

May 22, 2000

TO THE MISSISSIPPI HOUSE OF REPRESENTATIVES:

I am directed by the Governor to advise you that he has approved the following House Bills:

H.B. 1100: AN ACT TO AMEND SECTION 57-36-1, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL REVISIONS TO THE CHICKASAW TRAIL ECONOMIC DEVELOPMENT COMPACT; AND FOR RELATED PURPOSES. (May 20, 2000; 6:00 AM)

H.B. 1135: AN ACT TO AMEND SECTION 73-3-403, MISSISSIPPI CODE OF 1972, TO REVISE THE DATE OF REPEALER FOR THE MISSISSIPPI BAR; AND FOR RELATED PURPOSES. (May 20, 2000; 6:01 AM)

H.B. 1228: AN ACT TO CREATE THE MISSISSIPPI CAPITAL POST-CONVICTION COUNSEL ACT; TO CREATE THE MISSISSIPPI OFFICE OF CAPITAL POST-CONVICTION COUNSEL AND SPECIFY ITS PERSONNEL; TO PROVIDE QUALIFICATIONS FOR ATTORNEYS IN THE OFFICE; TO PRESCRIBE THE DUTIES OF ATTORNEYS IN THE OFFICE; TO PROVIDE FOR COMPENSATION; TO SPECIFY OFFICE HOURS; TO AUTHORIZE THE DIRECTOR TO ACQUIRE OFFICE SPACE, SUPPLIES AND EQUIPMENT; TO REQUIRE THE DIRECTOR TO MAINTAIN A DOCKET; TO AUTHORIZE THE APPOINTMENT OF ATTORNEYS IN SITUATIONS WHERE CONFLICTS ARISE; TO CREATE THE SPECIAL CAPITAL POST-CONVICTION COUNSEL FUND; TO PROVIDE THAT ATTORNEYS APPOINTED TO THE OFFICE SHALL BE FULL TIME; TO AMEND SECTION 99-19-105, MISSISSIPPI CODE OF 1972, TO REVISE THE SETTING OF THE DATE OF EXECUTION OF DEATH SENTENCE; TO AMEND SECTION 99-39-5, MISSISSIPPI CODE OF 1972, TO REVISE THE STATUTE OF LIMITATIONS FOR POST-CONVICTION RELIEF IN CAPITAL CASES; TO AMEND SECTION 99-39-23, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE APPOINTMENT OF POST-CONVICTION COUNSEL IN CAPITAL CASES; TO AMEND SECTION 99-39-27, MISSISSIPPI CODE OF 1972, TO EXCLUDE POST-CONVICTION RELIEF IN CAPITAL CASES; TO CREATE SECTION 99-15-18, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR COMPENSATION OF COUNSEL IN POST-CONVICTION RELIEF CASES INVOLVING THE DEATH PENALTY; TO CREATE SECTION 99-39-28, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SUPREME COURT SHALL PROVIDE RULES FOR POST-CONVICTION PROCEEDINGS IN CAPITAL CASES; TO PROVIDE FOR THE SETTING OF THE DATE FOR EXECUTION OF DEATH SENTENCES; TO REPEAL SECTION 99-19-49, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE SETTING OF A DAY FOR THE EXECUTION OF A DEATH SENTENCE; TO CREATE THE MISSISSIPPI CAPITAL DEFENSE LITIGATION ACT; TO CREATE THE MISSISSIPPI OFFICE OF CAPITAL DEFENSE COUNSEL AND SPECIFY ITS PERSONNEL; TO PROVIDE

QUALIFICATIONS FOR ATTORNEYS IN THE OFFICE; TO PROVIDE FOR COMPENSATION; TO SPECIFY OFFICE HOURS; TO AUTHORIZE THE DIRECTOR TO ACQUIRE OFFICE SPACE, SUPPLIES AND EQUIPMENT; TO REQUIRE THE DIRECTOR TO MAINTAIN A DOCKET; TO AUTHORIZE APPOINTMENT OF ATTORNEYS IN SITUATIONS WHERE CONFLICTS ARISE; TO CREATE THE SPECIAL CAPITAL DEFENSE LITIGATION FUND; TO PROVIDE THAT ATTORNEYS APPOINTED TO THE OFFICE SHALL BE FULL TIME; TO CREATE THE MISSISSIPPI PUBLIC DEFENDERS SYSTEM TASK FORCE TO MAKE A COMPREHENSIVE STUDY OF THE EXISTING PUBLIC DEFENDER LAW IN MISSISSIPPI; TO EXAMINE AND STUDY APPROACHES TAKEN IN OTHER STATES REGARDING THE IMPLEMENTATION AND COST OF STATEWIDE PUBLIC DEFENDER SYSTEMS; TO MAKE RECOMMENDATIONS FOR ACTION BY THE LEGISLATURE TO STUDY THE RELATIONSHIP BETWEEN THE ESTABLISHMENT OF DISTRICT PUBLIC DEFENDERS AND CIRCUIT JUDGES; TO ANALYZE DISTRICT NEEDS; TO PROVIDE FOR THE COMPENSATION OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE SHALL MAKE A REPORT OF ITS WORK; AND FOR RELATED PURPOSES. (May 20, 2000; 6:03 AM)

