

May 23, 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. 117: AN ACT TO AMEND SECTION 63-1-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN APPLICANT FOR A MISSISSIPPI DRIVER'S LICENSE WHO, AT THE TIME OF APPLICATION, HOLDS A VALID MOTOR VEHICLE DRIVER'S LICENSE ISSUED BY ANOTHER STATE SHALL NOT BE REQUIRED TO TAKE A WRITTEN TEST; AND FOR RELATED PURPOSES. (May 23, 2000; 8:00 AM)

H.B. 292: AN ACT TO AMEND SECTION 69-3-1, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS UNDER THE AGRICULTURAL SEED LAW; TO AMEND SECTION 69-3-5, MISSISSIPPI CODE OF 1972, TO REVISE LABELING REQUIREMENTS FOR SEEDS; TO AMEND SECTION 69-3-19, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD AND FEE FOR FILING COMPLAINTS WITH THE DEPARTMENT; TO CREATE SECTION 69-3-20, MISSISSIPPI CODE OF 1972, TO RECODIFY AND TO REVISE THE METHOD OF APPOINTMENT TO THE ARBITRATION COUNCIL; TO CREATE SECTION 69-3-22, MISSISSIPPI CODE OF 1972, TO RECODIFY PROCEDURE FOR COMPLAINT BEFORE THE COUNCIL; TO REVISE THE FILING FEE; TO AMEND SECTION 69-3-25, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR VIOLATIONS; TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION 69-3-29, MISSISSIPPI CODE OF 1972, TO PROVIDE ADMINISTRATIVE PROCEDURES FOR THE HANDLING OF COMPLAINTS AND EVIDENTIARY HEARINGS CONCERNING VIOLATIONS OF THE SEED LAW; TO AMEND SECTION 25-41-3, MISSISSIPPI CODE OF 1972, TO EXEMPT THE SEED ARBITRATION COUNCIL FROM THE OPEN MEETINGS ACT; TO AMEND SECTION 69-3-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES. (May 23, 2000; 11:30 AM)

H.B. 340: AN ACT TO AMEND SECTION 69-2-13, MISSISSIPPI CODE OF 1972, TO EXTEND THE PROGRAM THAT AUTHORIZES THE MISSISSIPPI BUSINESS FINANCE CORPORATION TO LOAN OR GRANT FUNDS TO CERTAIN ENTITIES FOR LOAN REVOLVING FUNDS TO ASSIST IN PROVIDING FINANCING FOR MINORITY ECONOMIC DEVELOPMENT AND TO INCREASE THE AMOUNT THAT MAY BE DRAWN FOR SUCH PURPOSE FROM THE EMERGING CROPS FUND FROM \$16,000,000.00 TO \$18,000,000.00; TO AUTHORIZE THE PROGRAM THAT GUARANTEES CERTAIN BONDS THAT MINORITY BUSINESSES ARE REQUIRED TO OBTAIN CONTRACTS WITH GOVERNMENTAL ENTITIES TO APPLY TO CONTRACTS WITH FEDERAL AGENCIES; TO PROVIDE THAT THE MISSISSIPPI BUSINESS FINANCE CORPORATION SHALL MAKE FUNDS AVAILABLE FROM THE EMERGING CROPS FUND TO THE AGRIBUSINESS AND NATURAL RESOURCE DEVELOPMENT

CENTER THROUGH ALCORN STATE UNIVERSITY TO SUPPORT THE DEVELOPMENT OF A COOPERATIVE PROGRAM FOR AGRIBUSINESS DEVELOPMENT, MARKETING AND NATURAL RESOURCES DEVELOPMENT; TO PROVIDE THAT THE MISSISSIPPI BUSINESS FINANCE CORPORATION SHALL MAKE FUNDS AVAILABLE FROM THE EMERGING CROPS FUND TO THE SMALL FARM DEVELOPMENT CENTER AT ALCORN STATE UNIVERSITY TO BE USED BY THE SMALL FARM DEVELOPMENT CENTER TO MAKE LOANS TO PRODUCERS OF SWEET POTATOES AND COOPERATIVES IN THE STATE OWNED BY SWEET POTATO PRODUCERS TO ASSIST IN THE PLANTING OF SWEET POTATOES AND THE PURCHASE OF SWEET POTATO PRODUCTION AND HARVESTING EQUIPMENT; TO PROVIDE THAT THE MISSISSIPPI BUSINESS FINANCE CORPORATION SHALL MAKE FUNDS AVAILABLE FROM THE EMERGING CROPS FUND TO THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE "MAKE MISSISSIPPI MINE" PROGRAM; AND FOR RELATED PURPOSES.

