



Michael Watson

SECRETARY OF STATE

2022 NASS IDEAS AWARD NOMINATION

"TACKLE THE TAPE"

Submitted by:

Michael Watson
Secretary of State
State of Mississippi

The Tackle the Tape initiative seeks to cut anti-competitive government regulations and increase economic opportunities for individuals across Mississippi by encouraging innovation and job growth. Currently, per capita, Mississippi is the most regulated state in the Southeast. Working closely with the Occupational Licensing Review Commission and other state agencies, as well as small businesses and industry leaders across the state, we have seen tremendous success in helping rid Mississippi of the burdensome "red tape."

General Subject Area of Nomination:
Business Services

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EXECUTIVE SUMMARY

History

Starting a business in Mississippi has always been a quick and easy process. However, many businesses still struggle to stay alive due to unnecessary government regulations. Mississippi's regulatory burden leads the way among southern states with roughly 118,000 restrictive regulations on the books--consisting of 9.3 million words restricting 66 industries.

- According to the Justice Institute¹, Mississippi loses more than 13,000 job-creating opportunities each year due to licensing regulations.
- Over the last 60 years, the number of jobs requiring occupational licenses in Mississippi has grown from 4% to nearly 20%.
- A study from the National Bureau of Economic Research² found that occupational licensing reduces Mississippi's labor supply by 17% to 27%.

Specific examples of restrictive regulations:

- To perform a massage for compensation in Mississippi, one must have completed 600 hours of directly supervised, in-class massage instruction and 100 hours of student clinical hours.
 - This includes 200 hours in massage theory with 10 hours in massage law and ethics; and seven hours in Eastern European massage methods.
- To shampoo hair for compensation in Mississippi, one must have 1,500 hours of cosmetology education.
- Mississippi has a separate barber and cosmetology board. To become a licensed barber, one must attend both schools to have, and maintain, two licenses and adhere to two sets of regulations.
- Through the Motor Vehicle Commission, Mississippi regulates how a car dealership's website must be developed. This includes what information is required on the website, how many clicks it takes to get to various portions of the website, and how often the website must be updated.

Upon taking office, Mississippi Secretary of State Michael Watson, also a small business owner, and his team embarked on cutting the state's anti-competitive regulations that restrict economic development. The onset of the COVID-19 pandemic launched the efforts into overdrive, as opportunities arose to reduce regulations to expand quality healthcare and help small businesses get back to work.

The Tackle the Tape initiative was publicly announced in July 2020, as a premier resource for the business community to "rid the red" in Mississippi.

Significance

Tackle the Tape includes Secretary Watson's voice and votes on the Occupational Licensing Review Commission (OLRC), partnerships with other state agencies, boards, commissions, and businesses, as well as legislative actions. Since launching the initiative, the Secretary of State's Office has received an overwhelming amount of support from state legislators who have reached out for assistance with several key pieces of legislation.

With Secretary Watson's influence, House Bill 1104 (HB1104) was passed during the 2020 Legislative Session. HB1104 granted new authority to the OLRC to review existing regulations subject to the jurisdiction of an occupational licensing board, not only new proposals. The OLRC is comprised of the

¹ https://ij.org/wp-content/uploads/2018/11/Licensure_Report_WEB.pdf

² https://www.nber.org/system/files/working_papers/w25262/w25262.pdf

Mississippi Governor, Secretary of State, and Attorney General who are charged with ensuring the public's health and welfare are protected, resources are used efficiently, and to prevent anti-competitive behavior by the boards.

To increase the efficiency of the Commission's review process, the OLRC unanimously passed an amendment proposed by Secretary Watson to require Mississippi's 29 occupational licensing boards to submit regulatory impact assessments. These reports are to provide the OLRC with the information and analysis needed to make informed decisions by measuring the impact proposed regulations will have on the state's businesses and consumers.

Another piece of critical legislation regarding regulation and licensing reform that has passed with the assistance of Tackle the Tape is House Bill 1263 (HB1263), which provides for recognition of out-of-state occupational licenses for licensees moving to Mississippi.

Additionally, Senate Bill 2626 (SB2626) amended the Mississippi Business Corporation Act to allow corporations to hold annual or special shareholder meetings remotely, removing the in-person restriction. All of these legislative actions help undo financial burdens and limitations on individuals and businesses.