H.B. 1273: AN ACT TO REENACT SECTION 43-21-317, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE JUVENILE DETENTION FUND; TO AMEND REENACTED SECTION 43-21-317, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE DATE THE MONIES IN THE FUND WILL LAPSE INTO THE GENERAL FUND; TO AMEND SECTION 4, CHAPTER 546, LAWS OF 1995, AS AMENDED BY SECTION 3, CHAPTER 494, LAWS OF 1997, AS AMENDED BY SECTION 2, CHAPTER 379, LAWS OF 1998, AS AMENDED BY SECTION 2, CHAPTER 554, LAWS OF 1999, TO EXTEND THE REPEALER ON THE JUVENILE DETENTION FUND; AND FOR RELATED PURPOSES. (May 20, 2000; 6:05 AM)

H.B. 1280: AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROVISION AUTHORIZING MEDICAID REIMBURSEMENT TO HOSPITALS FOR IMPLANTABLE PROGRAMMABLE PUMPS; TO PROVIDE THAT IF THE DIVISION OF MEDICAID PROVIDES MANAGED CARE SERVICES TO MEDICAID RECIPIENTS, THE DIVISION SHALL BE RESPONSIBLE FOR EDUCATING THE PARTICIPANTS IN THE MANAGED CARE PROGRAM REGARDING THE MANNER IN WHICH THEY SHOULD SEEK HEALTH CARE UNDER THE PROGRAM; TO DELETE THE AUTHORITY OF THE DIVISION TO OPERATE A CAPITATED MANAGED CARE PROGRAM; TO AUTHORIZE THE DIVISION TO CONTRACT WITH A CERTAIN HOSPITAL TO PROVIDE MENTAL HEALTH AND CRISIS INTERVENTION SERVICES FOR CHILDREN AND ADOLESCENTS; TO CLARIFY THE SERVICES ELIGIBLE FOR REIMBURSEMENT FOR DUALY ELIGIBLE BENEFICIARIES; TO AUTHORIZE MEDICAID REIMBURSEMENT FOR AN OBSTETRICAL CARE PROGRAM FOR LOW BIRTH WEIGHT AND PRE-TERM BABIES; TO AUTHORIZE MEDICAID REIMBURSEMENT FOR SMOKING CESSATION MEDICATIONS FOR PREGNANT WOMEN AND OTHER WOMEN OF CHILD-BEARING AGE; AND FOR RELATED PURPOSES. (May 20, 2000; 6:06 AM)

H.B. 1324: AN ACT TO DESIGNATE A CERTAIN PORTION OF MISSISSIPPI HIGHWAY 490 IN WINSTON COUNTY AS THE "JOE CLAY - JOHN AUSTIN HATCHER MEMORIAL HIGHWAY"; TO DESIGNATE A PORTION OF U.S. INTERSTATE 20 WITHIN THE STATE OF MISSISSIPPI AS THE "31ST INFANTRY DIVISION MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES. (May 20, 2000; 6:10 AM)

H.B. 1390: AN ACT TO CREATE NEW SECTION 41-26-14, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HEALTH TO DEVELOP AND IMPLEMENT A CROSS CONNECTION CONTROL PROGRAM; TO REQUIRE THE STATE BOARD OF HEALTH TO ADOPT REGULATIONS FOR IMPLEMENTATION OF THE PROGRAM; TO PLACE CERTAIN REQUIREMENTS ON THE IMPLEMENTATION OF THAT PROGRAM; TO REQUIRE PUBLIC WATER SYSTEMS TO IDENTIFY CROSS CONNECTIONS ON THE SYSTEM; TO REVISE CURRENT REGULATORY DEADLINES FOR PROPERTY OWNERS TO INSTALL BACKFLOW PREVENTERS; TO REQUIRE THE PERIODIC TESTING OF BACKFLOW PREVENTERS; TO REQUIRE THE DEPARTMENT OF HEALTH TO LICENSE CERTIFIED BACKFLOW PREVENTER TESTERS AND TO PLACE CONDITIONS ON CERTIFICATION OF BACKFLOW PREVENTER TESTERS; TO PROVIDE FOR PENALTIES FOR FAILURE TO COMPLY WITH THIS SECTION; TO AMEND SECTION 41-26-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES. (May 20, 2000; 6:11 AM)

