

# STATE OF MISSISSIPPI

Office of the Governor



## A PROCLAMATION

BY THE  
GOVERNOR

**WHEREAS**, by virtue of the provisions of Section 121 of the Constitution of the State of Mississippi, the Governor is vested with the power to convene, by public Proclamation, the Legislature in Extraordinary Session whenever, in his judgment, the public interest requires it; and

**WHEREAS**, it is my judgment that the public interest requires that the Legislature be convened in Extraordinary Session for the consideration of the matters hereinafter stated:

**NOW, THEREFORE**, I, Phil Bryant, Governor of the State of Mississippi, do hereby issue this Proclamation to convene the Legislature in Extraordinary Session, and do designate Thursday, August 23, 2018, at 10 a.m., as the time, and the State Capitol in the City of Jackson, Mississippi, as the place, in which said Session shall be convened; and do designate as the subjects to be considered at said Extraordinary Session, when so convened, the following matters so relating exclusively to and for no other purpose:

1. AN ACT TO CREATE THE MISSISSIPPI INFRASTRUCTURE MODERNIZATION ACT OF 2018; TO PROVIDE THAT AN AMOUNT EQUAL TO A PORTION OF THE USE TAX REVENUE COLLECTED UNDER THE MISSISSIPPI USE TAX LAW SHALL BE DISTRIBUTED TO MUNICIPALITIES; TO PROVIDE THAT SUCH FUNDS DISTRIBUTED TO MUNICIPALITIES SHALL BE EXPENDED SOLELY FOR PAYING COSTS ASSOCIATED WITH REPAIR, MAINTENANCE AND RECONSTRUCTION OF ROADS, STREETS AND BRIDGES IN MUNICIPALITIES; TO PROVIDE THAT AN AMOUNT EQUAL TO A PORTION OF USE TAX REVENUE COLLECTED UNDER THE MISSISSIPPI USE TAX LAW SHALL BE DEPOSITED INTO A SPECIAL FUND IN THE STATE TREASURY AND USED TO ASSIST COUNTIES IN PAYING COSTS ASSOCIATED WITH THE REPAIR, MAINTENANCE AND RECONSTRUCTION OF ROADS, STREETS AND BRIDGES IN COUNTIES; TO PROVIDE THAT AN AMOUNT EQUAL TO A PORTION OF USE TAX REVENUE COLLECTED UNDER THE MISSISSIPPI USE TAX LAW SHALL BE DEPOSITED INTO THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND; TO AMEND SECTION 65-37-3, MISSISSIPPI CODE OF 1972, TO ALLOW THE STATE AID ROAD ENGINEER TO REVISE ALLOTMENTS OF BRIDGE FUNDS FOR EMERGENCY REPAIR; TO AMEND SECTION 65-37-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL CLOSE DEFICIENT LOCAL BRIDGES UPON REQUEST OF THE STATE AID ROAD ENGINEER; TO AMEND SECTION 65-37-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LOCAL SYSTEM BRIDGE REPLACEMENT REHABILITATION FUNDS TO BE USED FOR LOCAL BRIDGES IN CERTAIN CIRCUMSTANCES; TO BRING FORWARD SECTION 65-37-7, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF AMENDMENT; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY BOARD OF SUPERVISORS TO EXPEND FUNDS ON DEFICIENT BRIDGES DURING 2019, THE LAST YEAR OF THE TERM OF OFFICE; TO IMPOSE AN ANNUAL TAX ON ELECTRIC VEHICLES AND HYBRID VEHICLES IN ADDITION TO ANY OTHER TAXES FOR WHICH THE VEHICLES ARE LIABLE; TO PROVIDE THAT THE TAX ON ELECTRIC VEHICLES AND HYBRID VEHICLES SHALL BE PAID TO THE COUNTY TAX COLLECTOR AT THE SAME TIME AND IN THE SAME MANNER AS THE ANNUAL HIGHWAY PRIVILEGE TAX IS PAID; TO PROVIDE THAT THE TAX COLLECTOR SHALL

