AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF YAZOO CITY, MISSISSIPPI, TO AUTHORIZE THE PUBLIC SERVICE COMMISSION OF YAZOO CITY TO ACQUIRE, PURCHASE AND/OR CONSTRUCT, OWN, OPERATE AND MAINTAIN, LEASE, SELL, MORTGAGE, PLEDGE OR OTHERWISE DISPOSE OF, A TELECOMMUNICATIONS SYSTEM; AND FOR RELATED PURPOSES.

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

SECTION 1. As used in this act, the following terms shall have the meanings ascribed in this section unless otherwise clearly indicated by the context in which they are used:

(a) "City" means Yazoo City, Mississippi.

(b) "Governing authorities" means the governing authorities of Yazoo City, Mississippi.

(c) "Commission" means the Public Service Commission of Yazoo City, Mississippi.

SECTION 2. The governing authorities, in their discretion, may authorize the commission to:

(a) Acquire, purchase and/or construct, own, operate and maintain, lease, sell, mortgage, pledge or otherwise dispose of, in whole or in part, a telecommunications system within the service area of the commission is comprised of:

(i) Fiberoptic, coaxial, and/or copper conductors with necessary electronics, connections, and other plant and equipment necessary or appropriate to receive, transmit, broadcast and communicate voice, data, and/or video signals; and

(ii) Such other means or instruments of communication, as the governing authorities, in their discretion, may select to accomplish the purposes of this act.
(b) Use the telecommunications system for the receipt, transmission, broadcast, or communication of voice, data, and/or video signals of each and every sort for:

(i) Control, monitoring and regulation of the city's utilities;

(ii) Communications by and among, from or to, the city's departments, and the public, executive, legislative or judicial offices of other governments and educational facilities in Yazoo County, Mississippi; and

(iii) Cable television and other telecommunications services to persons, firms, public or private corporations, or other users or consumers of telecommunication services in the service area of the commission.

(c) Lease, or otherwise by contract, provide access to the telecommunications system to one or more persons, firms, public or private corporations, or other users or consumers of telecommunication services, in order for such lessee(s) or contracting party to provide any lawful telecommunications service in service area of the commission that the governing authorities may deem appropriate.

SECTION 3. To accomplish its telecommunications system, the governing authorities shall have power and is authorized:

(a) To accept grants, loans, or other financial assistance from any federal agency, for or in aid of the acquisition or improvement of the telecommunications system;

(b) To acquire, hold and dispose of any property, real or personal, tangible or intangible, or any right or interest in any such property in connection with the telecommunications system, however, the governing authorities shall dispose of all or substantially all of its telecommunications system only as provided by general law;

(c) To make contracts and execute instruments containing such covenants, terms, and conditions as in the
discretion of the governing authorities may be necessary, proper
or advisable for the purpose of obtaining loans from any federal
agency, including, but without limitation, covenants, terms and
conditions with respect to the acquisition and/or construction of
its telecommunications system or any improvement thereto with
money in whole or in part borrowed from or granted by any such
federal agency and subject to the provisions of any acts or joint
resolutions of the Congress of the United States of America
heretofore or hereafter enacted to encourage such public works; to
make all other contracts and execute all other instruments as in
the discretion of the governing authorities may be necessary,
proper or advisable in or for the furtherance of the acquisition,
 improvement, operation and maintenance of the telecommunications
system and the furnishing of telecommunications system services
authorized by this act; and to carry out and perform the
covenants, terms and conditions of all such contracts or
instruments; and

(d) To do all acts and things necessary or convenient
to carry out the powers expressly given in this act.

SECTION 4. The general supervision and control of the
acquisition, improvement, operation, maintenance and disposition
of the telecommunications system shall be in the charge of the
commission. The governing authorities shall acquire, improve,
operate, maintain and dispose of the telecommunications system as
it shall see fit, in its sole discretion, in accordance with
applicable law.

Subject to the provisions of applicable contracts, the
governing authorities shall determine programs and make all plans
for the acquisition of the telecommunications system, shall make
all determinations as to improvements, rates and financial
practices, may establish such rules and regulations as it may deem
necessary or appropriate to govern the furnishing of
telecommunications services, and may disburse all monies available
for the acquisition, improvement, operation, maintenance or
disposition of the telecommunications system and the furnishing of
telecommunications services.

The commission shall organize the system so as to make and
keep full and proper books and records.

SECTION 5. The governing authorities may adopt any and all
lawful resolutions, orders and ordinances, and do and perform any
and all acts and things necessary and requisite to carry out the
purposes of this act. However, no action taken by the governing
authorities under this act may be in violation of any applicable
federal law or regulation.

SECTION 6. Rates charged by the city for telecommunications
system services shall not be subject to supervision or regulation
by any state bureau, board, commission, or other like
instrumentality or agency thereof. It shall not be necessary for
the governing authorities to obtain any franchise or other permit
from any state bureau, board, commission or other instrumentality
thereof, in order to acquire, purchase and/or construct, improve,
enlarge, extend or repair, operate or maintain, mortgage, pledge,
lease, sell or otherwise use or dispose of its telecommunications
system. However, the governing authorities may obtain such a
franchise from the city or such a permit from state bureaus,
boards, commissions or instrumentalities.

SECTION 7. This act is for the public purpose of promoting
the increased use of telecommunications system services and
promoting competition for telecommunications services in the city.
This act is remedial in nature and the powers granted in it shall
be liberally construed to effectuate the purposes hereof, and to
this end the governing authorities shall have power to do all
things necessary or convenient to carry out the purposes hereof in
addition to the powers expressly conferred. The powers conferred
hereby shall be in addition and supplemental to the powers
conferred by any other law.
SECTION 8. This act shall take effect and be in force from and after its passage.