Upon the passage of legislation influenced by the Tackle the Tape initiative, legislators stated:

- "I am so proud that we passed House Bill 1263 to help cut the red tape of getting a license and being able to work in Mississippi. This goes hand and hand with the Secretary of State's project 'Tackle the Tape.' For too long, state agencies have made rules that have made it difficult to work in Mississippi because they didn't want the competition moving in. We want people to move here and raise their family. We have a wonderful state, and I want to join Michael Watson in his efforts of tackling the tape." --**District 92 House Representative Becky Currie.**
- "I am proud we passed Senate Bill 2626 which allows corporations the option to hold annual or shareholder meetings remotely. Anytime we pass legislation that creates efficiency and reduces expenses, it is a good day! Thanks to Michael Watson and the Secretary of State's Offices' support of this bill and also for the work on tackling the tape in Mississippi." --**District 35 Senator Chris Caughman**
- "The greatest challenge in right-sizing government is haltering regulations to ensure fluid and efficient operation. The Occupational Licensing Review Commission must have the authority to censor regulations to avoid over-regulating. Removing undue regulation will contribute to the spirit of free enterprise, and a government of the people." --**District 18 House Representative Jerry R. Turner** on HB1104

With legislative support, the Tackle the Tape initiative quickly spread through name recognition and word of mouth. Secretary Watson and his team received numerous emails, phone calls, text messages, social media messages, etc. asking for assistance with varying regulatory burdens. Due to high demand, the Secretary of State's Office developed a Tackle the Tape website (sos.ms.gov/content/tacklethetape) to create an organized method of tracking reported regulations for review. On the site, the public may report a burdensome regulation directly to the Secretary of State's policy staff for review. Since its creation in late 2020, over 200 individual regulation reports have been filed on the portal with more coming in by the day.

Impacts/Results

The success of Tackle the Tape can be felt on many levels from the White House and State Capitol to Mississippi's business owners and consumers in every corner of the state. Through work with the OLRC, Secretary Watson has assisted in reducing 57 regulations that in some way diminish the state's regulatory burden.

Examples include:

- Board of Pharmacy— removed burdensome national certification requirements for Pharmacy Technicians and implemented on-the-job training in lieu of traditional certification programs.
- Board of Licensed Professional Counselors— created a non-practicing licensure state for Licensed Professional Counselors (LPC) resulting in lower costs; and reduced continuing education requirements for LPCs who are inactive for a period of time but would like to maintain their license.
- Board of Medical Licensure—created a temporary license for out-of-state medical examiners not licensed in Mississippi to practice in the state as a Medical Examiner or Deputy Medical Examiner.
- Board of Massage Therapy—reduced over 100 required classroom education hours for massage therapists; and incorporated out-of-state licensing reciprocity.
- Board of Law Enforcement Officer Standards and Training—removed burden on former state law enforcement officers returning to duty from a federal or other state jurisdiction.

Regulatory reprieves have not just occurred at the state level but have assisted numerous business owners (in-state and out-of-state) and everyday Mississippians. In fact, Mississippi led the nation in the greatest number of new business applications since COVID-19 began, with a 111.94 percent increase from 2019, according to CardConnect³.

When Co-Founder and CEO of Carmigo, Inc., Andrew Warmath, heard about Tackle the Tape, he reached out to Secretary Watson to assist with a permitting issue with another state agency. Warmath was in the process of trying to relocate Carmigo's corporate headquarters to Mississippi, bringing 50 new jobs each exceeding the average annual wage of the state. With Watson's aid, Warmath was able to clarify and complete the necessary requirements to settle the new software company in Tupelo, Mississippi. "Laws can sometimes be detrimental towards innovation and progress. As a new technology startup in Mississippi, we faced some of those laws that were hindering our growth. We reached out to Secretary Watson and his response was very refreshing. He was quick to bring the necessary parties together to find an amicable resolution," Warmath stated.

Mississippi resident and business owner Joseph Cure reached out to Secretary Watson regarding a facility permit regulation with another state agency that was hindering a business on the Mississippi Gulf Coast from commencing operations. With collaboration and partnership from all parties involved, Cure was able to overcome the obstacle to ensure the business doors would open.

Tackle the Tape's effects even gained nationwide recognition. During former President Donald Trump's term, Secretary Watson was contacted by the White House to present on Tackle the Tape during a conference call for the one-year anniversary of the Governors' Initiative on Regulatory Innovation. President Trump utilized the call to provide an update on the Administration's progress on regulatory reform and to highlight what state officials, like Watson, were doing to advance occupational licensing reform and cut regulations.

