tombigbee River
10300 Valley Water Management District when one or more entire counties
10301 become members of the Tombigbee River Valley Water Management
10302 District. Such directors shall serve on this board during their
10303 term of office on the Tombigbee Valley Authority. In addition,
10304 the board of supervisors of each county within the Tombigbee River
10305 Basin which elects to become a member of the district shall
10306 appoint one (1) board member to serve for a term of four (4) years
10307 or until his successor is named. The Governor shall appoint one
10308 (1) member from each county added to the Tombigbee River Valley
10309 Water Management District which county is not now a member of the
10310 Tombigbee Valley Authority, and such member shall serve for a
10311 four-year term or until his successor is appointed.

10312 (b) The Department of Environmental Quality, the
10313 Department of Wildlife, Fisheries and Parks, the Forestry



10314 Commission, and the State Board of Health of the State of
10315 Mississippi shall each appoint one (1) director from that
10316 department to serve on the Board of Directors of the Tombigbee
10317 River Valley Water Management District, to serve at the pleasure
10318 of the entity appointing him but not to exceed four-year terms.

10319 (c) The Board of Directors of the Tombigbee River
10320 Valley Water Management District, created by former Section
10321 51-13-105, is continued and reconstituted as follows: Effective
10322 January 1, 2028, the appointed members of the board designated in
10323 subsections (1) and (2) of this section shall be appointed by the
10324 Governor to a term of office of four (4) years, with the advise
10325 and consent of the Senate, provided that two (2) such members
10326 shall be appointed in 2028 to a term ending December 31, 2031, and
10327 two (2) such members shall be appointed in 2030 to a term ending
10328 December 31, 2033. Appointments made at the beginning of the
10329 four-year cycle shall be made to fill any member's term which
10330 actually expires that year and any member's term which expires
10331 next until the majority of the membership of the board or
10332 commission is reached. Appointments made at the beginning of the
10333 third year of the four-year cycle shall be made for the remainder
10334 of the membership positions irrespective of the time of their
10335 prior appointment. Any question regarding the order of
10336 appointments shall be determined by the Secretary of State in
10337 accordance with the specific statute. All appointment procedures,
10338 vacancy provisions, interim appointment provisions and removal



10339 provisions specifically provided for in Section 7-1-35,
10340 Mississippi Code of 1972, shall be fully applicable to
10341 appointments to the Board of Directors of the Tombigbee River
10342 Valley Water Management District.

10343 (* * *d) Each director shall take and subscribe to the
10344 general oath of office required by Section 268 of the Constitution
10345 of the State of Mississippi before a chancery clerk that he will
10346 faithfully discharge the duties of the office, which oath shall be
10347 filed with the said clerk and by him preserved.

10348 (* * *e) Each director shall receive compensation at a
10349 per diem rate as provided in Section 25-3-69 for each day or
10350 fraction thereof spent in actual discharge of his official duties
10351 and shall be reimbursed for mileage and actual expenses incurred
10352 in the performance of his official duties in accordance with the
10353 requirements of Section 25-3-41.

10354 (* * *f) The board of directors shall annually elect
10355 from its number a president and a vice president of the district
10356 and such other officers as in the judgment of the board are
10357 necessary. The president shall be the chief executive officer of
10358 the district and the presiding officer of the board, and shall
10359 have the same right to vote as any other director. The vice
10360 president shall perform all duties and exercise all powers
10361 conferred by this article upon the president when the president is
10362 absent or fails or declines to act, except the president's right
10363 to vote. The board shall also appoint a secretary and a treasurer



10364 who may or may not be members of the board, and it may combine
10365 those offices. The treasurer shall give bond in the sum of not
10366 less than Fifty Thousand Dollars (\$50,000.00) as set by the board
10367 of directors, and each director shall give bond in the sum of not
10368 less than Ten Thousand Dollars (\$10,000.00) with sureties
10369 qualified to do business in this state, and the premiums on said
10370 bonds shall be an expense of the district. The condition of each
10371 such bond shall be that the treasurer or director will faithfully
10372 perform all duties of his office and account for all money or
10373 other assets which shall come into his custody as treasurer or
10374 director of the district.

10375 **SECTION 143.** Section 11-46-18, Mississippi Code of 1972, is
10376 amended as follows:

10377 11-46-18. (1) There is created a board which shall be known
10378 as the Mississippi Tort Claims Board. The board shall consist of
10379 seven (7) members as follows:

10380 (a) The Governor, subject to the advice and consent of
10381 the Senate, shall appoint one (1) member * * * to a term of office
10382 of four (4) years, who shall serve as chairman of the board.

10383 (b) The Director of the Department of Environmental
10384 Quality or a designee.

10385 (c) The Commissioner of Insurance or a designee.

10386 (d) The Director of the Department of Finance and
10387 Administration or a designee shall be a member of the board, shall



10388 serve as the executive director to the board, and shall be
10389 authorized to conduct the administrative affairs of the board.

10390 (e) The Attorney General or a designee.

10391 (f) The Commissioner of Public Safety or a designee.

10392 (g) The State Treasurer or a designee.

10393 (2) All appointment procedures, vacancy provisions, interim
10394 appointment provisions and removal provisions specifically
10395 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
10396 fully applicable to any appointments to the Mississippi Tort
10397 Claims Board.

10398 (3) The member of the board appointed by the Governor shall
10399 receive per diem as provided by Section 25-3-69 and reimbursement
10400 of travel expenses as provided in Section 25-3-41 for expenses
10401 incurred in carrying out his duties as a member of the Mississippi
10402 Tort Claims Board.

10403 (* * *4) The board, by majority vote, shall determine the
10404 place and time of its meetings and shall spread the same on its
10405 minutes. A majority of the members shall constitute a quorum, and
10406 final action of the board shall require the affirmative vote of a
10407 majority of those present and voting. The board shall elect a
10408 vice chairman who shall preside in the absence or incapacity of
10409 the chairman and such other officers as it deems necessary and as
10410 established by its rules of order. Extraordinary meetings may be
10411 held upon call of the chairman or upon petition of any four (4)
10412 members of the board should the chairman refuse to call a meeting.



10413 The initial meeting of the board shall convene upon call of the
10414 chairman.

10415 (* * *5) The Lieutenant Governor may designate one (1)
10416 Senator and the Speaker of the House of Representatives may
10417 designate one (1) Representative to attend any meeting of the Tort
10418 Claims Board. The appointing authorities may designate alternate
10419 members from their respective houses to serve when the regular
10420 designees are unable to attend such meetings of the board. Such
10421 legislative designees shall have no jurisdiction or vote on any
10422 matter within the jurisdiction of the board. For attending
10423 meetings of the board, such legislators shall receive per diem and
10424 expenses which shall be paid from the contingent expense funds of
10425 their respective houses in the same amounts as provided for
10426 committee meetings when the Legislature is not in session;
10427 however, no per diem and expenses for attending meetings of the
10428 board will be paid while the Legislature is in session. No per
10429 diem and expenses will be paid, except for attending meetings of
10430 the board, without prior approval of the proper committee in their
10431 respective houses.

10432 (* * *6) If a member of the board appoints a designee to
10433 attend meetings of the board on the member's behalf, the member
10434 must inform the chairman of the board in writing of the name and
10435 contact information of the designee.



10436 (* * *7) The designee of any member of the board is
10437 authorized to take all action which the person making the
10438 designation is authorized to do under this chapter.

10439 **SECTION 144.** Section 77-13-29, Mississippi Code of 1972, is
10440 amended as follows:

10441 77-13-29. (1) There is created an Underground Facilities
10442 Damage Prevention Board for the purpose of enforcing this chapter.

10443 (2) It is the intent of the Legislature that the board and
10444 its enforcement activities not be funded by appropriations from
10445 the state budget.

10446 (3) The Pipeline Safety Division will provide
10447 administrative, investigative and legal support for the board as
10448 deemed necessary and approved by the board. The Pipeline Safety
10449 Division shall charge to the board the expenses associated with
10450 the administration, investigative and legal duties requested by
10451 the board.

10452 (4) The board shall be composed of sixteen (16) members and
10453 all board appointments shall be made on or before July 31, 2016,
10454 as follows:

10455 (a) The President of Mississippi 811, Inc., or his
10456 designee;

10457 (b) One (1) representative of the telecommunications
10458 industry, appointed by the Governor;



10459 (c) One (1) representative of the excavation, utility
10460 and/or site construction industry, appointed by the Lieutenant
10461 Governor;

10462 (d) One (1) representative of the electric power
10463 industry investor-owned utilities, appointed by the Governor;

10464 (e) One (1) representative of the Electric Power
10465 Associations of Mississippi, appointed by the Lieutenant Governor;

10466 (f) The Executive Director of the Mississippi
10467 Department of Transportation, or his designee;

10468 (g) One (1) representative of the cable industry
10469 appointed by the Governor;

10470 (h) One (1) representative of the Pipeline Safety
10471 Division, serving as an ex officio, nonvoting member;

10472 (i) One (1) representative of the natural gas or liquid
10473 transmission industry, appointed by the Lieutenant Governor;

10474 (j) One (1) representative of the natural gas or liquid
10475 distribution industry, appointed by the Lieutenant Governor;

10476 (k) The Executive Director of the Mississippi
10477 Association of Professional Surveyors, Inc., or his designee;

10478 (l) The Executive Director of the Mississippi
10479 Association of Supervisors, or his designee;

10480 (m) The Executive Director of the Mississippi Municipal
10481 League, or his designee;

10482 (n) The Executive Director of the Mississippi
10483 Homebuilders Association, or his designee;



10484 (o) The Chief Executive Officer of the Mississippi
10485 Rural Water Association, or his designee; and

10486 (p) The Executive Director of the American Council of
10487 Engineering Companies of Mississippi, or his designee.

10488 (5) The initial term of the appointed members provided in
10489 paragraphs (b) and (c) of subsection (4) shall end December 31,
10490 2017; the initial term of the appointed members provided in
10491 paragraphs (d) and (e) of subsection (4) shall end December 31,
10492 2019; and the initial term of the representatives provided in
10493 paragraphs (g), (i) and (j) of subsection (4) shall end December
10494 31, 2021. After the expiration of the initial terms, all
10495 appointed members shall serve a term of five (5) years.

10496 (6) The Underground Facilities Damage Prevention Board,
10497 created by former Section 77-13-29, is continued and reconstituted
10498 as follows: Effective January 1, 2028, the appointed members of
10499 the board designated in subsection (5)(b) through (e), (g), and
10500 (i) through (j) of this section, shall be appointed by the
10501 Governor to a term of four (4) years, with the advise and consent
10502 of the Senate, provided that four (4) such members shall be
10503 appointed in 2028 to a term ending December 31, 2031, and three
10504 (3) such members shall be appointed in 2030 to a term ending
10505 December 31, 2033. Appointments made at the beginning of the
10506 four-year cycle shall be made to fill any member's term which
10507 actually expires that year and any member's term which expires
10508 next until the majority of the membership of the board or



10509 commission is reached. Appointments made at the beginning of the
10510 third year of the four-year cycle shall be made for the remainder
10511 of the membership positions irrespective of the time of their
10512 prior appointment. Any question regarding the order of
10513 appointments shall be determined by the Secretary of State in
10514 accordance with the specific statute. All appointment procedures,
10515 vacancy provisions, interim appointment provisions and removal
10516 provisions specifically provided for in Section 7-1-35,
10517 Mississippi Code of 1972, shall be fully applicable to
10518 appointments to the Underground Facilities Damage Prevention
10519 Board.

10520 (* * *7) The Governor shall appoint the initial chairman of
10521 the board, and the initial board shall elect other officers as the
10522 board deems necessary. The board shall meet and elect a chairman
10523 and other officers every two (2) years thereafter. The staff of
10524 Mississippi 811, Inc., shall serve as staff support for the board.

10525 (* * *8) The board shall meet no less than three (3) times
10526 each year, with a date and time to be set by its chairman upon at
10527 least five (5) business days' notice provided by United States
10528 mail, electronic mail or personal delivery to every board member.

10529 (* * *9) Eight (8) members of the board shall constitute a
10530 quorum and a majority vote of those present and voting at any
10531 meeting shall be necessary to transact business.

10532 (* * *10) The members of the board shall be immune,
10533 individually and jointly, from civil liability for any act or



10534 omission done or made in the performance of their duties while
10535 serving as members of the board, but only in the absence of
10536 willful misconduct.

