

By: Representative Taylor

To: Public Utilities

HOUSE BILL NO. 517

1 AN ACT TO AMEND SECTION 77-15-1, MISSISSIPPI CODE OF 1972, TO  
2 RECONSTITUTE THE BOARD OF DIRECTORS OF CERTAIN LOCAL NATURAL GAS  
3 DISTRICTS; TO PRESCRIBE THE TIME, MANNER AND PROCEDURE FOR  
4 ELECTING NEW BOARD MEMBERS; TO PROVIDE FOR THE COMPENSATION OF  
5 BOARD MEMBERS; TO PROVIDE FOR THE DISCONTINUANCE OF REVENUES OF  
6 THE DISTRICT TO MUNICIPALITIES WITHIN THE DISTRICT; AND FOR  
7 RELATED PURPOSES.

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

9 SECTION 1. Section 77-15-1, Mississippi Code of 1972, is  
10 amended as follows:

11 77-15-1. (1) Notwithstanding any other provisions of law to  
12 the contrary, from and after November 2, 2005, all local natural  
13 gas districts containing two (2) or more municipalities and  
14 nonmunicipal customers shall establish and maintain a board of  
15 directors composed of: (a) one (1) system-user from each  
16 municipality within the district \* \* \*; and (b) one (1)  
17 system-user from each county within the district. From and after  
18 November 2, 2005, none of the directors shall \* \* \* be a public  
19 official.

20 (2) (a) The municipal system-user board members serving on  
21 the effective date of House Bill No. 517, 2005 Regular Session,  
22 shall continue to serve as members until the special election held  
23 under subsection (3) of this section. The board members elected  
24 at such election shall serve until the next general election for  
25 municipal officials, and all elections for such board members  
26 thereafter shall be held at the same time as the election of  
27 municipal officials and the terms of such board members shall be  
28 concurrent with the terms of elected municipal officials.

29           (b) The county system-user board members serving on the  
30 effective date of House Bill No. 517, 2005 Regular Session, shall  
31 continue to serve as members until expiration of their current  
32 terms of office at the next general election for supervisors, and  
33 the election for such board members thereafter shall be held at  
34 the same time as the supervisor elections and the terms of such  
35 board members shall be concurrent with the terms of the  
36 supervisors.

37           (3) The board shall call a special election to be held in  
38 each of the municipalities served by the district on November 8,  
39 2005, for the election of municipal system-user board members. In  
40 the special election, and in all subsequent elections for  
41 municipal system-user board members, system-users who reside in a  
42 municipality within the district shall be eligible to vote only  
43 for a candidate who resides in same municipality.

44           (4) In all elections for county system-user board members,  
45 the county system-user board members shall be elected by the  
46 system-users residing outside of a municipality, in the county in  
47 which such board member resides.

48           (5) In order to qualify as a candidate in any election to  
49 the board, including the special election under subsection (3) of  
50 this section, each person shall obtain, on a petition, twenty-five  
51 (25) signatures from system-users who reside in the municipality  
52 in which the candidate resides and for which he or she seeks to be  
53 elected, in the case of municipal system-user board members, or  
54 twenty-five (25) signatures from system-users who reside in that  
55 part of the county outside of a municipality in which the  
56 candidate resides and for which he or she seeks to be elected, in  
57 the case of county system-user board members.

58           (6) Beginning on the first day of the month first occurring  
59 not less than fifteen (15) days nor more than thirty (30) days  
60 following the effective date of this act, and each month  
61 thereafter, the members of the board shall be entitled to receive

62 Fifty Dollars (\$50.00) for each day for meetings attended and  
63 travel expenses as provided in Section 25-3-41. Such compensation  
64 and travel expenses shall be paid out of any available funds of  
65 the district \* \* \*.

66 (7) From and after the effective date of House Bill No. 517,  
67 2005 Regular Session, the board of directors shall discontinue  
68 distribution of any of the revenues of the district to  
69 municipalities within the district.

70 (8) All board members shall file any required statements of  
71 economic interest with the Ethics Commission as required by law.

72 (9) This section shall not apply to any local natural gas  
73 district which leases its distribution system to an investor-owned  
74 utility company regulated by the Public Service Commission.

75 (10) From and after July 1, 2004, the Board of Directors of  
76 the Chickasawhay Natural Gas District shall discontinue  
77 distribution of any of the revenues of the district to  
78 municipalities within the district.

79 **SECTION 2.** The Attorney General of the State of Mississippi  
80 shall submit this act, immediately upon approval by the Governor,  
81 or upon approval by the Legislature subsequent to a veto, to the  
82 Attorney General of the United States or to the United States  
83 District Court for the District of Columbia in accordance with the  
84 provisions of the Voting Rights Act of 1965, as amended and  
85 extended.

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