With the overwhelming response to Tackle the Tape, Secretary Watson has decided to take his efforts a step further with a proactive approach. In January 2022, he will announce a 29 by 29 strategic plan to increase the efficiency of the regulatory review process. Continuing the collaborative theme, he has acquired state and national partners to assist in reviewing all 118,000 regulations in Mississippi's regulatory code for all 29 occupational licensing boards and commissions by the year 2029. Through these efforts, Watson hopes to continue promoting a business-friendly environment which fosters innovation, economic development, and job growth.

³ <https://www.teknovention.biz/southeast-takes-top-five-spots-for-new-business-starts-since-covid-19/>

SUPPORTING MATERIALS

Samples of Social Interactions

4:28

The White House 45 Archived
@WhiteHouse45

Today is the one-year anniversary of our Governors' Initiative on Regulatory Innovation.

This initiative is driving President @realDonaldTrump's deregulatory agenda with State, Local, and Tribal leaders & championing their efforts to cut red tape and grow their economies!

Secretary Michael Watson @... · 10/21/20

I've always appreciated President Trump's (@realDonaldTrump) commitment to cutting the regulatory burden on businesses all across America. Thrilled to do our part and join his efforts with our #TackleTheTape initiative in Mississippi!

Learn more: sos.ms.gov/content/tackle...



Tweet your reply

9:49

James Broughel
@JamesBroughel

Mississippi's #TackletheTape initiative under @MichaelWatsonMS and @MississippiSOS is showing how to tame occupational licensing boards and create jobs @IdealPatricia write about it in a new piece for @Discourse_Mag.



discoursemagazine.com
Taming the Occupational Licensing Boards and Creating Jobs

11:10 AM · 2/10/21 · Twitter Web App

4 Retweets · 5 Quote Tweets · 12 Likes

Tweet your reply

9:52

William Crozer
@CrozerWilliam

Not many people recognize the important role Secretaries of a State serve with respect to business licensing and regulation. Great to see continued work from Secretaries to cut red tape! @MichaelWatsonMS and "Tackle the Tape".

5:23 PM · 9/30/21 · Twitter for iPhone

2 Retweets · 1 Quote Tweet · 6 Likes

Show additional replies, including those that may contain offensive content

Tweet your reply

9:47

Grant Callon
@grantcallon

Really proud of these efforts by my friend and Mississippi's Secretary of State @MichaelWatsonMS. Thank you for your efforts to #TackleTheTape.

Mississippi Secretary of State's... · 8/2/21

It's been one year since we launched our #TackleTheTape initiative, which aims to make it easier to start/operate a business in MS. Watch as Secretary @MichaelWatsonMS gives an update from our office and previews what's in store for the future.

sos.ms.gov/content/tackle...



Tweet your reply

9:50

The Knee CSOR
@KneeCSOR_WVU

@MichaelWatsonMS joined our October occupational #licensing huddle to speak about #TackleTheTape and other #reforms in #Mississippi! Thank you for presenting to our coalition!

Secretary Michael Watson @Mi... · 11/4/21

I'm honored to have our #TackleTheTape initiative cited in Dr. @JamesBroughel's latest paper from the @AdLawCenter on regulatory budgeting and reforms. We've seen great success so far AND we're just getting started! admini...

Show this thread

7:17 PM · 11/4/21 · Twitter for iPhone

3 Retweets · 1 Quote Tweet · 5 Likes

Tweet your reply

9:51

Rep. Jansen Owen
@JansenOwen

Replying to @MichaelWatsonMS and @ColbyW_

Count me in! Thank you for your leadership on this. Government is the largest barrier to economic success in our state. Get government out of the way and let our people succeed. We know Mississippians can do just that. #TackleTheTape

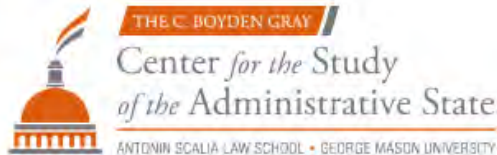
3:37 PM · 12/21/20 · Twitter for iPhone

1 Retweet · 5 Likes

Tweet your reply

Academic Journal Citation

Broughel, J. (n.d.). *The Regulatory Budget in Theory and Practice: Lessons from the U.S. States*. Center for the Study of the Administrative State. Retrieved from <https://administrativestate.gmu.edu/wp-content/uploads/sites/29/2021/10/Broughel-FINAL.pdf>. Page 22.