(May 23, 2000; 11:27 AM)

H.B. 723: AN ACT TO AMEND SECTION 63-19-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RECORDS/DOCUMENTS" FOR THE PURPOSES OF THE MOTOR VEHICLE SALES FINANCE LAW; TO AMEND SECTION 63-19-11, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSE FEE UNDER THE MOTOR VEHICLE SALES FINANCE LAW; TO AMEND SECTION 63-19-15, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION WHICH PROVIDES THAT THE COMMISSIONER OF BANKING SHALL ENDORSE THE CHANGE OF LOCATION OF A MOTOR VEHICLE SALES FINANCE COMPANY ON THE LICENSE WITHOUT CHARGE; TO AMEND SECTION 63-19-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO CHARGE MOTOR VEHICLE SALES FINANCE LICENSEES AN EXAMINATION FEE; TO AMEND SECTION 63-19-31, MISSISSIPPI CODE OF 1972, TO CORRECT SEVERAL INTERNAL REFERENCES; TO AMEND SECTION 63-19-55, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE MOTOR VEHICLE SALES FINANCE LAW; TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN CHAPTER 19 OF TITLE 63, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO EXAMINE PERSONS REASONABLY SUSPECTED OF CONDUCTING BUSINESS THAT REQUIRES A LICENSE UNDER THE MOTOR VEHICLE SALES FINANCE LAW; TO AMEND SECTION 75-15-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RECORDS/DOCUMENTS" FOR THE PURPOSES OF THE SALE OF CHECKS LAW; TO AMEND SECTION 75-15-15, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSE FEE UNDER THE SALE OF CHECKS LAW; TO AMEND SECTION 75-15-19, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO CHARGE LICENSEES UNDER THE SALE OF CHECKS LAW AN EXAMINATION FEE; TO AMEND SECTION 75-15-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE SALE OF CHECKS LAW; TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN CHAPTER 15 OF TITLE 75, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO EXAMINE PERSONS REASONABLY SUSPECTED OF CONDUCTING BUSINESS THAT REQUIRES A LICENSE UNDER THE SALE OF CHECKS LAW; TO AMEND SECTION 75-67-103, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RECORDS/DOCUMENTS" FOR THE PURPOSES OF THE SMALL LOAN REGULATORY LAW; TO AMEND SECTION 75-67-115, MISSISSIPPI CODE

OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO CHARGE LICENSEES UNDER THE SMALL LOAN REGULATORY LAW AN EXAMINATION FEE; TO AMEND SECTION 75-67-203, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RECORDS/DOCUMENTS" FOR THE PURPOSES OF THE SMALL LOAN PRIVILEGE TAX LAW; TO AMEND SECTION 75-67-213, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSE FEE UNDER THE SMALL LOAN PRIVILEGE TAX LAW; TO AMEND SECTION 75-67-215, TO AUTHORIZE THE COMMISSIONER OF BANKING TO IMPOSE CIVIL PENALTIES FOR VIOLATIONS OF THE SMALL LOAN PRIVILEGE TAX LAW; TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN ARTICLE 5 OF CHAPTER 67 OF TITLE 75, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO EXAMINE PERSONS REASONABLY SUSPECTED OF CONDUCTING BUSINESS WHICH REQUIRES A LICENSE UNDER THE SMALL LOAN PRIVILEGE TAX LAW; TO AMEND SECTION 75-67-229, MISSISSIPPI CODE OF 1972, TO ALLOW THE COMMISSIONER OF BANKING TO CHARGE A FEE WHEN ISSUING A NEW LICENSE FOR THE UNEXPIRED PORTION OF THE YEAR SHOWING A NEW LOCATION OF THE SMALL LOAN BUSINESS; TO AMEND SECTION 75-67-403, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A TITLE PLEDGE LENDER TO ENCUMBER THE TITLE AS PART OF THE TITLE PLEDGE TRANSACTION BY PERFECTING ITS SECURITY INTEREST IN THE TITLED PROPERTY; TO DEFINE THE TERM "RECORDS/DOCUMENTS" FOR THE PURPOSES OF THE TITLE PLEDGE ACT; TO AMEND SECTION 75-67-409, MISSISSIPPI CODE OF 1972, TO REQUIRE TITLE PLEDGE LENDERS TO MAINTAIN RECORDS CONTAINING A COMPLETE PAYMENT HISTORY OF EACH CUSTOMER; TO AMEND SECTION 75-67-411, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A PLEDGOR IN A TITLE PLEDGE AGREEMENT TO REDEEM THE PLEDGED PROPERTY WITHIN THREE BUSINESS DAYS AFTER THE TITLE PLEDGE LENDER HAS TAKEN POSSESSION OF THE PROPERTY; TO PROVIDE THAT IF THE PROPERTY IS SOLD AFTER THE THREE-DAY PERIOD, THE LENDER SHALL RETURN TO THE PLEDGOR 85% OF THE AMOUNT RECEIVED FROM THE SALE ABOVE THE AMOUNT NEEDED TO REDEEM THE PROPERTY PLUS A SALES FEE; TO PROVIDE THAT ANY TITLED PERSONAL PROPERTY DEEMED TO BE SALVAGE BY THE LENDER MAY BE DISPOSED OF IMMEDIATELY UPON REPOSSESSION; TO PROVIDE THAT THE TITLE PLEDGE TRANSACTION FORM MUST CONTAIN A BOLDFACE PROVISION THAT NOTIFIES THE PLEDGOR THAT THE TITLED PERSONAL PROPERTY IS SUBJECT TO SALE AT ANY TIME AFTER THE THREE-DAY PERIOD HAS EXPIRED; TO AMEND SECTION 75-67-413, MISSISSIPPI CODE OF 1972, TO REQUIRE A PLEDGOR TO REDUCE THE PRINCIPAL AMOUNT FINANCED BY AT LEAST 10% BEGINNING WITH THE FIRST EXTENSION OR CONTINUATION, RATHER THAN BEGINNING WITH THE THIRD; TO PROVIDE THAT ANY ADDITIONAL PAYMENT OF FUNDS ON THE SAME PLEDGED PROPERTY MUST BE EVIDENCED BY A SEPARATE TITLE PLEDGE AGREEMENT; TO PROHIBIT A TITLE PLEDGE LENDER FROM ADVANCING FUNDS TO A PLEDGOR TO PAY OFF AN EXISTING TITLE PLEDGE AGREEMENT; TO AMEND SECTION 75-67-419, MISSISSIPPI CODE OF 1972, TO REVISE THE FEE FOR A TITLE PLEDGE LENDER LICENSE; TO AMEND SECTION 75-67-421, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INITIAL APPLICATION AND BOND FOR A TITLE PLEDGE LENDER LICENSE SHALL BE FILED WITH THE COMMISSIONER OF BANKING, INSTEAD OF THE LOCAL AUTHORITIES; TO AMEND SECTION 75-67-435, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO CHARGE TITLE PLEDGE LICENSEES AN EXAMINATION FEE; TO CREATE A NEW CODE