10537 (* * *11) The members of the board shall serve without
10538 compensation.

10539 (* * *12) The board shall elect from its membership an
10540 executive committee, which shall have the exclusive authority for
10541 levying civil penalties and taking action as described in Section
10542 77-13-27. The executive committee shall be composed of the
10543 following five (5) members of the board:

10544 (a) One (1) member appointed from subsection (4) (c) of
10545 this section;

10546 (b) One (1) member from a state agency or local
10547 government;

10548 (c) One (1) member appointed from subsection (4) (b),
10549 (d), (e), (g) or (o) of this section;

10550 (d) One (1) member appointed from subsection (4) (i) or
10551 (j) of this section; and

10552 (e) One (1) member chosen at large from the board from
10553 any paragraph of subsection (4) of this section.

10554 (* * *13) A member serving on the executive committee shall
10555 be limited to two (2) consecutive one-year terms. No executive
10556 committee member may participate in a vote on any matter in which
10557 his employer is the alleged violator or has incurred damage to its
10558 facilities as a result of the alleged violation.



10559 (* * * 14) The board and the executive committee may hold
10560 meetings and vote by telephone, television, or other electronic
10561 means.

10562 **SECTION 145.** Section 49-17-422, Mississippi Code of 1972, is
10563 amended as follows:

10564 49-17-422. (1) An Underground Storage Tank (UST) Advisory
10565 Council is created to consult with the commission on all matters
10566 relating to the UST program, to conduct an independent study of
10567 the development and administration costs of the program and to
10568 conduct an annual review of administering such program. The costs
10569 to be included in the study for the program shall be those costs
10570 as provided in Section 49-17-421. The council shall include in
10571 the study the type and quantity of underground storage tanks in
10572 the state that are covered by the program. After completing a
10573 study of the needs and costs of the program, the council shall
10574 recommend an equitable fee system for the program that is based on
10575 the type and quantity of underground storage tanks. The annual
10576 review for the program shall determine if the fee system is
10577 collecting sufficient funds to meet program needs and include any
10578 recommendation by the council regarding changes to the fee system.
10579 Each annual review report shall be due January 1 of each year to
10580 the commission and the executive director of the department.

10581 (2) The UST Advisory Council shall be comprised of the
10582 following five (5) members:



10583 (a) The President of the Mississippi Petroleum
10584 Marketers and Convenience Store Association (MPMCSA) or his or her
10585 designee;

10586 (b) A member of the MPMCSA appointed by the Board of
10587 Directors of the MPMCSA for a term of four (4) years;

10588 (c) A representative appointed by the President of the
10589 Mississippi Engineering Society, experienced in the assessment and
10590 remediation of petroleum contamination, for a term of four (4)
10591 years;

10592 (d) A representative appointed by the Governor, of any
10593 company doing business in Mississippi in the installation, closure
10594 and/or testing of underground storage tanks; and

10595 (e) A representative appointed by the Lieutenant
10596 Governor, of any company doing business in Mississippi in the
10597 installation, closure and/or testing of underground storage tanks.

10598 The council members who are appointed by the Governor and
10599 Lieutenant Governor shall have terms that are concurrent with the
10600 term of the appointing official.

10601 (3) Original appointments to the UST Advisory Council must
10602 be made no later than January 1, 2019, and vacancies on the
10603 council shall be filled by appointment in the same manner as the
10604 original appointments. The council shall convene within sixty
10605 (60) days following the date of the appointment of the members,
10606 and must select from their membership a chairperson to preside
10607 over meetings and a vice chairperson to preside in the absence of



10608 the chairperson or when the chairperson is excused. The council
10609 shall adopt procedures governing the manner of conducting its
10610 business. A majority of the members constitutes a quorum to do
10611 business.

10612 (4) The Underground Storage Tank (UST) Advisory Council,
10613 created by former Section 7-1-501, is continued and reconstituted
10614 as follows: Effective January 1, 2028, the appointed members of
10615 the council designated in subsection (2) (d) and (e) of this
10616 section, shall be appointed by the Governor to terms of office of
10617 four (4) years, with the advise and consent of the Senate,
10618 provided that one (1) such member shall be appointed in 2028 to a
10619 term ending December 31, 2031, and one (1) such member shall be
10620 appointed in 2030 to a term ending December 31, 2033.
10621 Appointments made at the beginning of the four-year cycle shall be
10622 made to fill any member's term which actually expires that year
10623 and any member's term which expires next until the majority of the
10624 membership of the board or commission is reached. Appointments
10625 made at the beginning of the third year of the four-year cycle
10626 shall be made for the remainder of the membership positions
10627 irrespective of the time of their prior appointment. Any question
10628 regarding the order of appointments shall be determined by the
10629 Secretary of State in accordance with the specific statute. All
10630 appointment procedures, vacancy provisions, interim appointment
10631 provisions and removal provisions specifically provided for in
10632 Section 7-1-35, Mississippi Code of 1972, shall be fully



10633 applicable to appointments to the Underground Storage Tank (UST)
10634 Advisory Council.

10635 (5) Members of the UST Advisory Council shall serve without
10636 salary, but shall be entitled to receive a reimbursement of their
10637 actual travel and expenses, as provided in Section 25-3-41, that
10638 are incurred while performing in the scope of their duties as
10639 council members. These expenses are to be paid on an itemized
10640 statement that is approved by the State Fiscal Officer from fees
10641 collected under Section 49-17-421.

10642 (* * *6) The executive director of the department shall
10643 provide technical, clerical and other support services, including
10644 service by contract, as the council requires in the performance of
10645 its functions.

10646 **SECTION 146.** Section 7-1-501, Mississippi Code of 1972, is
10647 amended as follows:

10648 7-1-501. The Governor shall appoint as commissioners to the
10649 National Conference of Commissioners on Uniform State Laws three
10650 (3) members, in good standing, of The Mississippi Bar. In
10651 addition to the Governor's appointees, the commission on uniform
10652 state laws shall consist of the following appointed commissioners,
10653 all of whom shall be members, in good standing, of The Mississippi
10654 Bar: a member of the Senate appointed by the Lieutenant Governor;
10655 a member of the House of Representatives appointed by the Speaker
10656 of the House; any member of the bar who has been elected a life
10657 member of the conference; and the Directors of the Mississippi Law



10658 Research Institute, and the Senate and House Legislative Services
10659 Offices.

10660 The Commission on Uniform State Laws, created by former
10661 Section 7-1-501, is continued and reconstituted as follows:
10662 Effective January 1, 2028, the appointed members of the commission
10663 designated in this section, shall be appointed by the Governor to
10664 terms of office of four (4) years, with the advise and consent of
10665 the Senate, provided that two (2) such members shall be appointed
10666 in 2028 to a term ending December 31, 2031, and two (2) such
10667 members shall be appointed in 2030 to a term ending December 31,
10668 2033. Appointments made at the beginning of the four-year cycle
10669 shall be made to fill any member's term which actually expires
10670 that year and any member's term which expires next until the
10671 majority of the membership of the board or commission is reached.
10672 Appointments made at the beginning of the third year of the
10673 four-year cycle shall be made for the remainder of the membership
10674 positions irrespective of the time of their prior appointment.
10675 Any question regarding the order of appointments shall be
10676 determined by the Secretary of State in accordance with the
10677 specific statute. All appointment procedures, vacancy provisions,
10678 interim appointment provisions and removal provisions specifically
10679 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
10680 fully applicable to appointments to the Commission on Uniform
10681 State Laws.



10682 The commissioners so appointed shall confer and act with the
10683 commissioners of other states and territories in the formulation
10684 of uniform laws on all subjects. The commissioners shall prepare
10685 a report on their recommendations to be submitted to the
10686 Legislature for its consideration for adoption.

10687 **SECTION 147.** Section 7-1-503, Mississippi Code of 1972, is
10688 amended as follows:

10689 7-1-503. Two (2) associate members of the National
10690 Conference of Commissioners on Uniform State Laws, all of whom
10691 shall be members, in good standing, of The Mississippi Bar, shall
10692 be appointed, with the advice and consent of the Senate, to act in
10693 accordance with the constitution and bylaws of the conference as
10694 follows:

10695 (a) The Lieutenant Governor shall appoint one (1)
10696 associate member from the staff of the Senate; and

10697 (b) The Speaker of the House of Representatives shall
10698 appoint one (1) associate member from the staff of the House.

10699 **SECTION 148.** Section 35-1-1, Mississippi Code of 1972, is
10700 amended as follows:

10701 35-1-1. (1) (a) There is hereby created a State Veterans
10702 Affairs Board, which may also be referred to as the "Mississippi
10703 Veterans Affairs," to consist of seven (7) members, to be
10704 appointed by the Governor, one (1) from each congressional
10705 district as they existed on January 1, 1952, of the State of
10706 Mississippi. One (1) shall be appointed for one (1) year, another



10707 for two (2) years, another for three (3) years, another for four
10708 (4) years, another for five (5) years, another for six (6) years,
10709 and another for seven (7) years, thus staggered. At the end of
10710 such term for each of said seven (7) members, a successor shall be
10711 appointed for a term of seven (7) years, thus providing for seven
10712 (7) members, one (1) of whom shall be appointed each year. In the
10713 event of death, resignation or removal of a member of the board,
10714 such person appointed to fill the vacancy shall be a legal
10715 resident of the congressional district in which the vacancy shall
10716 occur, and shall serve for the remainder of the term to which such
10717 member was appointed. Members of the board shall be veterans of
10718 any war or police action in which the Armed Forces of the United
10719 States have been, are, or shall be committed for action, who have
10720 been honorably discharged or honorably released.

10721 (b) From and after May 14, 1992, terms of all members
10722 then serving on the State Veterans Affairs Board shall terminate,
10723 and the board shall be reconstituted as follows: The board shall
10724 consist of seven (7) members. All members shall be appointed by
10725 the Governor, with the advice and consent of the Senate. One (1)
10726 member shall be appointed from each congressional district as such
10727 districts existed on March 1, 1992, and two (2) members shall be
10728 appointed from the state at large. Of the initial congressional
10729 district appointees to the board, one (1) shall serve for a term
10730 of one (1) year, one (1) for a term of two (2) years, one (1) for
10731 a term of three (3) years, one (1) for a term of four (4) years



10732 and one (1) for a term of five (5) years. Of the initial at-large
10733 appointees, one (1) (who shall be that person appointed in January
10734 1992 from the First Congressional District under the provisions of
10735 paragraph (a) of this subsection) shall serve for a term of three
10736 (3) years and one (1) (who shall be that person appointed in
10737 January 1992 from the Seventh Congressional District under the
10738 provisions of paragraph (a) of this subsection) shall serve for a
10739 term of five (5) years. All appointees after the initial
10740 appointees shall serve for terms of five (5) years each. In the
10741 event of death, resignation or removal of a member of the board,
10742 the vacancy shall be filled by appointment of the Governor, with
10743 the advice and consent of the Senate, from the congressional
10744 district in which the vacancy occurs, for the length of the
10745 unexpired term only. Members of the board shall be honorably
10746 discharged or released veterans of any war or police action in
10747 which the Armed Forces of the United States have been, are, or
10748 shall be committed for action. No state/department commander of
10749 any federally recognized veterans organization, no national
10750 officer of any federally recognized veterans organization and no
10751 member of the Mississippi Council of Veterans Organizations shall
10752 be eligible for appointment to the board until the expiration of a
10753 period of three (3) years after the termination of their service
10754 in such disqualifying positions.

10755 The Mississippi State Veterans Affairs Board, created by
10756 former Section 35-1-1, is continued and reconstituted as follows:



10757 Effective January 1, 2028, the appointed members of the board
10758 designated in this section, shall be appointed by the Governor to
10759 terms of office of four (4) years, with the advise and consent of
10760 the Senate, provided that four (4) such members shall be appointed
10761 in 2028 to a term ending December 31, 2031, and three (3) such
10762 members shall be appointed in 2030 to a term ending December 31,
10763 2033. At least one (1) appointed member shall be from each
10764 Supreme Court District as they exist at the time of appointment.
10765 Appointments made at the beginning of the four-year cycle shall be
10766 made to fill any member's term which actually expires that year
10767 and any member's term which expires next until the majority of the
10768 membership of the board or commission is reached. Appointments
10769 made at the beginning of the third year of the four-year cycle
10770 shall be made for the remainder of the membership positions
10771 irrespective of the time of their prior appointment. Any question
10772 regarding the order of appointments shall be determined by the
10773 Secretary of State in accordance with the specific statute. All
10774 appointment procedures, vacancy provisions, interim appointment
10775 provisions and removal provisions specifically provided for in
10776 Section 7-1-35, Mississippi Code of 1972, shall be fully
10777 applicable to appointments to the Mississippi Council of Veterans
10778 Organizations.