The Regulatory Budget in Theory and Practice: Lessons from the U.S. States

James Broughel

CSAS Working Paper 21-47

Regulatory Budgeting and Executive Order 13771

Carmigo, Inc. Announcement

Link: <https://mississippi.org/news/carmigo-locating-corporate-headquarters-in-tupelo/>

SEPTEMBER 20, 2021

Carmigo locating corporate headquarters in Tupelo

BUSINESS NEWS MDA NEWS

Jackson, Mississippi – September 20, 2021 – Carmigo, a new software company, is locating its headquarters in Tupelo. The project will create 50 jobs.

Carmigo is an online vehicle marketplace connecting individual sellers with dealers in a one-day auction. The company builds listings for individuals looking to sell a vehicle and then posts them in the marketplace where dealers compete with one another. Carmigo currently has operations in Northeast Mississippi; Nashville, Tennessee; and Birmingham, Alabama. The company will be hiring software developers and operations employees to continually improve the current user interface.

The Mississippi Development Authority certified Carmigo through the Advantage Jobs Rebate Program, which is available for eligible businesses that create new jobs exceeding the average annual wage of the state or county in which the company locates or expands.

Carmigo plans to fill the 50 new jobs over the next two years. For more information about Carmigo, go to carmigo.io/.

Tackle the Tape Website

Link: <https://www.sos.ms.gov/content/tacklethetape/default.aspx>



REPORT A
REGULATION

THE PLAN THE TAPE THE STATS THE SUCCESS

Rid the RED in Mississippi

The Mississippi Secretary of State's Office is excited to introduce our "Tackle the Tape" initiative. Tackle the Tape sets out to cut regulations that are anti-competitive and do not substantially further the safety and well-being of our citizens. Our agency has always served as a premier resource for the business community, and Secretary Michael Watson understands the impact burdensome red tape regulations have on our state's economy. Tackle the Tape will help increase economic opportunities for all Mississippians by promoting competition and encouraging innovation and job growth.



REPORT A REGULATION

You can play a role in cutting back on red tape and government bureaucracy. If you know of any costly, ineffective, burdensome or unenforced regulation affecting you or someone you know, please report it below.

**Denotes a required field*

*Your Name:

*Your E-mail:

*Your Hometown:

*Please enter your message in the space provided below: (Max : 2500 Characters)

Submit

Media Clippings

- WJTV: Mississippi Secretary of State Provides Update on “Tackle the Tape” Initiative
 - Monday, August 2, 2021
 - Link: <https://www.wjtv.com/news/politics/mississippi-secretary-of-state-provides-update-on-tackle-the-tape-initiative/>
- WAPT: New Program Helps Curb Regulations for Mississippi Business Owners
 - Tuesday, August 3, 2021
 - Link: <https://www.wapt.com/article/new-program-helps-curb-regulations-for-mississippi-business-owners/37209815>
- Yall Politics: Mississippi Secretary of State Watson’s “Tackle the Tape” Initiative Marks One Year
 - Wednesday, June 30, 2021
 - Link: <https://yallpolitics.com/2021/06/30/mississippi-secretary-of-state-watsons-tackle-the-tape-initiative-marks-one-year/>
- Delta Business Journal: Tackle the Tape
 - Thursday, July 1, 2021
 - Link: <https://deltabusinessjournal.com/tackle-the-tape/>
- SuperTalk: The JT Show
 - Thursday, July 29, 2021
 - Link: <https://www.youtube.com/watch?v=QDtjmIBk-4E>
 - Timestamp: 1:50

OLRC Votes

For all votes: Secretary Watson voted "yea" unless noted otherwise in RED

August 27, 2020

1. Mississippi Board of Pharmacy: Physician Dispensing Permits
2. Mississippi State Board of Public Accountancy: Compliance Assurance Program
3. Mississippi State Board of Architecture: Various Changes
4. Mississippi State Board of Architecture: Landscape Architecture
5. Mississippi State Board of Architecture: Interior Design
6. Mississippi State Board of Dental Examiners: Licensure by Credentials
7. Mississippi State Board of Dental Examiners: Provisional & Specialty Licensure

