

By: Clark

To: Public Utilities;
Rules

HOUSE BILL NO. 1028

1 AN ACT TO CREATE A STUDY COMMITTEE ON DEREGULATING THE
2 ELECTRIC UTILITY INDUSTRY IN MISSISSIPPI; TO DIRECT THE COMMITTEE
3 TO MAKE A WRITTEN REPORT OF ITS FINDINGS AND RECOMMENDATIONS
4 BEFORE DECEMBER 1, 2000; AND FOR RELATED PURPOSES.

5 WHEREAS, electricity is a necessity for all individuals,
6 industries, businesses and municipalities in the State of
7 Mississippi; and

8 WHEREAS, the generation and transmission of electric power
9 and the sale and distribution of electricity to consumers within
10 the state are affected by the public interest; and

11 WHEREAS, markets for electricity are changing nationally and
12 appear to be moving toward increased competition; and

13 WHEREAS, there is a need for careful consideration of all
14 issues involving customer choice and the potential deregulation
15 of, and competition in, the electric utility industry and the
16 system of electric utility regulations: NOW, THEREFORE,

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

18 SECTION 1. (1) There is created a Study Committee on
19 Deregulating the Electric Utility Industry in Mississippi to study
20 and make recommendations to the Legislature on all aspects of
21 deregulating or restructuring the electric utility industry in the
22 State of Mississippi. The committee shall make a report of its
23 findings and recommendations to the Legislature before December 1,
24 2000.

25 (2) The study committee shall be composed of the following
26 thirty-two (32) members:

27 (a) The Chairmen of the House Public Utilities,

28 Appropriations and Ways and Means Committees;

29 (b) Three (3) members of the House of Representatives
30 appointed by the Speaker of the House, or their designees from the
31 House membership;

32 (c) The Chairmen of the Senate Public Utilities,
33 Appropriations, Finance and Economic Development, Tourism and
34 Parks Committees;

35 (d) Two (2) members of the Senate appointed by the
36 Lieutenant Governor, or their designees from the Senate
37 membership;

38 (e) The Governor or his designee;

39 (f) A member of the Public Service Commission or his
40 designee from the staff of the Public Service Commission;

41 (g) The Executive Director of the Public Utilities
42 Staff or his designee from the Public Utilities Staff;

43 (h) The Chairman of the State Tax Commission or his
44 designee from the staff of the State Tax Commission;

45 (i) The Attorney General or his designee from within
46 the Office of the Attorney General;

47 (j) The President of Mississippi Power Company or his
48 designee from within the company;

49 (k) The President of Entergy Mississippi, Inc., or her
50 designee from within the company;

51 (l) A representative of an electric power association
52 in Mississippi appointed by the Electric Power Associations of
53 Mississippi;

54 (m) A representative of a municipal public utility
55 providing electricity services appointed by the Municipal Energy
56 Agency of Mississippi;

57 (n) A representative of the Tennessee Valley Authority;

58 (o) The President of Mississippi Valley Gas Company or
59 his designee from within the company;

60 (p) A representative of the Mississippi Manufacturers

61 Association;

62 (q) Three (3) residential consumers of electricity from
63 rural areas of the state, one (1) each appointed by the Governor,
64 Lieutenant Governor and Speaker of the House;

65 (r) Three (3) residential consumers of electricity from
66 urban areas of the state, one (1) each appointed by the Governor,
67 Lieutenant Governor and Speaker of the House;

68 (s) A representative of an advocacy group in
69 Mississippi which is for retail competition in the electric
70 utility industry appointed by the Speaker of the House; and

71 (t) A representative of an advocacy group in
72 Mississippi which is against retail competition in the electric
73 utility industry appointed by Lieutenant Governor.

74 In making their appointments, the Governor, Lieutenant
75 Governor and Speaker of the House shall endeavor to achieve a
76 diverse representation, with all socioeconomic populations and
77 geographical areas of the state being represented on the
78 committee.

79 (3) If any chairman of a legislative committee serving on
80 the study committee is unable to attend any meeting of the
81 committee, the vice chairman of the respective committee may
82 attend and vote at such meeting. Appointments shall be made
83 within thirty (30) days after passage of this act. Within fifteen
84 (15) days thereafter, on a day to be designated jointly by the
85 Speaker of the House and the Lieutenant Governor, the study
86 committee shall meet and organize by selecting from its membership
87 a chairman and vice chairman. The vice chairman shall serve as
88 secretary and shall be responsible for keeping all records of the
89 study committee. A majority of the members of the study committee
90 shall constitute a quorum. In the selection of its officers and
91 the adoption of rules, resolutions and reports, an affirmative
92 vote of a majority of the study committee is required. All
93 members shall be notified in writing of all meetings, and such

94 notices must be mailed at least five (5) days before the date on
95 which a meeting is to be held.

96 (4) For attending meetings of the study committee, members
97 who are not legislators shall be compensated at the per diem rate
98 authorized by Section 25-3-69, Mississippi Code of 1972, and shall
99 be reimbursed in accordance with Section 25-3-41, Mississippi Code
100 of 1972, for mileage and actual expenses incurred in attending
101 meetings of the committee. Each legislative member of the
102 committee shall be paid from the contingent expense fund of his
103 respective house per diem in the amount authorized by Section
104 25-3-69, Mississippi Code of 1972, and a mileage allowance and an
105 expense allowance in the amount authorized by Section 5-1-47,
106 Mississippi Code of 1972. However, no per diem, mileage allowance
107 or expense allowance may be paid for attending meetings of the
108 committee while the Legislature is in session, and no per diem,
109 mileage allowance or expense allowance may be paid without prior
110 approval of the proper committee in the member's respective house.

111 Any member who is also a state employee shall not be eligible to
112 receive per diem compensation. No study committee member may incur
113 per diem, travel or other expenses unless previously authorized by
114 vote, at a meeting of the study committee, which action must be
115 recorded in the official minutes of the meeting. Nonlegislative
116 members may be paid from any funds made available to the study
117 committee for that purpose.

118 (5) The study committee may employ consultants or staff and
119 may utilize clerical and legal staff employed by the Public
120 Utilities Staff, the Office of the Governor, the Legislature and
121 any other staff assistance made available to it.

122 (6) Funding for the study committee may be provided from any
123 funds that may be appropriated by the Legislature for the expenses
124 of the study committee. The study committee may accept money from
125 any source, public or private, to be expended in implementing its
126 duties under this act.

127 (7) Upon presentation of its report to the Legislature
128 before the 2001 Regular Session, the study committee shall be
129 dissolved.

130 SECTION 2. This act shall take effect and be in force from
131 and after its passage.