10779 (2) Members of the board shall annually elect as chairman
10780 one of their * * * members and another member as vice chairman.
10781 Members of the board shall hold regular monthly meetings and such



10782 other meetings as may be called by the chairman or the vice
10783 chairman in his absence.

10784 (3) Beginning July 1, 2019, any reference in this code to
10785 the State Veterans Affairs Board shall also mean the Mississippi
10786 Veterans Affairs.

10787 **SECTION 149.** Section 35-1-3, Mississippi Code of 1972, is
10788 amended as follows:

10789 35-1-3. The State Veterans Affairs Board shall
10790 appoint, * * * with the advice and consent of the Senate, an
10791 executive director, (who shall also serve as Executive Secretary
10792 of the State Veterans Affairs Board), a deputy director,
10793 individuals to manage each of the agency's major functional areas
10794 and individuals to manage each of the state veterans homes. The
10795 executive director shall serve for a term of four (4) years,
10796 consistent with the provisions of Section 7-1-35, Mississippi Code
10797 of 1972. The executive director and deputy director shall be a
10798 currently serving member or honorably discharged or honorably
10799 released veteran of any active or reserve component branch of the
10800 Armed Forces of the United States. The board may establish
10801 additional minimum qualifications for agency positions.

10802 **SECTION 150.** Section 35-7-7, Mississippi Code of 1972, is
10803 amended as follows:

10804 35-7-7. The administration of the provisions hereof is
10805 vested in a Veterans' Home Purchase Board consisting of six (6)
10806 members who shall be appointed, or reappointed, by the Governor,



10807 with the advice and consent of the Senate. Members appointed to
10808 the board shall be veterans of either World War II, the Korean
10809 Conflict, the Southeast Asia Conflict, the Persian Gulf Conflict
10810 or have served in active duty for at least one hundred eighty
10811 (180) days during a time of war or a conflict in which a campaign
10812 ribbon or medal was issued and shall possess a background in
10813 business, banking, real estate or the legal profession which
10814 enables them to carry out the duties of the board. No
10815 state/department commander of any federally recognized veterans
10816 organization, no national officer of any federally recognized
10817 veterans organization and no member of the Mississippi Council of
10818 Veterans Organizations shall be eligible for appointment to the
10819 board until the expiration of a period of three (3) years after
10820 the termination of his service in such disqualifying positions.
10821 Appointments shall be staggered, with each Governor appointing or
10822 reappointing two (2) members in the first year of his
10823 administration * * *, one (1) member in the second year, two (2)
10824 members in the third year, and one (1) member in the fourth year.
10825 Appointments for terms that expire in 1988 shall be made as
10826 follows: one (1) shall be made for a term ending on July 1, 1989;
10827 one (1) shall be made for a term ending on July 1, 1991; and two
10828 (2) shall be made for a term ending on July 1, 1992. Persons
10829 appointed to succeed the two (2) members whose terms expired in
10830 1986, or any such member holding over after 1986 because no
10831 successor was appointed, shall serve until July 1, 1990. After



10832 the expiration of the foregoing terms, all appointments shall be
10833 for a term of four (4) years from the expiration date of the
10834 previous term. From and after July 1, 1988, one (1) appointee
10835 shall be selected from each of the five (5) congressional
10836 districts of this state as such districts are composed on May 1,
10837 1987, and one (1) appointee shall be selected from the state at
10838 large. Any vacancy occurring during a term shall be filled by
10839 appointment of a member for the unexpired portion of the term.

10840 The Veterans' Home Purchase Board, created by former Section
10841 35-7-7, is continued and reconstituted as follows: Effective
10842 January 1, 2028, the appointed members of the board designated in
10843 this section, shall be appointed by the Governor to terms of
10844 office of four (4) years, with the advise and consent of the
10845 Senate, provided that three (3) such members shall be appointed in
10846 2028 to a term ending December 31, 2031, and three (3) such
10847 members shall be appointed in 2030 to a term ending December 31,
10848 2033. Appointments made at the beginning of the four-year cycle
10849 shall be made to fill any member's term which actually expires
10850 that year and any member's term which expires next until the
10851 majority of the membership of the board or commission is reached.
10852 Appointments made at the beginning of the third year of the
10853 four-year cycle shall be made for the remainder of the membership
10854 positions irrespective of the time of their prior appointment.
10855 Any question regarding the order of appointments shall be
10856 determined by the Secretary of State in accordance with the



10857 specific statute. At least one (1) appointed member shall be from
10858 each Supreme Court District as they exist at the time of
10859 appointment. All appointment procedures, vacancy provisions,
10860 interim appointment provisions and removal provisions specifically
10861 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
10862 fully applicable to appointments to the Veterans' Home Purchase
10863 Board.

10864 The board is hereby authorized and empowered to make and
10865 promulgate such reasonable rules and regulations under this
10866 chapter as it shall deem to be necessary or advisable and to
10867 enforce the same. The board shall have authority to render the
10868 final decision on the purchase application process, approval of
10869 purchases, funding of purchase commitments, servicing loans and
10870 default, property security, management, resale, release from
10871 security, and all other matters relating to the purchases and
10872 loans made under this law. The board shall likewise, by an order
10873 spread on its minutes, elect a chairman and vice chairman to serve
10874 for one-year terms, and all such officers are eligible to succeed
10875 themselves in such offices. The chairman may appoint a
10876 three-member loan committee from the membership of the board and
10877 shall specify the conditions, responsibilities and authority of
10878 such committee.

10879 Each member of the board and his successor shall be
10880 reimbursed all of his actual and necessary traveling and other
10881 expenses incurred in the attendance of the meetings of the board



10882 or in the performance of other duties in connection with the
10883 business of the board as provided for state officers and employees
10884 in Section 25-3-41, and shall be allowed a per diem as provided in
10885 Section 25-3-69 for such attendance; provided that the number of
10886 days per diem shall not exceed sixty-six (66) days for the
10887 chairman and fifty (50) days for other members of the board during
10888 any one (1) fiscal year. The above limitation of days per year
10889 shall not apply to board members appointed on a full-time basis to
10890 the loan committee.

10891 The board is authorized to appoint an executive director for
10892 a term of four (4) years, with the advice and consent of the
10893 Senate, and consistent with the provisions of Section 7-1-35,
10894 Mississippi Code of 1972. The director, or other executive
10895 officer employed by the board, shall execute a surety bond in the
10896 sum of One Hundred Thousand Dollars (\$100,000.00), conditioned
10897 upon the faithful performance of his duties and upon his
10898 accounting for all monies coming into his hands; and each employee
10899 handling funds shall execute a like bond in the sum of Fifteen
10900 Thousand Dollars (\$15,000.00), and the premiums thereon shall be
10901 paid from the funds provided for administering this chapter.

10902 The board may designate one (1) of its employees as the
10903 acting director or executive officer by a vote of the majority of
10904 the members of the board, officially recorded in the minutes of a
10905 regular or special meeting, and such acting director shall be
10906 vested with all the authority conferred upon the director by the



10907 provisions of this chapter * * *. The acting director, when so
10908 designated, will be required to furnish surety bond in the same
10909 amount and under the same conditions as the director. The purpose
10910 of this provision is to designate an executive officer during any
10911 temporary illness, absence or incapacity of the regularly
10912 designated director.

10913 The board may designate one (1) of its employees by a vote of
10914 the majority of the members of the board, officially recorded in
10915 the minutes of a regular or special meeting, to be authorized to
10916 sign a Deed of Conveyance or other closing documents necessary as
10917 to not delay the closing or settlement of a home purchase during
10918 the absence or unavailability of the director.

10919 The board may select and employ such expert, technical and
10920 clerical assistance as in its judgment may be necessary in the
10921 proper administration of said board and fix the salaries of such
10922 employees.

10923 The board is empowered to employ auditors and accountants to
10924 examine the books, accounts and records of the board if it so
10925 desires, and the board is also authorized to employ legal counsel
10926 if it deems such a course necessary in the proper administration
10927 of its affairs.

10928 **SECTION 151.** Section 73-39-55, Mississippi Code of 1972, is
10929 amended as follows:

10930 73-39-55. (1) A Board of Veterinary Medicine shall be
10931 appointed by the Governor and shall consist of five (5) licensed



10932 veterinarians, with at least one (1) member from each of the
10933 Supreme Court districts of the state and not more than two (2)
10934 members from the same Supreme Court district. All members of the
10935 Board of Veterinary Medicine shall be veterinarians who have
10936 practiced in this state for a period of not less than five (5)
10937 years and shall be graduates of a school of veterinary medicine
10938 recognized by the American Veterinary Medical Association.
10939 Appointments shall be for a five-year term or to fill an unexpired
10940 term. The Governor shall fill all vacancies on the board as they
10941 shall occur by appointment from a list of three (3) eligible
10942 veterinarians submitted by the Mississippi Veterinary Medical
10943 Association for each vacancy. If the vacancy to be filled is
10944 caused by expiration of the term, death, resignation or inability
10945 to serve as a board member whose residence is in a Supreme Court
10946 district having two (2) members on the board, the Mississippi
10947 Veterinary Medical Association shall submit six (6) names: three
10948 (3) from the Supreme Court district in which the former board
10949 member resided and three (3) from the Supreme Court district which
10950 had only one (1) member on the board, and the Governor shall fill
10951 the vacancy by appointment of one (1) of the six (6) nominees.
10952 All appointments shall be with the advice and consent of the
10953 Senate.

10954 Members of the board serving on the predecessor board under
10955 Section 73-39-5 on July 1, 2005, may continue as members of the
10956 board until the expiration of the term for which they were



10957 appointed. Vacancies due to death, resignation or removal shall
10958 be filled for the remainder of the unexpired term in the same
10959 manner as regular appointments.

10960 (a) A licensed veterinarian shall be qualified to serve
10961 as a member of the board if he has been licensed to practice
10962 veterinary medicine in this state for the five (5) years
10963 immediately preceding the time of his appointment.

10964 (b) Each member of the board shall be paid in
10965 accordance with Section 25-3-69 for each day or substantial
10966 portion thereof if he is engaged in the work of the board, in
10967 addition to such reimbursement for travel and other expenses as is
10968 allowed under Section 25-3-41.

10969 The Board of Veterinary Medicine, created by former Section
10970 73-39-55, is continued and reconstituted as follows: Effective
10971 January 1, 2028, the appointed members of the board designated in
10972 this section, shall be appointed by the Governor to terms of
10973 office of four (4) years, with the advise and consent of the
10974 Senate, provided that three (3) such members shall be appointed in
10975 2028 to a term ending December 31, 2031, and two (2) such members
10976 shall be appointed in 2030 to a term ending December 31, 2033.
10977 Appointments made at the beginning of the four-year cycle shall be
10978 made to fill any member's term which actually expires that year
10979 and any member's term which expires next until the majority of the
10980 membership of the board or commission is reached. Appointments
10981 made at the beginning of the third year of the four-year cycle



10982 shall be made for the remainder of the membership positions
10983 irrespective of the time of their prior appointment. Any question
10984 regarding the order of appointments shall be determined by the
10985 Secretary of State in accordance with the specific statute. All
10986 appointment procedures, vacancy provisions, interim appointment
10987 provisions and removal provisions specifically provided for in
10988 Section 7-1-35, Mississippi Code of 1972, shall be fully
10989 applicable to appointments to the Board of Veterinary Medicine.

10990 (2) The board shall meet at least once each year at the time
10991 and place fixed by rule of the board. Other necessary meetings
10992 may be called by the board by giving notice as may be required by
10993 rule. Except as may otherwise be provided, a majority of the
10994 board constitutes a quorum. Meetings shall be open and public
10995 except that the board may meet in closed session to prepare,
10996 approve, administer or grade examinations or to deliberate the
10997 qualification of an applicant for license or the disposition of a
10998 proceeding to discipline a licensed veterinarian in accordance
10999 with Section 25-41-7.