March 19, 2021

8. State Board of Examiners for Licensed Professional Counselors: Distance Professional Services & Supervision requirements
9. Mississippi Board of Pharmacy: Partial Filling of Schedule II Prescriptions
10. Mississippi Board of Pharmacy: License Renewal and Continuing Education
11. Mississippi Board of Pharmacy: Responsibility of PIC (*abstained from voting*)
12. Mississippi Board of Pharmacy: Tele-pharmacy (*voted nay*)
13. Mississippi Board of Pharmacy: Licensure
14. Mississippi Board of Nursing: Emergency Practice (RN) (*voted nay*)
15. Mississippi Board of Nursing: Emergency Practice (LPN) (*voted nay*)
16. Mississippi Board of Nursing: Emergency Practice (APRNs)
17. Mississippi Board of Nursing: Repeal Certified Clinical Hemodialysis Technicians Regulations
18. Mississippi Motor Vehicle Commission: Responsibilities of Registrant
19. Mississippi Board of Nursing Home Administrators: Administrator-In-Training Programs
20. Mississippi Board of Dental Examiners: Administration of Anesthesia

June 7, 2021

21. Mississippi State Board of Medical Licensure: Temporary Licensure
22. Mississippi State Board of Medical Licensure: Definitions & Emergency Waiver
23. Mississippi State Board of Medical Licensure: Supervising Physician
24. Mississippi State Board of Medical Licensure: Definitions
25. Mississippi State Board of Medical Licensure: Duty to Report Collaborative Relationships
26. Mississippi State Board of Medical Licensure: Extended Mileage Collaboration and Board Review
27. Mississippi State Board of Medical Licensure: Primary Care Extended Mileage
28. Mississippi State Board of Medical Licensure: Backup and Emergency Coverage
29. Mississippi State Board of Medical Licensure: Billing for Collaborative Oversight
30. Mississippi State Board of Medical Licensure: Quality Improvement
31. Mississippi State Board of Medical Licensure: Violation of Rules
32. Mississippi State Board of Medical Licensure: Federal Facilities
33. Mississippi Board of Pharmacy: Pharmacy Board Examination
34. Mississippi Board of Pharmacy: Pharmacy Extern / Intern Registration & Practical Experience
35. Mississippi Board of Pharmacy: Compounding Guidelines
36. Mississippi Board of Pharmacy: Pharmacy Extern / Intern Registration
37. Mississippi Board of Pharmacy: Pharmaceutical Health Care Initiation and Modification of Drug Therapy under Protocol
38. Mississippi Board of Pharmacy: Hearing Procedures
39. Mississippi Board of Pharmacy: Settlement Negotiations
40. Mississippi Board of Pharmacy: Background Checks

41. The OLRC unanimously passed Secretary Watson's Resolution to include language to require Regulatory Impact Assessments when occupational licensing boards and commissions submit regulations to the OLRC.

August 4, 2021

42. Mississippi State Board of Architecture: Military Family Freedom Act
43. Mississippi State Board of Architecture: Landscape Architecture Advisory Committee
44. Mississippi State Board of Architecture: Interior Design Advisory Committee
45. Mississippi Motor Vehicle Commission: Delivery and Preparation Obligations and Reimbursement
46. Mississippi Motor Vehicle Commission: Advertising (*abstained from voting*)
47. Board of Law Enforcement Officer Standards and Training: Various Changes
48. Mississippi Board of Nursing: Rules of Procedure-Fresh Start Act
49. Mississippi Board of Nursing: Continuing Education (RN, LPN, & APRN)

November 9, 2021

50. Mississippi State Board of Dental Examiners: Provisional & Specialty Licensure
51. Mississippi State Board of Dental Examiners: License Renewal & Fee Schedule
52. Mississippi State Board of Contractors: Commercial Construction
53. Mississippi State Board of Contractors: Residential Builders & Remodelers
54. Mississippi State Board of Examiners and Licensed Professional Counselors: Licensure Categories and Fee Schedules
55. Mississippi Fire Personnel Minimum Standards and Certification Board: Licensing Reciprocity and Certification
56. Mississippi Motor Vehicle Commission: Standard for a Salesperson (*voted nay*)
57. Mississippi Board of Pharmacy: Prescription/Orders Authorization
58. Mississippi Board of Pharmacy: Pharmacy Technician Requirements
59. Mississippi Board of Pharmacy: Pharmacy Benefit Manager
60. Mississippi State Board of Medical Licensure: Release of Medical Records
61. Mississippi State Board of Medical Licensure: Medical Examiners
62. Mississippi Auctioneer Commission: General Rules and Licensing Reciprocity
63. Mississippi State Board of Massage Therapy: Entire Admin Code-various amendments