

By: Senator(s) Gordon

To: Finance

SENATE BILL NO. 2784

1 AN ACT TO AMEND SECTION 63-17-57, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT FROM AND AFTER JULY 1, 2005, APPOINTMENTS TO THE
3 MISSISSIPPI MOTOR VEHICLE COMMISSION SHALL BE MADE FROM THE FOUR
4 MISSISSIPPI CONGRESSIONAL DISTRICTS ON A PHASED-IN BASIS; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 63-17-57, Mississippi Code of 1972, is
8 amended as follows:

9 63-17-57. There is hereby created the Mississippi Motor
10 Vehicle Commission to be composed of eight (8) members, one (1) of
11 whom shall be appointed by the Attorney General from the state at
12 large for a term of four (4) years and one (1) of whom shall be
13 appointed by the Secretary of State from the state at large for a
14 term of four (4) years, and six (6) licensees who shall be
15 appointed by the Governor, one (1) from the state at large and one
16 (1) from each of the five (5) congressional districts of this
17 state for terms of the following duration: the term of the member
18 from the state at large shall expire at the time the incumbent
19 Governor's term expires, the term of the member appointed from the
20 First Congressional District shall expire on June 30, 1973, the
21 term of the member appointed from the Second Congressional
22 District shall expire on June 30, 1974, the term of the member
23 appointed from the Third Congressional District shall expire on
24 June 30, 1976, the term of the member from the Fourth
25 Congressional District shall expire on June 30, 1977, and the term
26 of the member appointed from the Fifth Congressional District
27 shall expire on June 30, 1978. Each member shall serve until his
28 successor is appointed and qualified. At the expiration of the

29 term of the member initially appointed by the Attorney General
30 each successor member shall be appointed for a term of four (4)
31 years by the incumbent Attorney General, and at the expiration of
32 the term of the member appointed by the Secretary of State each
33 successor member shall be appointed for a term of four (4) years
34 by the incumbent Secretary. At the expiration of a term for which
35 each of the initial appointments of the Governor is made, each
36 successor member shall be appointed for a term of seven (7) years
37 except that the term of the member appointed from the state at
38 large shall be coterminous with that of the Governor making the
39 appointment. The members of the commission as constituted on July
40 1, 2005, who are appointed by the Governor and whose terms have
41 not expired shall serve the balance of their terms, after which
42 time the gubernatorial appointments shall be made as follows: The
43 Governor shall appoint one (1) member of the commission from each
44 of the four (4) Mississippi congressional districts as they
45 currently exist, and two (2) from the state at large, and the
46 Governor shall make appointments from the congressional district
47 having the smallest number of commission members until the
48 membership includes one (1) from each congressional district as
49 required.

50 One of the members appointed from the state at large by the
51 Governor shall serve as chairman of the commission and one (1) of
52 the other members appointed by the Governor shall be designated by
53 him to serve as vice chairman. In the absence of the chairman at
54 any meeting of the commission the vice chairman shall preside and
55 perform the duties of the chairman.

56 In the event of a vacancy created by the death, resignation
57 or removal of any member of the commission the vacancy shall be
58 filled by appointment of the Governor, Attorney General or the
59 Secretary of State, as the case may be, for the unexpired portion
60 of the term. All appointments hereunder shall be made with the
61 advice and consent of the Senate.

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