11000 (3) The board annually shall elect officers from its
11001 membership as may be prescribed by rule. Officers of the board
11002 serve for terms of one (1) year and until a successor is elected,
11003 without limitation on the number of terms an officer may serve.
11004 The duties of officers shall be prescribed by rule.

11005 (4) The board is authorized to appoint an executive director
11006 for a term of four (4) years, with the advice and consent of the



11007 Senate, and consistent with the provisions of Section 7-1-35,
11008 Mississippi Code of 1972.

11009 **SECTION 152.** Section 43-55-5, Mississippi Code of 1972, is
11010 amended as follows:

11011 43-55-5. (1) Members of the Commission for Volunteer
11012 Service shall be appointed by the Governor. The commission shall
11013 consist of no fewer than fifteen (15) and no more than twenty-five
11014 (25) members.

11015 (2) The commission members shall include as voting members,
11016 except as otherwise indicated, at least one (1) of each of the
11017 following:

11018 (a) An individual with expertise in the educational,
11019 training, and developmental needs of youth, particularly
11020 disadvantaged youth.

11021 (b) An individual with experience in promoting service
11022 and volunteerism among older adults.

11023 (c) A representative of a community-based agency.

11024 (d) The superintendent of the State Department of
11025 Education, or his or her designee.

11026 (e) A representative of local government.

11027 (f) A representative of local labor organizations.

11028 (g) A representative of business.

11029 (h) An individual between the ages of sixteen (16) and
11030 twenty-five (25) who is a participant or supervisor in a program
11031 as defined in Section 101 of Title I, 42 USCS 12511.



11032 (i) A representative of a national service program
11033 described in Section 122(a) of Title I, 42 USCS 12572.

11034 (j) The employee of the corporation designated under
11035 Section 195 of Title I, 42 USCS 12651f, as the representative of
11036 the corporation in this state, as a nonvoting member.

11037 (3) In addition to the members described in subsection (2),
11038 the commission may include as voting members any of the following:

11039 (a) Local educators.

11040 (b) Experts in the delivery of human, educational,
11041 environmental, or public safety services to communities and
11042 persons.

11043 (c) Representative of Native American tribes.

11044 (d) Out-of-school youth or other at-risk youth.

11045 (e) Representatives of entities that receive assistance
11046 under the Domestic Volunteer Service Act of 1973, Public Law
11047 93-113, 87 Stat. 394.

11048 (f) A member of the Board of Trustees of State
11049 Institutions of Higher Learning.

11050 (4) Not more than twenty-five percent (25%) of the voting
11051 commission members shall be officers or employees of this state.
11052 The Governor may appoint additional officers or employees of state
11053 agencies operating community service, youth service, education,
11054 social service, senior service, and job training programs, as
11055 nonvoting, ex officio members of the commission.



11056 (5) The Governor shall ensure, to the maximum extent
11057 possible, that the commission membership is diverse with respect
11058 to race, ethnicity, age, gender * * * and disability
11059 characteristics.

11060 (6) Except as provided in this subsection, members of the
11061 commission shall serve for staggered three-year terms expiring on
11062 October 1. The members constituting the Mississippi Commission
11063 for Volunteer Service under Executive Order No. 1994-742 on March
11064 28, 1996, shall serve on the commission for the remainder of the
11065 terms for which they were appointed. Of the additional members,
11066 the Governor shall appoint one-third (1/3) of the initial members
11067 for a term of one (1) year; one-third (1/3) for a term of two (2)
11068 years; and one-third (1/3) for a term of three (3) years.
11069 Following expiration of these initial terms, all appointments
11070 shall be for three-year renewable terms. Members of the
11071 commission may not serve more than two (2) consecutive terms.

11072 (7) A vacancy on the commission shall be filled in the same
11073 manner as the original appointments, and any member so appointed
11074 shall serve during the remainder of the term for which the vacancy
11075 occurred. The vacancy shall not affect the power of the remaining
11076 commission members to execute the duties of the commission.

11077 (8) The Commission for Volunteer Service, created by former
11078 Section 43-55-5, is continued and reconstituted as follows:
11079 Effective January 1, 2028, the appointed members of the commission
11080 designated in this section, shall be appointed by the Governor to



11081 terms of office of four (4) years, with the advise and consent of
11082 the Senate, provided that at least eight (8) such members shall be
11083 appointed in 2028 to a term ending December 31, 2031, and seven
11084 (7) such members shall be appointed in 2030 to a term ending
11085 December 31, 2033. Appointments made at the beginning of the
11086 four-year cycle shall be made to fill any member's term which
11087 actually expires that year and any member's term which expires
11088 next until the majority of the membership of the board or
11089 commission is reached. Appointments made at the beginning of the
11090 third year of the four-year cycle shall be made for the remainder
11091 of the membership positions irrespective of the time of their
11092 prior appointment. Any question regarding the order of
11093 appointments shall be determined by the Secretary of State in
11094 accordance with the specific statute. All appointment procedures,
11095 vacancy provisions, interim appointment provisions and removal
11096 provisions specifically provided for in Section 7-1-35,
11097 Mississippi Code of 1972, shall be fully applicable to
11098 appointments to the Commission for Volunteer Service.

11099 **SECTION 153.** Section 35-3-24, Mississippi Code of 1972, is
11100 amended as follows:

11101 35-3-24. There is hereby created a War Veterans Memorial
11102 Commission, which is hereby charged with the duty of carrying out
11103 the provisions as hereinafter set forth, and it shall be referred
11104 to in the succeeding sections hereof as the "commission." The
11105 commission shall consist of seven (7) commissioners, one (1)



11106 member each from the American Legion, the Veterans of Foreign
11107 Wars, Disabled American Veterans, American Ex-Prisoners of War,
11108 Veterans of World War I, Sons of Confederate Veterans, and the
11109 Mississippi National Guard. The commissioners shall be appointed
11110 by the Governor on the recommendation of the state executive
11111 governing body of each respective organization entitled to a
11112 member of the commission. The initial terms of the members shall
11113 be as follows, to be designated by the Governor at the time of
11114 appointment: (a) two (2) members shall be appointed for terms of
11115 two (2) years each; (b) two (2) members for terms of four (4)
11116 years each; (c) two (2) members for terms of six (6) years each;
11117 and (d) the member from the American Ex-Prisoners of War for a
11118 term of four (4) years. Thereafter, each term shall be for six
11119 (6) years or until a successor in office has been appointed and
11120 qualified. In the event of any vacancy on the commission, the
11121 Governor shall, within thirty (30) days, designate a successor in
11122 the same manner as the original appointment was made. No member
11123 of either branch of the Legislature nor any state officer or
11124 employee shall serve on the commission.

11125 The War Veterans Memorial Commission, created by former
11126 Section 35-3-24, is continued and reconstituted as follows:
11127 Effective January 1, 2028, the appointed members of the commission
11128 designated in this section, shall be appointed by the Governor to
11129 terms of office of four (4) years, with the advise and consent of
11130 the Senate, provided that four (4) such members shall be appointed



11131 in 2028 to a term ending December 31, 2031, and three (3) such
11132 members shall be appointed in 2030 to a term ending December 31,
11133 2033. Appointments made at the beginning of the four-year cycle
11134 shall be made to fill any member's term which actually expires
11135 that year and any member's term which expires next until the
11136 majority of the membership of the board or commission is reached.
11137 Appointments made at the beginning of the third year of the
11138 four-year cycle shall be made for the remainder of the membership
11139 positions irrespective of the time of their prior appointment.
11140 Any question regarding the order of appointments shall be
11141 determined by the Secretary of State in accordance with the
11142 specific statute. All appointment procedures, vacancy provisions,
11143 interim appointment provisions and removal provisions specifically
11144 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
11145 fully applicable to appointments to the War Veterans Memorial
11146 Commission.

11147 **SECTION 154.** Section 59-7-125, Mississippi Code of 1972, is
11148 amended as follows:

11149 59-7-125. (1) All improvements constructed by the board of
11150 supervisors under the provisions of this article shall be operated
11151 and maintained by a port commission composed of five (5) residents
11152 of such county who shall be qualified electors therein. Such
11153 commission shall have jurisdiction over the port, terminals,
11154 harbors and passes leading thereto, and all vessels, boats and
11155 wharves, common carriers, and public utilities therein, using the



11156 same, within their respective counties. Such port commission
11157 shall be appointed as follows: one (1) member shall be appointed
11158 by the Governor, two (2) shall be appointed by the board of
11159 supervisors of the county, and two (2) shall be appointed by the
11160 governing body of the municipality which is the county seat of
11161 such county in such cases where the county seat of such county
11162 is * * * situated on or adjacent to such port facilities,
11163 otherwise, four (4) members shall be appointed by the board of
11164 supervisors. A county and a municipality may by joint resolution
11165 dissolve a port commission created under this section which is
11166 governed by a commission with two (2) commissioners appointed by
11167 each. The joint resolution must provide that the municipality
11168 relinquishes its duties and obligations related to the port, and
11169 that the county assumes all duties and obligations related to the
11170 port. Any commission so dissolved shall be reconstituted to
11171 consist of five (5) members, one (1) member appointed from each
11172 supervisor district. The board of supervisors shall provide for
11173 staggered terms in its order providing for the appointment of the
11174 reconstituted port commission. Before entering upon the duties of
11175 the office, each of such commissioners shall take and subscribe to
11176 the oath of office required by Section 268 of the Constitution of
11177 the State of Mississippi, and shall give bond, to be approved by
11178 the board of supervisors, in the sum of Five Thousand Dollars
11179 (\$5,000.00), conditioned upon the faithful performance of their
11180 duties. Such bond shall be made payable to the county and in case



11181 of breach thereof, suit may be brought on the relation of the
11182 county for the benefit of such port commission. Such
11183 commissioners shall hold office for a term of four (4) years from
11184 the date of their appointment and qualification and until their
11185 successor or successors shall be appointed and qualified as set
11186 out herein. Three (3) members of the Port Commission shall be
11187 necessary to constitute a quorum for the conducting of business.

11188 (2) The Port Commission, created by former Section 59-7-125,
11189 is continued and reconstituted as follows: Effective January 1,
11190 2028, the appointed members of the commission designated in this
11191 section, shall be appointed by the Governor to terms of office of
11192 four (4) years, with the advise and consent of the Senate,
11193 provided that three (3) such members shall be appointed in 2028 to
11194 a term ending December 31, 2031, and two (2) such members shall be
11195 appointed in 2030 to a term ending December 31, 2033.
11196 Appointments made at the beginning of the four-year cycle shall be
11197 made to fill any member's term which actually expires that year
11198 and any member's term which expires next until the majority of the
11199 membership of the board or commission is reached. Appointments
11200 made at the beginning of the third year of the four-year cycle
11201 shall be made for the remainder of the membership positions
11202 irrespective of the time of their prior appointment. Any question
11203 regarding the order of appointments shall be determined by the
11204 Secretary of State in accordance with the specific statute. All
11205 appointment procedures, vacancy provisions, interim appointment



11206 provisions and removal provisions specifically provided for in
11207 Section 7-1-35, Mississippi Code of 1972, shall be fully
11208 applicable to appointments to the Port Commission.

11209 (* * *3) The members of the board of supervisors shall be
11210 ex officio members of the Port Commission, but no bond shall be
11211 required of them in such capacity; provided, however, the members
11212 of the board of supervisors shall be nonvoting members of the Port
11213 Commission and shall not be included or counted for the
11214 determination of a quorum for conducting of business by the Port
11215 Commission unless and until the board of supervisors of a
11216 particular county, by order entered on its minutes, expressly
11217 provides that the members of the board of supervisors shall be
11218 voting members of the Port Commission and the number of members
11219 required for a quorum to conduct business of the Port Commission,
11220 but in no event shall the number required for a quorum to conduct
11221 business of the Port Commission be less than three (3).

11222 (* * *4) All actions heretofore taken by the various Port
11223 Commissions at which at least three (3) members were present and
11224 which would otherwise have been legal actions except for the
11225 absence of a legal quorum being present and voting are hereby
11226 ratified, confirmed and approved.

11227 (5) The commission is authorized to appoint an executive
11228 director for a term of four (4) years, with the advice and consent
11229 of the Senate, and consistent with the provisions of Section
11230 7-1-35, Mississippi Code of 1972.



