

By: Franks

To: Public Utilities;
Ways and Means

HOUSE BILL NO. 1506

1 AN ACT TO AMEND SECTIONS 1, 2, 4 AND 5 OF CHAPTER 309, LAWS
2 OF 1966, AS AMENDED BY CHAPTER 496, LAWS OF 1982, TO REDESIGNATE
3 THE MANTACHIE NATURAL GAS DISTRICT AS THE NORTHEAST MISSISSIPPI
4 NATURAL GAS DISTRICT AND TO REMOVE THE LIMIT ON THE AMOUNT OF
5 REVENUE BONDS THAT THE DISTRICT MAY ISSUE; AND FOR RELATED
6 PURPOSES.

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

8 SECTION 1. Section 1, Chapter 309, Laws of 1966, as amended
9 by Chapter 496, Laws of 1982, is amended as follows:

10 Section 1. The Northeast Mississippi Gas District is hereby
11 created, said district being composed of the following described
12 areas:

13 (a) All that part of Itawamba County, Mississippi,
14 lying west of the Tombigbee River;

15 (b) That portion of Lee County lying within one-half
16 (1/2) mile on either side of the center line of State Highway 363,
17 extending a distance of five (5) miles west from the county line
18 dividing Itawamba and Lee Counties;

19 (c) That portion of Lee County lying within one-half
20 (1/2) mile on either side of the center line of U.S. Highway 78,
21 extending a distance of five (5) miles west from the county line
22 dividing Itawamba and Lee Counties, and the unincorporated
23 community of Mooreville in Lee County; and

24 (d) That portion of Lee County lying within one-half
25 (1/2) mile on either side of the center line of State Highway 371
26 (being the highway from Mantachie to Mooreville), extending a
27 distance of five (5) miles southwest from the county line dividing
28 Itawamba and Lee Counties.

29 SECTION 2. Section 2, Chapter 309, Laws of 1966, as amended
30 by Chapter 496, Laws of 1982, is amended as follows:

31 Section 2. The said Northeast Mississippi Gas District shall
32 be and is hereby declared to be a valid political subdivision of
33 the State of Mississippi, with the power to sue and be sued and to
34 contract and be contracted with.

35 SECTION 3. Section 4, Chapter 309, Laws of 1966, as amended
36 by Chapter 496, Laws of 1982, is amended as follows:

37 Section 4. From and after the effective date of this act,
38 the powers of the Northeast Mississippi Gas District shall be
39 vested in and exercised by a board of commissioners consisting of
40 three (3) residents of the district. The Governor shall appoint
41 an interim board, the term of which shall expire upon completion
42 of the construction of the district's natural gas transmission and
43 distribution system and the election of a successor board as
44 hereinafter provided.

45 Promptly upon the commencement of natural gas service by the
46 district to not less than ten (10) individually billed users, the
47 commissioners shall give notice to each user of an initial
48 election to be held at a time not less than thirty (30) days nor
49 more than sixty (60) days from such date. The notice shall state
50 the time, place, and manner in which the users may vote upon the
51 selection of the board to terms of one (1), two (2) and three (3)
52 years by ballot of all users of the district. Such election shall
53 be held in a manner and according to procedures to be established
54 by rules and regulations adopted by the board prior to the giving
55 of notice of such election, and a printed copy of such rules and
56 regulations shall accompany the notice to be forwarded by regular
57 mail to the users.

58 Rules and regulations for the conduct of the election shall
59 provide for a method of nomination of commissioners, notice of
60 such nominations to be provided to users not less than ten (10)
61 days prior to the date upon which the election is to be held,

62 along with a method of balloting by mail as well as personal
63 attendance at the time and place of election, a method of
64 balloting by proxy vote, and a method of making additional
65 nominations by users in addition to any nominations proposed by
66 the board of commissioners. The time of the election shall be
67 fixed between the hours of 10:00 a.m. and 6:00 p.m. on a day of
68 the week other than Sunday.

69 In this and all succeeding elections, each user of the
70 district shall have one (1) vote; provided that when a billing is
71 made to more than one (1) person at a single location, each such
72 person shall be limited to casting a pro rata share of the one (1)
73 vote to which the billing location is entitled.

74 Subsequent to the initial election, there shall be held an
75 election annually on a date and in a manner substantially
76 conforming to the initial election, except that in each annual
77 election following the initial election, commissioners shall be
78 elected to terms of three (3) years.

79 Vacancies in the office of commissioner during the interim
80 period shall be filled by appointment of the Governor and,
81 following the holding of the initial election, shall be filled for
82 the unexpired term by the remaining commissioners.

83 SECTION 4. Section 5, Chapter 309, Laws of 1966, as amended
84 by Chapter 496, Laws of 1982, is amended as follows:

85 Section 5. The board shall have the power to make such rules
86 and regulations as it deems necessary to the operation of the
87 district and the subsequent election of commissioners and shall
88 possess, and is hereby granted all necessary power and authority
89 to construct, acquire, improve, repair and extend a natural gas
90 transmission and distribution system and to issue revenue bonds
91 for such purposes. Except as herein provided, all powers with
92 respect to natural gas transmission and distribution systems
93 granted to municipalities of this state by Sections 21-27-11
94 through 21-27-69, Mississippi Code of 1972, are hereby conferred

95 upon and may be exercised within the district by the board as if
96 the system and financing thereof as provided herein were pursuant
97 to said sections.

98 SECTION 5. This act shall take effect and be in force from
99 and after its passage.