SENATE BILL NO. 3001
(As Sent to Governor)

AN ACT TO AMEND SECTION 77-6-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE MUNICIPAL GAS AUTHORITY OF MISSISSIPPI TO PARTICIPATE AND VOTE IN MEETINGS VIA TELECOMMUNICATIONS OR ELECTRONIC MEANS AND TO PROVIDE THAT SUCH MEETINGS SHALL BE SUBJECT TO THE OPEN MEETINGS LAW; AND FOR RELATED PURPOSES.

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

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

77-6-11. The authority shall consist of a board of commissioners appointed by the respective utility commissions of the municipalities which are members of the authority. Each municipality shall appoint one (1) commissioner who may, at the discretion of the municipality, be an officer or employee of the municipality, the appointment to be made by resolution. Each commissioner shall have one (1) vote. Each commissioner shall serve at the pleasure of the utility commission by which he was appointed. Each appointed commissioner before entering upon his duties shall enter into bond with a corporate surety in an amount not less than Ten Thousand Dollars ($10,000.00), conditioned on the faithful performance of his duties, and shall take and subscribe to an oath, before some person authorized by law to administer oaths, to execute the duties of his office faithfully and impartially, and such bond and oath shall be filed with the governing authority of the appointing municipality and spread upon its minutes. The premiums on such bonds shall be paid by the municipality.
The board of commissioners of the authority shall annually elect one (1) of the commissioners as chairman, another as vice-chairman, and another person or persons who may but need not be commissioners to serve as treasurer, secretary and, if desired, assistant secretary. The treasurer shall enter into bond with a corporate surety in such amount of not less than Twenty-five Thousand Dollars ($25,000.00), as may be determined by the commissioners. The office of treasurer may be held by the secretary or assistant secretary. The board of commissioners may also appoint such additional officers as it deems necessary. The secretary or assistant secretary of the authority shall keep a record of the proceedings of the authority, and the secretary shall be the custodian of all records, books, documents and papers filed with the authority, the minute book or journal of the authority and its official seal. Either the secretary or the assistant secretary of the authority may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that such copies are true copies, and all persons dealing with the authority may rely upon such certificates.

A majority of the commissioners of the authority then in office shall constitute a quorum. A vacancy in the board of commissioners of the authority shall not impair the right of a quorum to exercise all the rights and perform all the duties of the authority. Any action taken by the authority under the provisions of this chapter may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted. A majority of the votes which the commissioners present are entitled to cast shall be necessary and sufficient to take any action or to pass any resolution, provided that such commissioners present are entitled to cast a majority of the votes of all commissioners of the board. Any commissioner may participate and vote in regular
or special meetings of the board, as well as meetings of various committees of the board, via telecommunications or electronic means, and such participation and voting shall have the same effect as if the commissioner were physically present at such meetings. Any meeting of the board of commissioners or of a committee of the board at which one or more of the commissioners is participating via telecommunications or electronic means shall be subject to the Open Meetings Law (Chapter 41, Title 25, Mississippi Code of 1972), and all discussions during the meeting via telecommunications or electronic means, other than discussions held in executive session, must be open to the public. Notice of any meeting at which one or more commissioners may be participating via telecommunications or electronic means shall specify the location at which the meeting will be open to the public.

No commissioner of the authority shall receive any compensation for the performance of his duties hereunder; however, each commissioner, other than a commissioner participating in a meeting via telecommunications or electronic means, may be paid a per diem as provided by Section 25-3-69 while engaged in the performance of such duties.

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