11231 **SECTION 155.** Section 49-4-4, Mississippi Code of 1972, is
11232 amended as follows:

11233 49-4-4. (1) There is hereby created the Mississippi
11234 Commission on Wildlife, Fisheries and Parks, to be composed of
11235 five (5) persons appointed by the Governor, with the advice and
11236 consent of the Senate, for a term of five (5) years. One (1)
11237 person shall be appointed from each congressional district. The
11238 initial terms of the members shall be one (1), two (2), three (3),
11239 four (4) and five (5) years, respectively. Thereafter, all terms
11240 shall be for five (5) years. An appointment to fill a vacancy
11241 which arises for reasons other than by expiration of a term of
11242 office shall be made from the respective congressional district
11243 for the unexpired term only.

11244 The Mississippi Commission on Wildlife, Fisheries and Parks,
11245 created by former Section 49-4-4, is continued and reconstituted
11246 as follows: Effective January 1, 2028, the appointed members of
11247 the commission designated in this section, shall be appointed by
11248 the Governor to terms of office of four (4) years, with the advise
11249 and consent of the Senate, provided that three (3) such members
11250 shall be appointed in 2028 to a term ending December 31, 2031, and
11251 two (2) such members shall be appointed in 2030 to a term ending
11252 December 31, 2033. Appointments made at the beginning of the
11253 four-year cycle shall be made to fill any member's term which
11254 actually expires that year and any member's term which expires
11255 next until the majority of the membership of the board or



11256 commission is reached. Appointments made at the beginning of the
11257 third year of the four-year cycle shall be made for the remainder
11258 of the membership positions irrespective of the time of their
11259 prior appointment. Any question regarding the order of
11260 appointments shall be determined by the Secretary of State in
11261 accordance with the specific statute. At least one (1) appointed
11262 member shall be from each Supreme Court District as they exist at
11263 the time of appointment. All appointment procedures, vacancy
11264 provisions, interim appointment provisions and removal provisions
11265 specifically provided for in Section 7-1-35, Mississippi Code of
11266 1972, shall be fully applicable to appointments to the Mississippi
11267 Commission on Wildlife, Fisheries and Parks.

11268 (2) The commission shall elect from its membership a
11269 chairman who shall preside over meetings and a vice chairman who
11270 shall preside in the absence of the chairman or when the chairman
11271 shall be excused.

11272 (3) The commission shall adopt rules and regulations
11273 governing times and places for meetings and governing the manner
11274 of conducting its business. Each member of the commission shall
11275 take the oath prescribed by Section 268 of the Mississippi
11276 Constitution, and shall enter into bond in the amount of Thirty
11277 Thousand Dollars (\$30,000.00) to be approved by the Secretary of
11278 State, conditioned according to law, and payable to the State of
11279 Mississippi before assuming the duties of office. Any member who
11280 shall not attend three (3) consecutive regular meetings of the



11281 commission shall be subject to removal by a majority vote of the
11282 commission members.

11283 (4) The members of the commission shall receive no annual
11284 salary but shall receive per diem compensation as authorized by
11285 law for each day devoted to the discharge of official duties and
11286 shall be entitled to reimbursement for all actual and necessary
11287 expenses incurred in the discharge of their duties, including
11288 mileage as authorized by law.

11289 The commission shall be composed of persons with a
11290 demonstrated history of involvement in at least one (1) of the
11291 matters of jurisdiction of the commission and whose employment and
11292 activities are not in conflict. All of the commissioners shall be
11293 an active outdoorsman holding a resident hunting or fishing
11294 license in at least five (5) of the ten (10) years preceding
11295 appointment. A member shall not have a record of conviction of
11296 violation of fish or game laws and regulations within five (5)
11297 years preceding appointment or a record of any felony conviction.

11298 (5) The commission shall have the power to adopt, amend and
11299 repeal such regulations and rules as may be necessary for the
11300 operation of the department.

11301 (6) The commission shall have the power and authority to
11302 issue all licenses and permits under the jurisdiction of the
11303 department.

11304 (7) In the furtherance of its duties and responsibilities,
11305 the commission may conduct hearings, gather testimony and perform



11306 other functions required to carry out its powers and duties as
11307 prescribed by statute.

11308 (8) The commission shall have all power for conserving,
11309 managing and developing wildlife and fishery resources except for
11310 saltwater aquatic life and marine resources under the jurisdiction
11311 of the Mississippi Commission on Marine Resources.

11312 **SECTION 156.** Section 49-4-6, Mississippi Code of 1972, is
11313 amended as follows:

11314 49-4-6. (1) There is hereby created the Mississippi
11315 Department of Wildlife, Fisheries and Parks, whose principal
11316 office shall be located in Jackson, Mississippi.

11317 (2) The department shall be headed by an executive director
11318 who shall be appointed by the Governor. The commission shall
11319 submit to the Governor three (3) qualified nominees for the
11320 position of executive director. The Governor shall appoint the
11321 executive director from the list of qualified nominees submitted
11322 with the advice and consent of the Senate. The executive director
11323 shall serve for a term of four (4) years, consistent with the
11324 provisions of Section 7-1-35, Mississippi Code of 1972. The
11325 executive director may assign those powers and duties as deemed
11326 appropriate to carry out the department's lawful functions. Upon
11327 recommendation by the Governor to the commission, the executive
11328 director may be removed from office only by both a majority vote
11329 of the membership of the commission and the Governor's approval of
11330 the removal. To remove the executive director the commission must



11331 determine on sound evidence that there is good cause for removal
11332 such as willful dereliction in carrying out the duties of
11333 executive director, obvious malfeasance in his actions as
11334 executive director or conviction of any criminal act. After the
11335 determination is made by the commission that the executive
11336 director should be removed from office, the commission shall
11337 notify the Governor of its determination and the Governor must
11338 approve that determination before the executive director is
11339 actually removed from office.

11340 (3) The executive director shall appoint heads, who will
11341 serve at the pleasure of the executive director.

11342 (4) The executive director shall have the authority to
11343 organize the department as deemed appropriate to carry out the
11344 responsibilities of the department. The organizational charts of
11345 the department shall be presented annually with the budget request
11346 of the Governor for review by the Legislature.

11347 (5) The executive director shall develop and implement a
11348 merit promotion system for all sworn law enforcement officers.
11349 Promotion to higher rank shall be based on an individual's merit
11350 and length of service. The executive director shall implement the
11351 merit promotion system before July 1, 1995.

11352 **SECTION 157.** Section 83-34-7, Mississippi Code of 1972, is
11353 amended as follows:

11354 83-34-7. (1) The Board of Directors of the Mississippi
11355 Insurance Underwriting Association as presently constituted shall



11356 serve as the temporary board of directors of the association.
11357 Such temporary board of directors shall prepare and submit a plan
11358 of operation in accordance with Section 83-34-13 and shall serve
11359 until the permanent board of directors shall take office in
11360 accordance with the plan of operation. The permanent board shall
11361 consist of five (5) representatives of the members to be appointed
11362 by the temporary board of directors subject to the approval of the
11363 commissioner and three (3) agents from the coast area to be
11364 appointed by the commissioner. The terms of the members of the
11365 board of directors in place before March 22, 2007, shall expire on
11366 March 22, 2007, and such persons shall cease to serve on the board
11367 and shall relinquish all power and control of the association.

11368 (2) (a) From and after March 22, 2007, the board of
11369 directors of the association shall consist of the following:

11370 (i) The State Treasurer;

11371 (ii) Five (5) of the assessable insurer companies,
11372 three (3) to be appointed by the commissioner, one (1) to be
11373 appointed by the Governor, and one (1) to be appointed by the
11374 Lieutenant Governor; each such assessable insurer appointed shall
11375 designate a representative knowledgeable in the matters of the
11376 association and authorize such representative to act and vote on
11377 its behalf;

11378 (iii) Three (3) agents with no less than ten (10)
11379 years' experience in the property and casualty industry, two (2)
11380 of whom are residents in the coast area, and one (1) of whom is



11381 not a resident of the coast area; one (1) such coast area agent to
11382 be appointed by the Governor, one (1) such coast area agent to be
11383 appointed by the Lieutenant Governor, and the noncoast area agent
11384 to be appointed by the commissioner; and

11385 (iv) Two (2) business leaders who have been
11386 residents of the coast area for no less than ten (10) years and
11387 who have no less than ten (10) years' experience in management of
11388 a business, one (1) to be appointed by the Governor, and one (1)
11389 to be appointed by the Lieutenant Governor.

11390 (b) Except for the State Treasurer, the board members
11391 shall serve three-year terms with each term beginning on January
11392 1, and the initial terms shall be staggered in the following
11393 manner:

11394 (i) The initial term for three (3) of the
11395 assessable insurers shall begin on March 22, 2007, and expire on
11396 December 31, 2010, thereafter to be appointed for three-year
11397 terms;

11398 (ii) The initial term for one (1) of the
11399 assessable insurers shall begin on March 22, 2007, and expire on
11400 December 31, 2009, thereafter to be appointed for three-year
11401 terms;

11402 (iii) The initial term for one (1) of the
11403 assessable insurers shall begin on March 22, 2007, and expire on
11404 December 31, 2008, thereafter to be appointed for three-year
11405 terms;



11406 (iv) The initial term for one (1) of the agents
11407 shall begin on March 22, 2007, and expire on December 31, 2010,
11408 thereafter to be appointed for three-year terms;

11409 (v) The initial term for one (1) of the agents
11410 shall begin on March 22, 2007, and expire on December 31, 2009,
11411 thereafter to be appointed for three-year terms;

11412 (vi) The initial term for one (1) of the agents
11413 shall begin on March 22, 2007, and expire on December 31, 2008,
11414 thereafter to be appointed for three-year terms;

11415 (vii) The initial term for one (1) of the business
11416 leaders shall begin on March 22, 2007, and expire on December 31,
11417 2010, thereafter to be appointed for three-year terms;

11418 (viii) The initial term for one (1) of the
11419 business leaders shall begin on March 22, 2007, and expire on
11420 December 31, 2008, thereafter to be appointed for three-year
11421 terms.

11422 (3) On or before March 22, 2007, the appropriate public
11423 official shall make such appointments and request such
11424 resignations from the existing board as are appropriate to comply
11425 with this section.

11426 (4) The Board of Directors of the Mississippi Insurance
11427 Underwriting Association, created by former Section 83-34-7, is
11428 continued and reconstituted as follows: Effective January 1,
11429 2028, the appointed members of the board designated in this
11430 section, shall be appointed by the Governor to terms of office of



11431 four (4) years, with the advise and consent of the Senate,
11432 provided that five (5) such members shall be appointed in 2028 to
11433 a term ending December 31, 2031, and five (5) such members shall
11434 be appointed in 2030 to a term ending December 31, 2033.
11435 Appointments made at the beginning of the four-year cycle shall be
11436 made to fill any member's term which actually expires that year
11437 and any member's term which expires next until the majority of the
11438 membership of the board or commission is reached. Appointments
11439 made at the beginning of the third year of the four-year cycle
11440 shall be made for the remainder of the membership positions
11441 irrespective of the time of their prior appointment. Any question
11442 regarding the order of appointments shall be determined by the
11443 Secretary of State in accordance with the specific statute. All
11444 appointment procedures, vacancy provisions, interim appointment
11445 provisions and removal provisions specifically provided for in
11446 Section 7-1-35, Mississippi Code of 1972, shall be fully
11447 applicable to appointments to the Board of Directors of the
11448 Mississippi Insurance Underwriting Association.

11449 (5) The board shall be staffed by as many employees as it
11450 deems necessary.

11451 (* * *6) The board of directors has the power to act and
11452 make binding decisions on behalf of the association on all issues.

11453 **SECTION 158.** Section 43-59-3, Mississippi Code of 1972, is
11454 amended as follows:



11455 43-59-3. (1) There is created the Mississippi Commission on
11456 the Status of Women. The commission shall be nonpartisan, and
11457 shall be composed of thirteen (13) members to be appointed, with
11458 the advice and consent of the Senate, as follows:

11459 (a) Four (4) members shall be appointed by the
11460 Governor, including a current or former food stamps recipient and
11461 a single parent;

11462 (b) Three (3) members shall be appointed by the
11463 Lieutenant Governor, including a current or former college
11464 educator with expertise in women's issues;

11465 (c) Three (3) members shall be appointed by the Speaker
11466 of the House of Representatives, including a health care
11467 professional knowledgeable in women's health issues; and

11468 (d) Three (3) members shall be appointed by the
11469 Attorney General, including a law professor or lawyer with
11470 expertise in women's issues.