REMIT THE PROCEEDS OF THE TAXES TO THE DEPARTMENT OF REVENUE AND THAT THE DEPARTMENT SHALL APPORTION THE PROCEEDS OF THE TAXES AMONG THE VARIOUS PURPOSES SPECIFIED FOR GASOLINE AND DIESEL FUEL TAXES IN THE SAME PROPORTION THAT THOSE TAXES WERE APPORTIONED FOR THOSE PURPOSES DURING THE PREVIOUS STATE FISCAL YEAR; TO AMEND SECTION 1, CHAPTER 479, LAWS OF 2015, TO AUTHORIZE THE ISSUANCE OF ADDITIONAL REVENUE BONDS UNDER SUCH LAW AND TO PROVIDE THAT THE PROCEEDS OF THE ADDITIONAL BONDS SHALL BE DEPOSITED INTO THE EMERGENCY ROAD AND BRIDGE REPAIR FUND AND 2018 TRANSPORTATION AND INFRASTRUCTURE IMPROVEMENTS FUND CREATED IN THIS ACT; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE KNOWN AS THE "EMERGENCY ROAD AND BRIDGE REPAIR FUND"; TO PROVIDE THAT MONEY IN THE FUND SHALL BE UTILIZED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO PROVIDE FUNDING FOR EMERGENCY REPAIRS TO ROADS, STREETS AND HIGHWAYS IN THIS STATE AND EMERGENCY BRIDGE REPAIRS ON PUBLIC ROADS, STREETS AND HIGHWAYS IN THIS STATE; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE KNOWN AS THE "2018 TRANSPORTATION AND INFRASTRUCTURE IMPROVEMENTS FUND"; TO PROVIDE THAT MONIES IN THE FUND SHALL BE USED TO PAY THE COSTS OF CERTAIN TRANSPORTATION AND INFRASTRUCTURE PROJECTS IN THIS STATE; TO AMEND SECTION 49-17-407, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT PROVIDES FOR THE ABATEMENT OF THE ENVIRONMENTAL PROTECTION FEE LEVIED ON BONDED DISTRIBUTORS OF MOTOR FUEL WHEN THE UNOBLIGATED BALANCE IN THE MISSISSIPPI GROUNDWATER PROTECTION TRUST FUND REACHES OR EXCEEDS \$10,000,000.00; TO PROVIDE THAT WHEN THE UNOBLIGATED BALANCE IN THE MISSISSIPPI GROUNDWATER PROTECTION TRUST FUND REACHES OR EXCEEDS \$10,000,000.00, THE DEPARTMENT OF REVENUE SHALL DEPOSIT THE REVENUE DERIVED FROM THE ENVIRONMENTAL PROTECTION FEE INTO THE STATE HIGHWAY FUND; TO AMEND SECTION 75-76-129, MISSISSIPPI CODE OF 1972, TO REQUIRE FEES COLLECTED AS A RESULT OF WAGERS ON SPORTING EVENTS TO BE DEPOSITED INTO THE STATE HIGHWAY FUND.