H.B. 1449: AN ACT TO DESIGNATE CERTAIN SEGMENTS OF HIGHWAY IN RANKIN COUNTY AS STATE HIGHWAYS AND TO PLACE SUCH SEGMENTS UNDER THE JURISDICTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION FOR CONSTRUCTION AND MAINTENANCE; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A FOUR-LANE FACILITY ALONG SUCH SEGMENTS CONDITIONED UPON THE LOCAL POLITICAL SUBDIVISIONS PROVIDING NECESSARY RIGHTS-OF-WAY, INCLUDING UTILITY ADJUSTMENTS AND RELOCATIONS; TO DESIGNATE A CERTAIN ADDITIONAL SECTION OF HIGHWAY IN JONES COUNTY AS A PART OF THE STATE HIGHWAY SYSTEM AND TO PLACE IT UNDER THE JURISDICTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO DESIGNATE A CERTAIN ADDITIONAL SEGMENT OF HIGHWAY IN NEWTON COUNTY AS A PART OF THE STATE HIGHWAY SYSTEM AND TO PLACE IT UNDER THE JURISDICTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO DELETE TWO SEGMENTS OF HIGHWAY IN NEWTON COUNTY FROM THE STATE HIGHWAY SYSTEM AND TO RETURN THEM TO THE JURISDICTION OF THE CITY OF NEWTON; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO CONSTRUCT TO FOUR LANES FOR HIGHWAY TRAFFIC A CERTAIN PORTION OF OLD U.S. HIGHWAY 45 IN THE CITY OF MERIDIAN AND LAUDERDALE COUNTY; TO DESIGNATE A CERTAIN SEGMENT OF MISSISSIPPI HIGHWAY 25 IN MONROE COUNTY AS THE "MONROE COUNTY PARKWAY"; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO LANDSCAPE THE RIGHT-OF-WAY OF SUCH SEGMENT; TO PROHIBIT THE CONSTRUCTION OR ERECTION OF ANY ADVERTISEMENT OR ADVERTISEMENT SIGN WITHIN 1,000 FEET OF THE RIGHT-OF-WAY OF SUCH SEGMENT AND TO PROVIDE CERTAIN EXCEPTIONS THERETO; TO REQUIRE MISSISSIPPI HIGHWAY 25 TO INTERSECT WITH U.S. HIGHWAY 278 AT A CERTAIN POINT WITHIN THE CITY OF AMORY; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A CONNECTOR FROM OLD MISSISSIPPI HIGHWAY 25 AT OR NEAR THE CITY LIMITS OF AMORY TO NEW MISSISSIPPI HIGHWAY 25; TO AMEND SECTION 65-37-13, MISSISSIPPI CODE OF 1972, TO DELAY FOR ONE YEAR THE BEGINNING OF THE EIGHT-YEAR PERIOD DURING WHICH THE LEGISLATURE IS REQUIRED EACH YEAR TO APPROPRIATE GENERAL FUND REVENUES TO THE LOCAL SYSTEM

BRIDGE REPLACEMENT AND REHABILITATION FUND; TO AUTHORIZE MONIES IN THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND, SUBJECT TO CERTAIN LIMITATIONS, TO BE CREDITED TO A COUNTY IN ADVANCE OF NORMAL ACCRUAL; TO AMEND SECTION 65-3-3, MISSISSIPPI CODE OF 1972, TO RECOMPILE THE SECTIONS OF LAW THAT LIST AND DESCRIBE THOSE HIGHWAYS AND HIGHWAY SEGMENTS THAT COMPRISE THE DESIGNATED STATE HIGHWAY SYSTEM; TO RECODIFY AS A NEW SECTION 65-3-71.51, MISSISSIPPI CODE OF 1972, THAT PORTION OF CHAPTER 471, LAWS OF 1996, DESIGNATING A CERTAIN ROUTE IN PIKE COUNTY AS THE "HERSHAL L. GRADY MEMORIAL HIGHWAY"; TO REPEAL SECTIONS 65-3-5, 65-3-7, 65-3-9, 65-3-11, 65-3-13, 65-3-15, 65-3-17, 65-3-19, 65-3-21, 65-3-23, 65-3-25, 65-3-27, 65-3-33, 65-3-37, 65-3-72, 65-3-73, 65-3-74, 65-3-75, 65-3-76, 65-3-77, 65-3-78, 65-3-79, 65-3-81, 65-3-83, 65-3-85, 65-3-87, 65-3-89, 65-3-91, 65-3-93, 65-3-95, 65-3-101, 65-3-103, 65-3-105, 65-3-107, 65-3-109, 65-3-111, 65-3-113, 65-3-115, 65-3-117, 65-3-119, 65-3-121, 65-3-123, 65-3-125, 65-3-127, 65-3-129 AND 65-3-131, MISSISSIPPI CODE OF 1972, WHICH ADD AND DELETE CERTAIN HIGHWAY SEGMENTS TO AND FROM THE DESIGNATED STATE HIGHWAY SYSTEM; AND FOR RELATED PURPOSES. (May 20, 2000; 6:14 AM)