11471 (2) The members of the commission shall be women and men of
11472 recognized ability and achievement who are representative of the
11473 ethnic, geographic, socioeconomic and cultural diversity of the
11474 population of this state, and who have a proven record of efforts
11475 to improve the status of women. The initial term of office of one
11476 (1) member appointed by the Governor shall expire on June 30,
11477 2002. The initial terms of office of the remaining members shall
11478 be fixed by the appointing authorities so that the term of office
11479 of one (1) member appointed by each appointing authority expires



11480 on June 30, 2003, the term of office of one (1) member appointed
11481 by each expires on June 30, 2004, and the terms of office of the
11482 remaining three (3) members expires on June 30, 2005. After the
11483 expiration of the initial terms, the terms of office of all
11484 members shall be four (4) years each, from the expiration date of
11485 the previous term. A member may not serve for more than two (2)
11486 consecutive terms. All vacancies shall be filled by the
11487 appointing authority for the unexpired term.

11488 (3) The Mississippi Commission on the Status of Women,
11489 created by former Section 43-59-3, is continued and reconstituted
11490 as follows: Effective January 1, 2028, the appointed members of
11491 the commission designated in subsections (1) and (2) of this
11492 section, shall be appointed by the Governor to terms of office of
11493 four (4) years, with the advise and consent of the Senate,
11494 provided that seven (7) such members shall be appointed in 2028 to
11495 a term ending December 31, 2031, and six (6) such members shall be
11496 appointed in 2030 to a term ending December 31, 2033.
11497 Appointments made at the beginning of the four-year cycle shall be
11498 made to fill any member's term which actually expires that year
11499 and any member's term which expires next until the majority of the
11500 membership of the board or commission is reached. Appointments
11501 made at the beginning of the third year of the four-year cycle
11502 shall be made for the remainder of the membership positions
11503 irrespective of the time of their prior appointment. Any question
11504 regarding the order of appointments shall be determined by the



11505 Secretary of State in accordance with the specific statute. All
11506 appointment procedures, vacancy provisions, interim appointment
11507 provisions and removal provisions specifically provided for in
11508 Section 7-1-35, Mississippi Code of 1972, shall be fully
11509 applicable to appointments to the Mississippi Commission on the
11510 Status of Women.

11511 (4) The commission shall organize by electing a chair, vice
11512 chair and secretary from among its members for terms of two (2)
11513 years each. Any member is eligible for successive elections to
11514 office.

11515 (* * * 5) A majority of the members of the commission shall
11516 constitute a quorum for transacting business.

11517 (* * * 6) Members of the commission may be reimbursed for
11518 expenses as provided in Section 25-3-41, and may receive per diem
11519 as provided in Section 25-3-69.

11520 (* * * 7) The * * * Governor shall notify the individuals
11521 after * * * he has made * * * his appointments. The Governor then
11522 shall designate a place and time for the initial organizational
11523 meeting of the commission, which meeting must be before October 1,
11524 2001.

11525 **SECTION 159.** Section 71-3-85, Mississippi Code of 1972, is
11526 amended as follows:

11527 71-3-85. (1) There is hereby created a commission to be
11528 known as the * * * Workers' Compensation Commission, consisting of
11529 three (3) members, who shall devote their entire time to the



11530 duties of the office. The Governor shall appoint the members of
11531 the commission, by and with the consent of the Mississippi State
11532 Senate, one (1) for a term of two (2) years, one (1) for a term of
11533 four (4) years, and one (1) for a term of six (6) years. Upon the
11534 expiration of each term as above set forth, the Governor shall
11535 appoint a successor for a term of six (6) years, and thereafter
11536 the term of office of each commissioner shall be for six (6)
11537 years. One (1) member shall be a person who by reason of his
11538 previous vocation or affiliation can be classed as a
11539 representative of employers, and one (1) member shall be a person
11540 who by reason of his previous vocation or affiliation can be
11541 classed as a representative of employees. One (1) member shall be
11542 an attorney-at-law of recognized ability with at least five (5)
11543 years' active practice in Mississippi prior to his appointment.
11544 The Governor shall designate the chairman of the commission, whose
11545 term of chairman shall run concurrently with his appointment as a
11546 commissioner.

11547 The Workers' Compensation Commission, created by former
11548 Section 71-3-85, is continued and reconstituted as follows:
11549 Effective January 1, 2028, the appointed members of the commission
11550 designated in this section, shall be appointed by the Governor to
11551 terms of office of four (4) years, with the advise and consent of
11552 the Senate, provided that two (2) such members shall be appointed
11553 in 2028 to a term ending December 31, 2031, and one (1) such
11554 member shall be appointed in 2030 to a term ending December 31,



11555 2033. Appointments made at the beginning of the four-year cycle
11556 shall be made to fill any member's term which actually expires
11557 that year and any member's term which expires next until the
11558 majority of the membership of the board or commission is reached.
11559 Appointments made at the beginning of the third year of the
11560 four-year cycle shall be made for the remainder of the membership
11561 positions irrespective of the time of their prior appointment.
11562 Any question regarding the order of appointments shall be
11563 determined by the Secretary of State in accordance with the
11564 specific statute. All appointment procedures, vacancy provisions,
11565 interim appointment provisions and removal provisions specifically
11566 provided for in Section 7-1-35, Mississippi Code of 1972, shall be
11567 fully applicable to appointments to the Workers' Compensation
11568 Commission.

11569 The chairman shall be the administrative head of the
11570 commission and shall have the final authority in all matters
11571 relating to assignment of cases for hearing and trial and the
11572 administrative work of the commission and its employees, except in
11573 the promulgation of rules and regulations wherein the commission
11574 shall act as a body, and in the trial and determination of cases
11575 as otherwise provided.

11576 Upon the expiration of the term of a commissioner, he shall
11577 continue to serve until his successor has been appointed. Because
11578 cumulative experience is conspicuously essential to the proper
11579 administration of a * * * Workers' Compensation Law, it is



11580 declared to be in the public interest to continue * * * Workers'
11581 Compensation Commissioners in office as long as efficiency is
11582 demonstrated. A commissioner may be removed for cause prior to
11583 the expiration of his term, but shall be furnished a written copy
11584 of the charges against him and shall be accorded a public hearing.

11585 Each member of the commission and each administrative law
11586 judge shall receive an annual salary fixed by the Legislature.

11587 (2) A vacancy in the commission, if there remain two (2)
11588 members of it, shall not impair the authority of such two (2)
11589 members to act. In case of illness or continued absence for other
11590 reasons, the same authority of such two (2) members shall apply.

11591 (3) The commission shall have the powers and duties
11592 necessary for effecting the purposes of this chapter, including
11593 the powers of a court of record for compelling the attendance of
11594 witnesses, examining them under oath, and compelling the
11595 production of books, papers, documents and objects relevant to the
11596 determination of a claim for compensation, and the power to adopt
11597 rules and regulations and make or approve the forms relating to
11598 notices of injuries, payment of claims and other purposes. The
11599 authority of the commission and its duly authorized
11600 representatives to investigate and determine claims for
11601 compensation shall include the right to enter the premises where
11602 an injury occurred, to ascertain its causes and circumstances.

11603 (4) The office of the commission shall be situated in the
11604 City of Jackson, but hearings may be held at such places as it may



11605 deem most convenient for the proper and speedy performance of its
11606 duties. The commission is authorized, if it deems it necessary
11607 for the convenient and efficient dispatch of business, to lease
11608 office space and facilities in other than publicly owned
11609 buildings.

11610 (5) The commission shall adopt detailed rules and
11611 regulations for implementing the purposes of this chapter at
11612 hearings attended by the main parties interested. Such rules,
11613 upon adoption, shall be published and be at all reasonable times
11614 made available to the public and, if not inconsistent with law,
11615 shall be binding upon those participating in the responsibilities
11616 and benefits of the * * * Workers' Compensation Law.

11617 (6) The commission shall adopt or approve the forms required
11618 for administering the chapter, such notices of injury, application
11619 for benefits, receipts for compensation and all other forms needed
11620 to assure the orderly and prompt operation of the law, and may
11621 require the exclusive use of any or all such approved forms.

11622 **SECTION 160.** Section 37-153-7, Mississippi Code of 1972, is
11623 amended as follows:

11624 37-153-7. (1) There is created the Mississippi Office of
11625 Workforce Development and the Mississippi State Workforce
11626 Investment Board, which shall serve as the advisory board for the
11627 office. The Mississippi State Workforce Investment Board shall be
11628 composed of thirty-one (31) voting members, of which a majority
11629 shall be representatives of business and industry in accordance



11630 with the federal Workforce Innovation and Opportunity Act, or any
11631 successive acts.

11632 (2) The members of the State Workforce Investment Board
11633 shall include:

11634 (a) The Governor, or his designee;

11635 (b) Nineteen (19) members, appointed by the Governor,
11636 of whom:

11637 (i) A majority shall be representatives of
11638 businesses in the state, who:

11639 1. Are owners of businesses, chief executives
11640 or operating officers of businesses, or other business executives
11641 or employers with optimum policymaking or hiring authority, and
11642 who, in addition, may be members of a local board described in
11643 Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and
11644 Opportunity Act. At least two (2) of the members appointed under
11645 this item 1. shall be small business owners, chief executives or
11646 operating officers of businesses with less than fifty (50)
11647 employees;

11648 2. Represent businesses, including small
11649 businesses, or organizations representing businesses, which
11650 provide employment opportunities that, at a minimum, include
11651 high-quality, work-relevant training and development in
11652 high-demand industry sectors or occupations in the state; and



11653 3. Are appointed from among individuals
11654 nominated by state business organizations and business trade
11655 associations;

11656 (ii) Not less than twenty percent (20%) shall
11657 consist of representatives of the workforce within the state,
11658 which:

11659 1. Includes labor organization
11660 representatives who have been nominated by state labor
11661 federations;

11662 2. Includes a labor organization member or
11663 training director from an apprenticeship program in the state,
11664 which shall be a joint labor-management apprenticeship program if
11665 such a program exists in the state;

11666 3. May include representatives of
11667 community-based organizations, including organizations serving
11668 veterans or providing or supporting competitive, integrated
11669 employment for individuals with disabilities, who have
11670 demonstrated experience and expertise in addressing employment,
11671 training or education needs of individuals with barriers to
11672 employment; and

11673 4. May include representatives of
11674 organizations, including organizations serving out-of-school
11675 youth, who have demonstrated experience or expertise in addressing
11676 the employment, training or education needs of eligible youth;



11677 (iii) The balance shall include government
11678 representatives, including the lead state officials with primary
11679 responsibility for core programs, and chief elected officials
11680 (collectively representing both cities and counties, where
11681 appropriate);

11682 (c) Two (2) representatives of businesses in the state
11683 appointed by the Lieutenant Governor;

11684 (d) Two (2) representatives of businesses in the state
11685 appointed by the Governor from a list of three (3) recommendations
11686 from the Speaker of the House; and

11687 (e) The following state officials:

11688 (i) The Executive Director of the Mississippi
11689 Department of Employment Security;

11690 (ii) The Executive Director of the Department of
11691 Rehabilitation Services;

11692 (iii) The State Superintendent of Public
11693 Education;

11694 (iv) The Executive Director of the Mississippi
11695 Development Authority;

11696 (v) The Executive Director of the Mississippi
11697 Community College Board;

11698 (vi) The President of the Community College
11699 Association; and

11700 (vii) The Commissioner of the Institutions of
11701 Higher Learning.



11702 (f) One (1) senator, appointed by the Lieutenant
11703 Governor, and one (1) representative, appointed by the Speaker of
11704 the House, shall serve on the state board in a nonvoting capacity.

11705 (g) The Governor may appoint additional members if
11706 required by the federal Workforce Innovation and Opportunity Act,
11707 or any successive acts.

11708 (h) Members of the board shall serve a term of four (4)
11709 years, and shall not serve more than three (3) consecutive terms.

11710 (i) The membership of the board shall reflect the
11711 diversity of the State of Mississippi.

11712 (j) The Governor shall designate the Chairman of the
11713 Mississippi State Workforce Investment Board from among the
11714 business and industry voting members of the board, and a quorum of
11715 the board shall consist of a majority of the voting members of the
11716 board.

