

By: Senator(s) Robertson

To: Public Utilities;  
Appropriations

SENATE BILL NO. 3001

1 AN ACT TO AMEND SECTION 77-6-11, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE BOARD OF COMMISSIONERS OF THE MUNICIPAL GAS  
3 AUTHORITY OF MISSISSIPPI TO PARTICIPATE AND VOTE IN MEETINGS VIA  
4 TELECOMMUNICATIONS OR ELECTRONIC MEANS; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 77-6-11, Mississippi Code of 1972, is  
7 amended as follows:

8 77-6-11. The authority shall consist of a board of  
9 commissioners appointed by the respective utility commissions of  
10 the municipalities which are members of the authority. Each  
11 municipality shall appoint one (1) commissioner who may, at the  
12 discretion of the municipality, be an officer or employee of the  
13 municipality, the appointment to be made by resolution. Each  
14 commissioner shall have one (1) vote. Each commissioner shall  
15 serve at the pleasure of the utility commission by which he was  
16 appointed. Each appointed commissioner before entering upon his  
17 duties shall enter into bond with a corporate surety in an amount  
18 not less than Ten Thousand Dollars (\$10,000.00), conditioned on  
19 the faithful performance of his duties, and shall take and  
20 subscribe to an oath, before some person authorized by law to  
21 administer oaths, to execute the duties of his office faithfully  
22 and impartially, and such bond and oath shall be filed with the  
23 governing authority of the appointing municipality and spread upon  
24 its minutes. The premiums on such bonds shall be paid by the  
25 municipality.

26 The board of commissioners of the authority shall annually  
27 elect one (1) of the commissioners as chairman, another as

28 vice-chairman, and another person or persons who may but need not  
29 be commissioners to serve as treasurer, secretary and, if desired,  
30 assistant secretary. The treasurer shall enter into bond with a  
31 corporate surety in such amount of not less than Twenty-five  
32 Thousand Dollars (\$25,000.00), as may be determined by the  
33 commissioners. The office of treasurer may be held by the  
34 secretary or assistant secretary. The board of commissioners may  
35 also appoint such additional officers as it deems necessary. The  
36 secretary or assistant secretary of the authority shall keep a  
37 record of the proceedings of the authority, and the secretary  
38 shall be the custodian of all records, books, documents and papers  
39 filed with the authority, the minute book or journal of the  
40 authority and its official seal. Either the secretary or the  
41 assistant secretary of the authority may cause copies to be made  
42 of all minutes and other records and documents of the authority  
43 and may give certificates under the official seal of the authority  
44 to the effect that such copies are true copies, and all persons  
45 dealing with the authority may rely upon such certificates.

46 A majority of the commissioners of the authority then in  
47 office shall constitute a quorum. A vacancy in the board of  
48 commissioners of the authority shall not impair the right of a  
49 quorum to exercise all the rights and perform all the duties of  
50 the authority. Any action taken by the authority under the  
51 provisions of this chapter may be authorized by resolution at any  
52 regular or special meeting, and each such resolution shall take  
53 effect immediately and need not be published or posted. A  
54 majority of the votes which the commissioners present are entitled  
55 to cast shall be necessary and sufficient to take any action or to  
56 pass any resolution, provided that such commissioners present are  
57 entitled to cast a majority of the votes of all commissioners of  
58 the board. Any commissioner may participate and vote in regular  
59 or special meetings of the board, as well as meetings of various  
60 committees of the board, via telecommunications or electronic

61 means, and such participation and voting shall have the same  
62 effect as if the commissioner were physically present at such  
63 meetings.

64         No commissioner of the authority shall receive any  
65 compensation for the performance of his duties hereunder, however,  
66 each commissioner may be paid a per diem as provided by Section  
67 25-3-69, Mississippi Code of 1972, while engaged in the  
68 performance of such duties.

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