

By: Senator(s) Albritton, Lee (47th)

To: County Affairs

SENATE BILL NO. 2781

1 AN ACT TO AMEND SECTION 51-11-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE FOR ADDITIONAL REPRESENTATION ON THE PEARL RIVER BASIN
3 DEVELOPMENT DISTRICT BOARD BASED ON A COUNTY'S ANNUAL CONTRIBUTION
4 FOR SUPPORT OF THE DISTRICT; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 51-11-5, Mississippi Code of 1972, is
7 amended as follows:

8 51-11-5. (1) All powers of the Pearl River Basin
9 Development District, hereinafter referred to in this chapter as
10 the district, shall be exercised by a board of directors to be
11 selected and composed as follows:

12 (a) The Mississippi Commission on Environmental
13 Quality, the Mississippi Commission on Wildlife, Fisheries and
14 Parks, the Forestry Commission, and the State Board of Health of
15 the State of Mississippi shall each appoint one (1) director to
16 serve on the board of directors of the district, each such
17 director to serve at the pleasure of the respective state agency
18 appointing him but not to exceed a six-year term.

19 (b) The board of supervisors of each county which
20 elects to become a member of the district shall appoint two (2)
21 directors from that county, each of whom shall serve for a term of
22 six (6) years or until his successor is appointed by the board of
23 supervisors of that county and qualified. In making its initial
24 appointment of directors, the board of supervisors of each member
25 county shall appoint one (1) of its two (2) directors to serve for
26 a term of three (3) years or until his successor is appointed and
27 qualified.

28 (c) In addition to the two (2) directors in paragraph
29 (b), each county shall be entitled to additional representation on
30 the board based on its annual contribution for the support of the
31 district required under Section 51-11-31. If the annual
32 contribution of a county as certified under Section 51-11-31 is
33 more than One Hundred Thousand Dollars (\$100,000.00), the county
34 may appoint one (1) additional director for each increment of One
35 Hundred Thousand Dollars (\$100,000.00), to be contributed. Each
36 additional director shall serve a term of six (6) years. If, in
37 subsequent years, a county's contribution is reduced below One
38 Hundred Thousand Dollars (\$100,000.00), or a multiple thereof, a
39 county's additional representation shall be reduced
40 correspondingly. If a county's contribution representation is
41 reduced, the board of supervisors of the county shall designate
42 the director to be removed. No member county shall be entitled to
43 more than three (3) additional directors under this paragraph.

44 (d) The Governor of the State of Mississippi shall
45 appoint one (1) director residing within the district, who shall
46 serve for a term of six (6) years or until his successor is
47 appointed by the Governor and qualified.

48 (2) Each director shall take and subscribe to the general
49 oath of office required by Section 268 of the Constitution of the
50 State of Mississippi before a chancery clerk, that he will
51 faithfully discharge the duties of the office, which oath shall be
52 filed with the said clerk and by him preserved.

53 (3) Each director shall receive a per diem in the amount as
54 provided in Section 25-3-69 for attending each day's meeting of
55 the board of directors and for each day spent in attending to the
56 necessary business of the district and, in addition, he shall
57 receive reimbursement for actual expenses, including travel
58 expenses, as provided in Section 25-3-41.

59 (4) The board of directors shall annually elect from its
60 number a president and vice president of the district and such

61 other officers as, in the judgment of the board of directors, are
62 necessary. The president shall be the chief executive officer of
63 the district and the presiding officer of the board of directors,
64 and shall have the same right to vote as any other director. The
65 vice president shall perform all duties and exercise all powers
66 conferred by this chapter upon the president when the president is
67 absent or fails or declines to act, except the president's right
68 to vote. The board of directors shall also appoint a secretary
69 and a treasurer who shall be members of the board of directors,
70 and it may combine those officers. The treasurer shall give bond
71 in the sum of not less than Fifty Thousand Dollars (\$50,000.00) as
72 set by the board of directors, and each director may be required
73 to give bond in the sum of not less than Ten Thousand Dollars
74 (\$10,000.00), with sureties qualified to do business in this
75 state, and the premiums on said bonds shall be an expense of the
76 district. Each such bond shall be payable to the State of
77 Mississippi; the condition of each such bond shall be that the
78 treasurer or director will faithfully perform all duties of his
79 office and account for all money or other assets which shall come
80 into his custody as treasurer or director of the district.

81 (5) A majority of the total membership of the board of
82 directors shall constitute a quorum at a regular meeting, or at
83 any special meeting duly called and held for a specific purpose.
84 All business of the district shall be transacted by the
85 affirmative vote of a majority of the total membership of the
86 board of directors.

87 (6) The State Auditor of Public Accounts shall annually
88 audit the books and records of the district and make a report
89 thereof to the Governor and the Legislature.

90 **SECTION 2.** This act shall take effect and be in force from
91 and after July 1, 2004.