11717 (k) The voting members of the board who are not state
11718 employees shall be entitled to reimbursement of their reasonable
11719 expenses in the manner and amount specified in Section 25-3-41 and
11720 shall be entitled to receive per diem compensation as authorized
11721 in Section 25-3-69.

11722 (3) Members of the state board may be recalled by their
11723 appointing authority for cause, including a felony conviction,
11724 fraudulent or dishonest acts or gross abuse of discretion, failure
11725 to meet board member qualifications, or chronic failure to attend
11726 board meetings.



11727 (4) The Mississippi Workforce Development Board, created by
11728 former Section 37-153-7, is continued and reconstituted as
11729 follows: Effective January 1, 2028, the appointed members of the
11730 board designated in subsection (3)(b), (c) and (d) of this
11731 section, shall be appointed by the Governor to terms of four (4)
11732 years, with the advise and consent of the Senate, provided that
11733 twelve (12) such members shall be appointed in 2028 to a term
11734 ending December 31, 2031, and eleven (11) such members shall be
11735 appointed in 2030 to a term ending December 31, 2033.
11736 Appointments made at the beginning of the four-year cycle shall be
11737 made to fill any member's term which actually expires that year
11738 and any member's term which expires next until the majority of the
11739 membership of the board or commission is reached. Appointments
11740 made at the beginning of the third year of the four-year cycle
11741 shall be made for the remainder of the membership positions
11742 irrespective of the time of their prior appointment. Any question
11743 regarding the order of appointments shall be determined by the
11744 Secretary of State in accordance with the specific statute. All
11745 appointment procedures, vacancy provisions, interim appointment
11746 provisions and removal provisions specifically provided for in
11747 Section 7-1-35, Mississippi Code of 1972, shall be fully
11748 applicable to appointments to the Mississippi Workforce
11749 Development Board.

11750 (5) The Mississippi Department of Employment Security shall
11751 establish limits on administrative costs for each portion of



11752 Mississippi's workforce development system consistent with the
11753 federal Workforce Investment Act or any future federal workforce
11754 legislation.

11755 (* * *6) The Mississippi State Workforce Investment Board
11756 shall have the following duties. These duties are intended to be
11757 consistent with the scope of duties provided in the federal
11758 Workforce Innovation and Opportunity Act, amendments and successor
11759 legislation to this act, and other relevant federal law:

11760 (a) Through the office, develop and submit to the
11761 Governor, Lieutenant Governor and Speaker of the House a strategic
11762 plan for an integrated state workforce development system that
11763 aligns resources and structures the system to more effectively and
11764 efficiently meet the demands of Mississippi's employers and job
11765 seekers. This plan will comply with the federal Workforce
11766 Investment Act of 1998, as amended, the federal Workforce
11767 Innovation and Opportunity Act of 2014 and amendments and
11768 successor legislation to these acts;

11769 (b) Assist the Governor, Lieutenant Governor and
11770 Speaker of the House in the development and continuous improvement
11771 of the statewide workforce investment system that shall include:

11772 (i) Development of linkages in order to assure
11773 coordination and nonduplication among programs and activities; and

11774 (ii) Review local workforce development plans that
11775 reflect the use of funds from the federal Workforce Investment
11776 Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser



11777 Act and the amendment or successor legislation to the acts, and
11778 the Mississippi Comprehensive Workforce Training and Education
11779 Consolidation Act;

11780 (c) Recommend to the office the designation of local
11781 workforce investment areas as required in Section 116 of the
11782 federal Workforce Investment Act of 1998 and the Workforce
11783 Innovation and Opportunity Act of 2014. There shall be four (4)
11784 workforce investment areas that are generally aligned with the
11785 planning and development district structure in Mississippi.
11786 Planning and development districts will serve as the fiscal agents
11787 to manage Workforce Investment Act funds, oversee and support the
11788 local workforce investment boards aligned with the area and the
11789 local programs and activities as delivered by the one-stop
11790 employment and training system. The planning and development
11791 districts will perform this function through the provisions of the
11792 county cooperative service districts created under Sections
11793 19-3-101 through 19-3-115; however, planning and development
11794 districts currently performing this function under the Interlocal
11795 Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may
11796 continue to do so;

11797 (d) Assist the Governor in the development of an
11798 allocation formula for the distribution of funds for adult
11799 employment and training activities and youth activities to local
11800 workforce investment areas;



11801 (e) Recommend comprehensive, results-oriented measures
11802 that shall be applied to all of Mississippi's workforce
11803 development system programs;

11804 (f) Assist the Governor in the establishment and
11805 management of a one-stop employment and training system conforming
11806 to the requirements of the federal Workforce Investment Act of
11807 1998 and the Workforce Innovation and Opportunity Act of 2014, as
11808 amended, recommending policy for implementing the Governor's
11809 approved plan for employment and training activities and services
11810 within the state. In developing this one-stop career operating
11811 system, the Mississippi State Workforce Investment Board, in
11812 conjunction with local workforce investment boards, shall:

11813 (i) Design broad guidelines for the delivery of
11814 workforce development programs;

11815 (ii) Identify all existing delivery agencies and
11816 other resources;

11817 (iii) Define appropriate roles of the various
11818 agencies to include an analysis of service providers' strengths
11819 and weaknesses;

11820 (iv) Determine the best way to utilize the various
11821 agencies to deliver services to recipients; and

11822 (v) Develop a financial plan to support the
11823 delivery system that shall, at a minimum, include an
11824 accountability system;



11825 (g) To provide authority, in accordance with any
11826 executive order of the Governor, for developing the necessary
11827 collaboration among state agencies at the highest level for
11828 accomplishing the purposes of this article;

11829 (h) To monitor the effectiveness of the workforce
11830 development centers and WIN job centers;

11831 (i) To advise the Governor, public schools,
11832 community/junior colleges and institutions of higher learning on
11833 effective school-to-work transition policies and programs that
11834 link students moving from high school to higher education and
11835 students moving between community colleges and four-year
11836 institutions in pursuit of academic and technical skills training;

11837 (j) To work with industry to identify barriers that
11838 inhibit the delivery of quality workforce education and the
11839 responsiveness of educational institutions to the needs of
11840 industry;

11841 (k) To provide periodic assessments on effectiveness
11842 and results of the overall Mississippi comprehensive workforce
11843 development system and district councils;

11844 (l) Develop broad statewide development goals,
11845 including a goal to raise the state's labor force participation
11846 rate;

11847 (m) Perform a comprehensive review of Mississippi's
11848 workforce development efforts, including the amount spent and
11849 effectiveness of programs supported by state or federal money; and



11850 (n) To assist the Governor in carrying out any other
11851 responsibility required by the federal Workforce Investment Act of
11852 1998, as amended and the Workforce Innovation and Opportunity Act,
11853 successor legislation and amendments.

11854 (* * *7) The Mississippi State Workforce Investment Board
11855 shall coordinate all training programs and funds within its
11856 purview, consistent with the federal Workforce Investment Act,
11857 Workforce Innovation and Opportunity Act, amendments and successor
11858 legislation to these acts, and other relevant federal law.

11859 Each state agency director responsible for workforce training
11860 activities shall advise the Mississippi Office of Workforce
11861 Development and the State Workforce Investment Board of
11862 appropriate federal and state requirements. Each state agency,
11863 department and institution shall report any monies received for
11864 workforce training activities or career and technical education
11865 and a detailed itemization of how those monies were spent to the
11866 state board. The board shall compile the data and provide a
11867 report of the monies and expenditures to the Chairs of the House
11868 and Senate Appropriations Committee, the Chair of the House
11869 Workforce Development Committee and the Chair of the Senate
11870 Economic and Workforce Development Committee by October 1 of each
11871 year. Each such state agency director shall remain responsible
11872 for the actions of his agency; however, each state agency and
11873 director shall work cooperatively to fulfill the state's goals.



11874 (* * *8) The State Workforce Investment Board shall
11875 establish an executive committee, which shall consist of the
11876 following State Workforce Investment Board members:

11877 (a) The Chair of the State Workforce Investment Board;

11878 (b) Two (2) business representatives currently serving
11879 on the state board selected by the Governor;

11880 (c) The two (2) business representatives currently
11881 serving on the state board appointed by the Lieutenant Governor;

11882 (d) The two (2) business representatives currently
11883 serving on the state board appointed by the Governor from a list
11884 of three (3) recommendations from the Speaker of the House;

11885 (e) The two (2) legislators, who shall serve in a
11886 nonvoting capacity, one (1) of whom shall be appointed by the
11887 Lieutenant Governor from the membership of the Mississippi Senate
11888 and one (1) of whom shall be appointed by the Speaker of the House
11889 of Representatives from the membership of the Mississippi House of
11890 Representatives.

11891 (* * *9) Effective July 1, 2028, the executive committee
11892 shall select an Executive Director of the Office of Workforce
11893 Development to a term of four (4) years, with the advice and
11894 consent of * * * the Senate. The executive committee shall seek
11895 input from economic development organizations across the state
11896 when selecting the executive director. The executive director
11897 shall:



11898 (a) Be a person with extensive experience in
11899 development of economic, human and physical resources, and
11900 promotion of industrial and commercial development. The executive
11901 director shall have a bachelor's degree from a state-accredited
11902 institution and no less than eight (8) years of professional
11903 experience related to workforce or economic development;

11904 (b) Perform the functions necessary for the daily
11905 operation and administration of the office, with oversight from
11906 the executive committee and the State Workforce Investment Board,
11907 to fulfill the duties of the state board as described in Chapter
11908 476, Laws of 2020;

11909 (c) Hire staff needed for the performance of his or her
11910 duties under Chapter 476, Laws of 2020. The executive director,
11911 with approval from the executive committee, shall set the
11912 compensation of any hired employees from any funds made available
11913 for that purpose;

11914 (d) Enter any part of the Mississippi Community College
11915 Board, individual community and junior colleges, or other
11916 workforce training facilities operated by the state or its
11917 subdivisions;

11918 * * *

11919 (* * *e) Promulgate rules and regulations, subject to
11920 oversight by the executive committee, not inconsistent with this
11921 article, as may be necessary to enforce the provisions in Chapter
11922 476, Laws of 2020; and



11923 (* * *f) Perform any other actions he or she, in
11924 consultation with the executive committee, deems necessary to
11925 fulfill the duties under Chapter 476, Laws of 2020.

11926 (* * *10) The Office of Workforce Development and
11927 Mississippi Community College Board shall collaborate in the
11928 administration and oversight of the Mississippi Workforce
11929 Enhancement Training Fund and Mississippi Works Fund, as described
11930 in Section 71-5-353. The executive director shall maintain
11931 complete and exclusive operational control of the office's
11932 functions.

11933 (* * *11) The office shall file an annual and a quarterly
11934 report with the Governor, Secretary of State, President of the
11935 Senate, Speaker of the House, Chairman of the House Workforce
11936 Development Committee and Chairman of the Senate Economic and
11937 Workforce Development Committee. The annual report shall be filed
11938 not later than October 1 of each year regarding all funds approved
11939 by the office to be expended on workforce training during the
11940 prior calendar year. The quarterly and annual reports shall
11941 include:

11942 (a) Information on the performance of the Mississippi
11943 Workforce Enhancement Training Fund and the Mississippi Works
11944 Fund, in terms of adding value to the local and state economy, the
11945 contribution to future growth of the state economy, and movement
11946 toward state goals, including increasing the labor force
11947 participation rate;



11948 (b) With respect to specific workforce training
11949 projects:
11950 (i) The location of the training;
11951 (ii) The amount allocated to the project;
11952 (iii) The purpose of the project;
11953 (iv) The specific business entity that is the
11954 beneficiary of the project;
11955 (v) The number of employees intended to be trained
11956 and actually trained, if applicable, in the course of the project;
11957 and
11958 (vi) The types of funds used for the project;
11959 (c) With respect to the grants that have been awarded
11960 under the Mississippi K-12 Workforce Development Grant Program
11961 created in Section 37-153-221:
11962 (i) The entity that was awarded the grant;
11963 (ii) The amount allocated to the grant;
11964 (iii) The purpose of the grant; * * *
11965 (iv) How the grant has been used since it was
11966 awarded; and
11967 (d) With respect to the office's authority to select
11968 tools and resources, including necessary online platforms and
11969 similar systems in furtherance of the mission of the office:
11970 (i) The policies that the office has adopted or
11971 amended on the process for the selection of tools and resources,



11972 including necessary online platforms and similar systems in
11973 furtherance of the mission of the office;

11974 (ii) The eligible entities that the office
11975 determined may provide services, such as companies, nonprofit
11976 organizations, or other similar groups;

11977 (iii) Any tools and resources, including necessary
11978 online platforms and similar systems in furtherance of the mission
11979 of the office, that have been selected by the office; and

11980 (iv) What entity received the benefit of the tools
11981 and resources that were selected.