SECTION TO BE CODIFIED WITHIN ARTICLE 9 OF CHAPTER 67 OF TITLE 75, MISSISSIPPI CODE OF 1972, TO PROHIBIT LICENSEES UNDER THE TITLE PLEDGE ACT FROM ADVERTISING, DISPLAYING OR PUBLISHING ANY STATEMENT OR REPRESENTATION THAT IS FALSE, MISLEADING OR DECEPTIVE; TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN ARTICLE 9 OF CHAPTER 67 OF TITLE 75, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO EXAMINE PERSONS REASONABLY SUSPECTED OF CONDUCTING BUSINESS WHICH REQUIRES A LICENSE UNDER THE TITLE PLEDGE LOAN ACT; TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN ARTICLE 9 OF CHAPTER 67 OF TITLE 75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LICENSEES UNDER THE TITLE PLEDGE ACT SHALL NOT BE LIABLE FOR ANY ACT OR OMISSION IN CONFORMITY WITH ANY RULE OR REGULATION OF THE COMMISSIONER OF BANKING OR ANY OTHER STATE OR FEDERAL AGENCY OR ANY OPINION OF THE ATTORNEY GENERAL; TO PROVIDE THAT THOSE LICENSEES, ACTING IN CONFORMITY WITH A WRITTEN INTERPRETATION OF A STATE OR FEDERAL AGENCY OR DEPARTMENT, SHALL BE PRESUMED TO HAVE ACTED IN ACCORDANCE WITH APPLICABLE LAW; TO AMEND SECTION 81-19-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RECORDS/DOCUMENTS" FOR THE PURPOSES OF THE CONSUMER LOAN BROKER ACT; TO AMEND SECTION 81-19-15, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTY FOR FAILURE TO PAY THE FEE FOR A CONSUMER LOAN BROKER LICENSE; TO AMEND SECTION 81-19-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO IMPOSE ADMINISTRATIVE FINES FOR VIOLATIONS OF THE CONSUMER LOAN BROKER ACT; TO AMEND SECTION 81-19-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH ADMINISTRATIVE FINES SHALL BE DEPOSITED INTO THE CONSUMER FINANCE FUND AND NOT THE STATE GENERAL FUND; TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN CHAPTER 19 OF TITLE 81, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO EXAMINE PERSONS REASONABLY SUSPECTED OF CONDUCTING BUSINESS WHICH REQUIRES A CONSUMER LOAN BROKER LICENSE; TO AMEND SECTION 81-21-1, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RECORDS/DOCUMENTS" FOR THE PURPOSES OF THE INSURANCE PREMIUM FINANCE COMPANY LICENSURE LAW; TO AMEND SECTION 81-21-3, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSE FEE FOR INSURANCE PREMIUM FINANCE COMPANIES; TO AMEND SECTION 81-21-9, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A CIVIL PENALTY AGAINST ANY INSURANCE PREMIUM FINANCE COMPANY WHICH FAILS TO TIMELY PAY THE REQUIRED LICENSE FEE; TO CREATE A NEW CODE SECTION TO BE CODIFIED WITHIN CHAPTER 21 OF TITLE 81, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING TO EXAMINE PERSONS REASONABLY SUSPECTED OF CONDUCTING BUSINESS WHICH REQUIRES A PREMIUM FINANCE COMPANY LICENSE; AND FOR RELATED PURPOSES. (May 23, 2000; 11:28 AM)

Respectfully submitted,

Erich Howard
Legislative Aide