

## **RESOLUTION**

**WHEREAS**, during the 2017 Regular Session, the Mississippi Legislature enacted legislation creating the Occupational Licensing Review Commission (the “Commission”) in House Bill 1425; and

**WHEREAS**, the Commission is composed of the Governor, the Secretary of State and the Attorney General, or his or her respective designee; and

**WHEREAS**, the Governor is the Chair of the Commission, and the Secretary of State is the Secretary of the Commission; and

**WHEREAS**, it is necessary for the Commission to adopt meeting guidelines to ensure compliance with the Mississippi Open Meetings Act and House Bill 1425:

**NOW, THEREFORE, BE IT RESOLVED BY THE OCCUPATIONAL LICENSING REVIEW COMMISSION**, that:

1. The Commission shall meet quarterly and at such other times as meetings may be called by the Chair.
2. All meetings of the Commission are declared to be open meetings and shall be open to the public at all times unless an executive session is declared. All meetings shall be conducted in accordance with Miss. Code Ann. § 25-41-1 through § 25-41-17 which govern open meetings (hereinafter referred to as the “Open Meetings Act”). Any member of the public may attend Commission meetings, as provided by law.
3. Normally, the Commission will meet at the Office of the Governor, Walter Sillers Building. When requested by any member of the Commission, the time, day, and location of a regularly scheduled meeting may be changed.
4. Special meetings may be called by the Chair when they are justified.

5. Notice for all meetings shall be consistent with the Open Meetings Act and Miss. Code Ann. § 25-41-13. A copy of the notice shall be made a part of the minutes or other permanent official records of the Commission.
6. A majority of the Commission members shall constitute a quorum at any meeting.
7. Any final action taken by the Commission shall require the affirmative vote of a majority of the members. The method of voting shall be by voice vote unless any one member of the Commission requests a roll call vote. In the event of a Commission meeting conducted with multiple members participating via teleconference/video means, votes shall be recorded by name in roll-call fashion and recorded in the minutes.
8. Any Meeting may be conducted via teleconference or video, or any member may participate by teleconference or video. The Chair shall decide whether a meeting may be conducted via teleconference or video. Notice and conduct of said meeting shall be consistent with the Open Meetings Act and other applicable statutes.
9. An agenda shall be developed for each meeting. Items shall be placed on the agenda with the approval of the Chair before the meeting except in cases of a special called meeting. The Commission may consider and take action on items that are not on the agenda.
10. Written minutes shall be kept for each regular or special meeting of the Commission. The Secretary shall be responsible for maintaining such minutes. The minutes shall show the members present; the date, time, and place of the meeting; an accurate recording of any final actions taken at such meeting; and any other information that the Commission requests be included or reflected in the minutes. The minutes shall be made available for public inspection during regular business hours.

11. Persons wishing to make formal presentations to the Commission shall submit a written request to the Commission not less than ten (10) days prior to a scheduled Commission meeting. Presentations shall be allowed at the discretion of the Commission. The Chair may impose limits on the length of time each person may speak. Members of the public attending a Commission meeting shall have no standing in the conduct of the business of the Commission.

## **RESOLUTION**

**WHEREAS**, the Mississippi Legislature passed House Bill 1425 (“H.B. 1425”) during the 2017 Regular Session creating the “Occupational Board Compliance Act of 2017” and the Occupational Licensing Review Commission (the “Commission”); and

**WHEREAS**, H.B. 1425 requires the Commission to provide active supervision to occupational licensing boards controlled by active market participants to help ensure that these boards and board members avoid liability under federal antitrust laws; and

**WHEREAS**, H.B. 1425 defines “Active market participant” as an individual who is: licensed by an occupational licensing board; provides any service subject to the regulatory authority of an occupational licensing board; or is subject to the jurisdiction of an occupational licensing board; and

**WHEREAS**, H.B. 1425 defines “Occupational licensing board” as an any state executive branch board, commission, department or other agency that is: established for the primary purpose of regulating the entry of persons into, or regulating the conduct of persons within, a particular profession or occupation; authorized to issue and revoke occupational licenses; and is controlled by active market participants; and

**WHEREAS**, the Commission has reviewed these definitions and determined which boards are defined as an “occupational licensing board” by H.B. 1425:

**NOW, THEREFORE, BE IT RESOLVED BY THE OCCUPATIONAL LICENSING REVIEW COMMISSION**, that the following occupational licensing boards are subject to active supervision by the Commission:

1. Mississippi State Board of Public Accountancy
2. Mississippi State Board of Architecture
3. Mississippi Auctioneer Commission

4. Mississippi State Board of Contractors
5. Mississippi Board of Licensure for Professional Engineers and Surveyors
6. State Board of Registration for Foresters of the State of Mississippi
7. Mississippi Board of Registered Professional Geologists
8. Mississippi Motor Vehicle Commission
9. Mississippi Polygraph Examiners Board
10. Mississippi Real Estate Appraiser Licensing and Certification Board
11. Mississippi Real Estate Commission
12. Mississippi Board of Veterinary Medicine
13. Mississippi State Board of Barber Examiners
14. Mississippi Board of Examiners for Social Workers and Marriage and Family Therapists
15. Mississippi State Board of Chiropractic Examiners
16. Mississippi State Board of Cosmetology
17. Mississippi State Board of Examiners for Licensed Professional Counselors
18. Mississippi State Board of Dental Examiners
19. Mississippi State Board of Funeral Service
20. Mississippi State Board of Massage Therapy
21. Mississippi State Board of Medical Licensure
22. Mississippi Board of Nursing
23. Mississippi State Board of Optometry
24. Mississippi State Board of Pharmacy
25. Mississippi State Board of Physical Therapy
26. Mississippi Board of Psychology Examiners
27. Mississippi Fire Personnel Minimum Standards and Certification Board
28. Mississippi Board on Law Enforcement Officers Standards and Training
29. Mississippi Autism Board