H.B. 1494: AN ACT TO AMEND SECTION 65-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO ACQUIRE BY GIFT, PURCHASE OR OTHERWISE, WETLANDS CREDITS FROM AN APPROVED ORGANIZATION WITH A PLAN ESTABLISHING A WETLAND MITIGATION BANK; AND FOR RELATED PURPOSES. (May 20, 2000; 6:15 AM)

H.B. 1506: AN ACT TO AMEND SECTIONS 1, 2, 4 AND 5 OF CHAPTER 309, LAWS OF 1966, AS AMENDED BY CHAPTER 496, LAWS OF 1982, TO REDESIGNATE THE MANTACHIE NATURAL GAS DISTRICT AS THE NORTHEAST MISSISSIPPI NATURAL GAS DISTRICT AND TO INCREASE THE LIMIT ON THE AMOUNT OF REVENUE BONDS THAT THE DISTRICT MAY ISSUE; AND FOR RELATED PURPOSES. (May 20, 2000; 6:16 AM)

H.B. 1534: AN ACT TO AMEND SECTION 99-41-11, MISSISSIPPI CODE OF 1972, TO CLARIFY THE RECONSIDERATION OF A DECISION MADE UNDER THE CRIME VICTIMS' COMPENSATION ACT AND TO REVISE THE PROVISIONS CONCERNING A CONTESTED HEARING; TO AMEND SECTION 99-41-13, MISSISSIPPI CODE OF 1972, TO CLARIFY JUDICIAL REVIEW; TO AMEND SECTION 99-41-17, MISSISSIPPI CODE OF 1972, TO REVISE THE FILING REQUIREMENTS; TO AMEND SECTION 99-41-23, MISSISSIPPI CODE OF 1972, TO REVISE THE LOST WAGE BENEFIT IN THE EVENT OF THE VICTIM'S DEATH; TO AMEND SECTION 99-41-25, MISSISSIPPI CODE OF 1972, TO CORRECT THE TITLE OF THE PROGRAM DIRECTOR; TO CODIFY SECTION 99-41-31, MISSISSIPPI CODE OF 1972, TO PROTECT THE NAMES OF CRIME VICTIMS AND THE CONFIDENTIALITY OF RECORDS; TO AMEND SECTION 11-51-99, MISSISSIPPI CODE OF 1972, TO CLARIFY THE SUPERSEDEAS OF A FIDUCIARY ON APPEAL; AND FOR RELATED PURPOSES. (May 20, 2000; 6:17 AM)

H.B. 1610: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2001. (May 20, 2000; 8:00 AM)

H.B. 1615: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2001.
(May 20, 2000; 8:01 AM)

H.B. 1616: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2001. (May 20, 2000; 8:02 AM)

H.B. 1617: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2001; AND FOR RELATED PURPOSES.
(May 20, 2000; 8:02 AM)

H.B. 1619: AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PAYING COMPENSATION TO THE CHICKASAW CESSION COUNTIES FOR THE FISCAL YEAR 2001. (May 20, 2000; 8:03 AM)

H.B. 1624: AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF SUCH LAW FOR THE FISCAL YEAR 2001.
(May 20, 2000; 8:04 AM)

H.B. 1625: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2001. (May 20, 2000; 8:05 AM)

H.B. 1626: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2001. (May 20, 2000; 8:06 AM)

H.B. 1628: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF BEAUVOIR SHRINE FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE IN DEVELOPING, MAINTAINING AND OPERATING BEAUVOIR SHRINE FOR THE FISCAL YEAR 2001.
(May 20, 2000; 8:07 AM)

H.B. 1629: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2001. (May 20, 2000; 8:08 AM)

H.B. 1630: AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI RIVER PARKWAY COMMISSION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION FOR THE FISCAL YEAR 2001. (May 20, 2000; 8:09 AM)

H.B. 1631: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2001.
(May 20, 2000; 8:10 AM)

H.B. 1632: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2001.
(May 20, 2000; 8:11 AM)

H.B. 1633: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2001.
(May 20, 2000; 8:12 AM)

Respectfully submitted,

Erich Howard
Legislative Aide