11982 (e) All information concerning a proposed project which
11983 is provided to the executive director shall be kept confidential.
11984 Except as provided in subsections (13) and (14), such
11985 confidentiality shall not limit disclosure under the Mississippi
11986 Public Records Act of 1983 of records describing the nature,
11987 quantity, cost or other pertinent information related to the
11988 activities of, or services performed using, the Mississippi
11989 Workforce Enhancement Training Fund or the Mississippi Works Fund.

11990 (* * *12) In addition to other powers and duties provided
11991 in this section, the Office of Workforce Development shall also
11992 have the following powers and duties:

11993 (a) Direct access to accounting and banking statements
11994 for all funds under its direction to ensure accurate and efficient
11995 management of funds and to improve internal control;



11996 (b) The ability to enter into nondisclosure agreements
11997 to effectively support economic development activities and the
11998 proprietary nature of customized training for existing and new
11999 industry;

12000 (c) To adopt and promulgate such rules and regulations
12001 as may be necessary or desirable for the purpose of implementing
12002 the Mississippi K-12 Workforce Development Grant Program created
12003 in Section 37-153-221;

12004 (d) To receive contributions, donations, gifts,
12005 bequests of money, other forms of financial assistance and
12006 property, equipment, materials or manpower from persons,
12007 foundations, trust funds, corporations, organizations and other
12008 sources, public or private, made to the office, and may expend or
12009 use the same in accordance with the conditions prescribed by the
12010 donor, provided that no such condition is contrary to any
12011 provision of law;

12012 (e) To contract with state agencies, governing
12013 authorities or economic and workforce development entities for
12014 shared programmatic efforts and support service or joint
12015 employment of personnel in order to further the office's purposes;

12016 (f) To determine, subject to appropriation, the need
12017 for and, if desired, the selection of tools and resources,
12018 including necessary online platforms and similar systems in
12019 furtherance of the mission of the office, through processes
12020 established in policies adopted by the office that are deemed to



12021 be practical, feasible and in the public interest. These
12022 processes shall outline eligible entities that may provide such
12023 services, such as companies, nonprofit organizations, or other
12024 similar groups and shall ensure the office determines metrics for
12025 success, including deliverables as required by the office;

12026 (g) To implement the career coaching program provided
12027 for in Section 37-73-3;

12028 (h) To provide career coaches with access to technology
12029 to develop customized career pathways and connect students with
12030 post-secondary and employment opportunities matching their skills
12031 and interests; and

12032 (i) To implement and oversee programs providing support
12033 to community and junior colleges for training needs that may arise
12034 when new businesses locate in Mississippi, to include providing
12035 support to existing industries that may lose employees as a result
12036 of the new business.

12037 Through December 31, 2024, the provisions of Section 27-104-7
12038 related to rental agreements or leasing of real property for the
12039 purpose of conducting agency business shall not apply to the
12040 office.

12041 (* * *13) Nothing in Chapter 476, Laws of 2020 [Senate Bill
12042 No. 2564] shall void or otherwise interrupt any contract, lease,
12043 grant or other agreement previously entered into by the State
12044 Workforce Investment Board, Mississippi Community College Board,
12045 individual community or junior colleges, or other entities.



12046 (* * * 14) Any records of the office which contain client
12047 information from the Mississippi Development Authority or local
12048 economic development entities concerning development projects
12049 shall be exempt from the provisions of the Mississippi Public
12050 Records Act of 1983 for a period of two (2) years after receipt of
12051 the information by the office. Confidential client information as
12052 described in this section shall not include the information which
12053 must be disclosed by the certified applicant related to a
12054 qualified economic development project in the annual report
12055 described in Section 57-1-759.

12056 (* * * 15) Confidential client information in public records
12057 held by the office shall be exempt from the provisions of the
12058 Mississippi Public Records Act of 1983 during any period of review
12059 and negotiation on a project proposal facilitated by the
12060 Mississippi Development Authority or local economic development
12061 entities and for a period of thirty (30) days after approval,
12062 disapproval or abandonment of the proposal not to exceed one (1)
12063 year.

12064 **SECTION 161.** Section 59-17-23, Mississippi Code of 1972, is
12065 amended as follows:

12066 59-17-23. Any port or harbor, or any part thereof, and all
12067 facilities, structures, lands or other improvements, leased by,
12068 acquired by or conveyed to the state shall be operated by the
12069 board acting through a State Inland Port Authority for such port
12070 or harbor, except as may be otherwise provided in this chapter.



12071 Such port authority shall be vested, in addition to the rights,
12072 powers and duties conferred hereunder, with the same jurisdiction,
12073 and the same rights, powers, and duties vested by law, in other
12074 port authorities within the state. Any conflict with other laws
12075 shall be governed by this chapter.

12076 The State Inland Port Authority shall consist of one (1)
12077 member from the county in which the port is located and one (1)
12078 member from each county that is contiguous to the county in which
12079 the port is located to be appointed for a period of four (4) years
12080 by the respective board of supervisors of each of those counties,
12081 provided each county has levied the two (2) mills required in
12082 Sections 59-17-19 and 59-17-21 and the Governor shall appoint one
12083 (1) member from each participating county outlined above of which
12084 two (2) mills has been levied, plus one (1) additional member from
12085 any one (1) of the participating counties outlined above of which
12086 two (2) mills has been levied. The initial terms by the
12087 Governor's appointees shall be staggered, one (1) member appointed
12088 for two (2) years and others by adding one (1) additional year; no
12089 term shall exceed five (5) years. The number of years to be
12090 served on regular terms shall be the same number as the number of
12091 Governor's appointees.

12092 In the event the contracting agency is any master water
12093 management district, the board shall consist of the following:
12094 one (1) member from the county in which the port is located and
12095 one (1) member from each county that is contiguous to the county



12096 in which the port is located to be appointed by the respective
12097 boards of supervisors for a period of four (4) years, and the
12098 Governor shall appoint one (1) member from each of the counties
12099 outlined above, plus one (1) additional member from any one (1) of
12100 the counties outlined above. The Governor's five (5) appointees'
12101 initial terms shall be for one (1), two (2), three (3), four (4)
12102 and five (5) years respectively, but all succeeding appointments
12103 shall be for terms of five (5) years.

12104 The Inland Port Authority, created by former Section
12105 59-17-23, is continued and reconstituted as follows: Effective
12106 January 1, 2028, the appointed members of the authority designated
12107 in this section, shall be appointed by the Governor to a term of
12108 four (4) years, with the advise and consent of the Senate,
12109 provided that one-half (1/2) of such members shall be appointed in
12110 2028 to a term ending December 31, 2031, and one-half (1/2) of
12111 such members shall be appointed in 2030 to a term ending December
12112 31, 2033. Appointments made at the beginning of the four-year
12113 cycle shall be made to fill any member's term which actually
12114 expires that year and any member's term which expires next until
12115 the majority of the membership of the board or commission is
12116 reached. Appointments made at the beginning of the third year of
12117 the four-year cycle shall be made for the remainder of the
12118 membership positions irrespective of the time of their prior
12119 appointment. Any question regarding the order of appointments
12120 shall be determined by the Secretary of State in accordance with



12121 the specific statute. All appointment procedures, vacancy
12122 provisions, interim appointment provisions and removal provisions
12123 specifically provided for in Section 7-1-35, Mississippi Code of
12124 1972, shall be fully applicable to appointments to the Inland Port
12125 Authority.

12126 **SECTION 162.** Section 77-19-5, Mississippi Code of 1972, is
12127 amended as follows:

12128 77-19-5. There is created an Office of Broadband Expansion
12129 and Accessibility of Mississippi (BEAM) within the Department of
12130 Finance and Administration for the purpose of making
12131 determinations and awards from applications for projects to
12132 provide broadband service in unserved or underserved areas using
12133 the Broadband Expansion and Accessibility of Mississippi (BEAM)
12134 Fund created pursuant to Section 77-19-7. The Executive Director
12135 of the Department of Finance and Administration shall hire a
12136 Director of BEAM to administer the office.

12137 Effective January 1, 2028, the BEAM executive director
12138 designated in this section, shall be appointed by the Governor,
12139 with the advice and consent of the Senate. The executive director
12140 shall serve for a term of four (4) years. All appointment
12141 procedures, vacancy provisions, interim appointment provisions and
12142 removal provisions specifically provided for in Section 7-1-35,
12143 Mississippi Code of 1972, shall be fully applicable to the
12144 appointed BEAM executive director.



12145 **SECTION 163.** This act shall take effect and be in force from
12146 and after July 1, 2024; provided, however, that Section 126 which
12147 amends Section 73-35-5, Mississippi Code of 1972, shall take
12148 effect and be in force from and after its passage.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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; TO AMEND
7 SECTIONS 43-28-7, 73-33-3, 73-33-5, 49-15-301, 49-15-305, 69-15-2,
8 73-1-5, 73-1-11, 39-11-1, 39-11-5, 75-75-103, 73-4-7, 73-4-11,
9 37-169-3, 73-75-7, 81-1-61, 81-3-12, 73-5-1, 73-5-3, 43-3-103,
10 39-27-1, 31-13-1, 57-10-167, 29-5-213, 37-28-7, 73-6-3, 73-6-5,
11 39-5-91, 37-155-7, 65-1-46, 19-5-333, 37-4-3, 31-3-3, 31-3-11,
12 69-44-3, 47-5-8, 73-7-1, 73-7-3, 73-30-5, 73-30-7, 45-39-3,
13 73-9-7, 73-9-13, 43-26-1, 57-1-5, 43-13-107, 37-1-1, 37-63-3,
14 37-63-7, 69-7-253, 73-69-21, 33-15-7, 41-59-7, 71-5-107, 73-13-5,
15 73-13-15, 49-2-4, 49-2-5, 25-4-5, 69-5-1, 27-104-101, 73-36-9,
16 49-19-1, 49-19-3, 73-11-43, 73-11-49, 75-76-9, 75-76-15, 73-63-9,
17 73-63-19, 55-15-21, 59-7-407, 59-5-21, 59-11-3, 61-3-7, 25-15-303,
18 41-3-1.1, 41-3-5.1, 43-33-704, 43-33-707, 41-73-7, 43-1-2,
19 25-53-7, 25-53-19, 73-73-23, 45-4-3, 69-46-3, 73-2-13, 45-6-5,
20 39-3-101, 27-115-9, 27-115-11, 73-67-9, 73-43-3, 41-4-3, 41-4-7,
21 63-17-57, 63-17-67, 73-17-7, 73-15-9, 73-15-17, 53-1-5, 73-19-7,
22 73-19-9, 47-7-5, 51-15-1, 69-48-3, 51-9-1, 25-9-109, 25-9-119,
23 73-21-75, 73-21-79, 73-23-41, 73-23-43, 73-29-7, 37-106-9,
24 73-31-5, 73-31-7, 25-11-15, 27-104-7, 45-1-2, 51-35-317, 73-34-7,
25 73-34-9, 73-35-5, 37-33-155, 37-33-159, 25-58-21, 73-59-21,
26 27-3-1, 69-10-2, 55-5-53, 49-17-45, 25-43-4.103, 73-53-8, 69-9-3,
27 65-9-9, 27-4-1, 51-27-1, 41-113-9, 51-13-105, 11-46-18, 77-13-29,
28 49-17-422, 7-1-501, 7-1-503, 35-1-1, 35-1-3, 35-7-7, 73-39-55,
29 43-55-5, 35-3-24, 59-7-125, 49-4-4, 49-4-6, 83-34-7, 43-59-3,
30 71-3-85, 37-153-7, 59-17-23 AND 77-19-5, MISSISSIPPI CODE OF 1972,
31 TO REVISE THE PROCEDURES AND TERMS OF OFFICE FOR THE APPOINTMENTS
32 OF MEMBERS TO CERTAIN STATE BOARDS, AGENCIES, AND OTHER GOVERNMENT
33 ENTITIES AND AUTHORITIES WHICH REQUIRE SENATE CONFIRMATION; AND
34 FOR RELATED PURPOSES.

