

By: Representatives Stevens, Frierson,  
Clarke

To: Local and Private  
Legislation

HOUSE BILL NO. 590

1 AN ACT TO AMEND CHAPTER 666, LOCAL AND PRIVATE LAWS OF 1950,  
2 TO RECONSTITUTE THE BOARD OF DIRECTORS OF THE CHICKASAWHAY NATURAL  
3 GAS DISTRICT; TO PRESCRIBE THE TIME, MANNER AND PROCEDURE FOR  
4 ELECTING NEW BOARD MEMBERS; TO PROVIDE FOR THE COMPENSATION OF  
5 BOARD MEMBERS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Chapter 666, Local and Private Laws of 1950, is  
8 amended as follows:

9 Section 1. That the Chickasawhay Natural Gas District,  
10 composed of the towns of Quitman and Shubuta in Clarke County and  
11 the town of Waynesboro in Wayne County, as organized on the  
12 fifteenth day of February, 1950, pursuant to ordinances adopted,  
13 respectively, by the mayors and boards of aldermen of said  
14 municipalities, shall be and the said Chickasawhay National Gas  
15 District is hereby declared to be a valid political subdivision of  
16 the State of Mississippi, with power to sue and be sued, and the  
17 organization and creation thereof pursuant to the aforesaid  
18 ordinance is hereby ratified and confirmed.

19 Section 2. That the ordinances adopted, respectively, by the  
20 mayors and board of aldermen of the aforesaid municipalities and  
21 providing for the organization of the aforesaid district shall be  
22 and the said ordinances are hereby declared to be valid and  
23 lawful.

24 Section 3. That the proceedings had by the majors of the  
25 aforesaid municipalities, acting as the board of directors of the  
26 aforesaid district, on the fifteenth day of February, 1950,  
27 including all resolutions then adopted and all contracts then

28 authorized, shall be and the said proceedings, resolutions and  
29 contracts are hereby declared to be valid and lawful.

30 Section 4. That any and all defects, omissions or  
31 irregularities which occurred in the proceedings of said mayors,  
32 boards of aldermen, and board of directors with reference to the  
33 organization and creation of said district and in the transaction  
34 of business therefor, be and the same are hereby in all respects  
35 cured.

36 Section 5. That said district shall continue to exist as a  
37 political subdivision of the State of Mississippi and shall  
38 possess, and is hereby granted, all power and authority to  
39 construct and install a natural gas supply, transmission and  
40 distribution system, conferred upon municipalities by Chapter 317,  
41 Laws of Mississippi, 1934, being Sections 3537 and 3538, Code of  
42 1942, as amended by Chapter 320 of the Laws of 1948, and all  
43 powers authorized by Chapter 317, Laws of Mississippi, 1934, as  
44 amended, to be exercised by municipalities of the State of  
45 Mississippi with respect to the construction and installation of  
46 gas supply, transmission and distribution systems are hereby  
47 conferred upon and may be exercised by the aforesaid Chickasawhay  
48 Natural Gas District. Provided, however, that it shall not be  
49 necessary to submit the question of the issuance of gas system  
50 revenue bonds to the qualified electors of said district.

51 Section 6. From and after October 1, 2004, the mayors of the  
52 three (3) municipalities shall cease to serve as members of the  
53 district's board of directors. Thirty (30) days before such date,  
54 the district shall conduct an election for successor members of  
55 the board. In the election, one (1) member of the board shall be  
56 elected by the users of the district's services from each of the  
57 three (3) municipalities, one (1) member of the board shall be  
58 elected from the users of the district's services in Clarke County  
59 and one (1) member of the board shall be elected from the users of  
60 the district's services in Wayne County. All elected directors

61 shall take office on October 1, 2004, and shall serve for a term  
62 of four (4) years. The successors to those members who are  
63 elected for a term beginning on October 1, 2004, shall be elected  
64 thirty (30) days before the expiration of the incumbent's term.

65 Any user served by the district shall be eligible to have his  
66 name placed upon the ballot for membership on the board of  
67 directors by filing a request with the district at any of the  
68 offices of the district not less than sixty (60) days before the  
69 election; however, such person must reside in the municipality or  
70 that part of the county where he or she seeks to be elected.

71 The election for all members shall be conducted at the same  
72 time and in the same manner. Ballots shall be distributed by the  
73 district to each household and business customer of the district  
74 at least fifteen (15) days before the election. Any user who  
75 resides in one of the three (3) municipalities within the district  
76 shall be eligible to vote only for a member of the board who  
77 resides in the same municipality. Any user served by the district  
78 who is a resident of a county within the district but who does not  
79 reside within a municipality in the district shall be eligible to  
80 vote only for a member of the board who resides in same county but  
81 who does not reside within a municipality in the district. Each  
82 household and each business customer served by the district shall  
83 be entitled to only one (1) vote in the election. The person  
84 receiving the most votes for the position for which he seeks  
85 election shall be declared the winner.

86 From and after the effective date of House Bill No. 590, 2004  
87 Regular Session, all members of the board shall receive  
88 compensation in the amount authorized under Section 25-3-69,  
89 Mississippi Code of 1972, for each day of actual service rendered  
90 to the district plus travel expenses not to exceed the amount  
91 authorized under Section 25-3-41, Mississippi Code of 1972.

92 **SECTION 2.** The Board of Directors of the Chickasawhay  
93 Natural Gas District shall submit this act, immediately upon

94 approval by the Governor, or upon approval by the Legislature  
95 subsequent to a veto, to the Attorney General of the United States  
96 or to the United States District Court for the District of  
97 Columbia in accordance with the provisions of the Voting Rights  
98 Act of 1965, as amended and extended.

99       **SECTION 3.** This act shall take effect and be in force from  
100 and after the date it is effectuated under Section 5 of the Voting  
101 Rights Act of 1965, as amended and extended.