

By: Senator(s) Canon, Chaney, Hewes, White  
(29th)

To: Appropriations

SENATE BILL NO. 2165

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

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

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

9 39-5-3. The Department of Archives and History shall be  
10 under the control of a board of nine (9) trustees. The board  
11 shall have the power and authority to fill all vacancies occurring  
12 therein, whether by expiration of term of service or by death or  
13 resignation, but the names of all newly elected members shall be  
14 communicated to the next ensuing session of the State Senate for  
15 confirmation \* \* \*. The members of the board of trustees as  
16 constituted on January 1, 2002, whose terms have not expired shall  
17 serve the balance of their terms, after which time the membership  
18 of the board of trustees shall be appointed as follows: The  
19 Governor shall appoint two (2) members of the board of trustees  
20 from each of the four (4) Mississippi congressional districts as  
21 they exist on January 1, 2002, and one (1) from the state at  
22 large, with the advice and consent of the Senate, with the  
23 congressional districts to be designated at the time of  
24 appointment, and the Governor shall make appointments from the  
25 congressional district having the smallest number of board members  
26 until the membership includes two (2) members from each  
27 congressional district as required. All trustees chosen to  
28 succeed the present members or their successors shall serve for a



29 term of six (6) years; provided, however, that trustees appointed  
30 after January 1, 2002, shall serve for a term of four (4) years.

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

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