2. AN ACT TO CREATE THE MISSISSIPPI LOTTERY LAW TO ESTABLISH A STATE LOTTERY; TO CREATE THE MISSISSIPPI LOTTERY CORPORATION TO ADMINISTER THE STATE LOTTERY; TO PROVIDE THAT THE AFFAIRS OF THE CORPORATION SHALL BE ADMINISTERED AND GOVERNED BY A BOARD OF DIRECTORS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; TO PROVIDE THE TERMS OF OFFICE AND POWERS AND DUTIES OF THE BOARD; TO PROVIDE THAT THE MISSISSIPPI LOTTERY CORPORATION SHALL BE MANAGED BY A PRESIDENT SELECTED BY THE BOARD WITH THE APPROVAL OF THE GOVERNOR; TO PROVIDE THAT THE PRESIDENT SHALL SERVE AT THE PLEASURE OF THE BOARD; TO PROVIDE FOR THE POWERS AND DUTIES OF THE PRESIDENT; TO PROVIDE THAT CERTAIN RECORDS OF THE CORPORATION SHALL BE EXEMPT FROM THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO AUTHORIZE THE BOARD TO EMPLOY LEGAL COUNSEL; TO REQUIRE BACKGROUND INVESTIGATION OF APPLICANTS FOR EMPLOYMENT WITH THE CORPORATION; TO PROVIDE FOR THE DISPOSITION OF PROCEEDS RECEIVED FROM THE SALE OF LOTTERY TICKETS; TO PROVIDE FOR APPEALS BY RETAILERS, VENDORS OR APPLICANTS AGGRIEVED BY DECISIONS OF THE PRESIDENT OR THE BOARD OF DIRECTORS; TO PROHIBIT THE SALE OF LOTTERY TICKETS TO ANYONE UNDER THE AGE OF 18; TO PROVIDE THE MANNER IN WHICH PRIZES MAY BE PAID AND TO AUTHORIZE THE VOLUNTARY ASSIGNMENT OF PRIZES; TO PROVIDE FOR THE SELECTION OF LOTTERY TICKET RETAILERS AND THE REQUIREMENTS THAT MUST BE MET TO BECOME A RETAILER; TO PROVIDE THAT THE PROCEEDS FROM THE SALE OF LOTTERY TICKETS AND RECEIVED BY A LOTTERY RETAILER SHALL CONSTITUTE A TRUST; TO PLACE CERTAIN REQUIREMENTS ON VENDORS OF GOODS OR SERVICES NECESSARY FOR

THE IMPLEMENTATION OF THE STATE LOTTERY; TO PROVIDE FOR CRIMINAL BACKGROUND INVESTIGATIONS BY THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY ON POTENTIAL VENDORS, POTENTIAL RETAILERS AND CERTAIN EMPLOYEES OF THE CORPORATION; TO MAKE UNLAWFUL CERTAIN ACTS WITH REGARD TO THE STATE LOTTERY; TO PROVIDE FOR THE DISPOSITION OF PROCEEDS RECEIVED FROM THE SALE OF LOTTERY TICKETS; TO PROVIDE THAT THE NET PROCEEDS COLLECTED FROM THE SALE OF LOTTERY TICKETS SHALL BE DEPOSITED INTO A LOTTERY PROCEEDS FUND CREATED IN THE STATE TREASURY AND TRANSFERRED INTO THE STATE HIGHWAY FUND; TO AMEND SECTION 7-7-211, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF AUDIT TO REVIEW AND APPROVE ANY INDEPENDENT AUDITOR SELECTED BY THE MISSISSIPPI LOTTERY CORPORATION TO CONDUCT AN ANNUAL AUDIT OF THE CORPORATION AND TO CONDUCT AUDITS OR INVESTIGATIONS OF THE MISSISSIPPI LOTTERY CORPORATION IF IN THE OPINION OF THE STATE AUDITOR CONDITIONS JUSTIFY SUCH AUDITS OR INVESTIGATIONS; TO AMEND SECTIONS 25-41-3, 31-7-13, 67-1-71, 97-33-9, 97-33-11, 97-33-13, 97-33-21, 97-33-23, 97-33-31, 97-33-33, 97-33-35, 97-33-37, 97-33-39, 97-33-41, 97-33-43, 97-33-45, 97-33-47 AND 97-33-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT.

Further, I may submit in writing such other matters for consideration during the Extraordinary Session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 21st day of August in the year of our Lord, two thousand eighteen, and of the Independence of the United States of America, the two hundred and forty-third.



PHIL BRYANT  
GOVERNOR

BY THE GOVERNOR

C. DELBERT HOSEMANN, JR.  
SECRETARY OF STATE