

By: Representatives Dedeaux, Bailey, Clarke, Hudson, Robinson (63rd), Rogers (61st) To: Appropriations

HOUSE BILL NO. 1049

1 AN ACT TO AMEND SECTION 51-9-1, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THAT MEMBERS OF THE PEARL RIVER INDUSTRIAL COMMISSION
3 APPOINTED FROM MADISON COUNTY SHALL BE RESIDENTIAL LEASEHOLDERS OF
4 THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT AND RESIDENTS OF
5 MADISON COUNTY; TO AMEND SECTION 51-9-107, MISSISSIPPI CODE OF
6 1972, TO PROVIDE THAT ON JULY 1, 2005, CERTAIN APPOINTMENTS OF THE
7 PEARL RIVER VALLEY WATER SUPPLY DISTRICT BOARD OF DIRECTORS SHALL
8 BECOME VACANT; TO PROVIDE THAT FROM AND AFTER JULY 1, 2005,
9 CERTAIN APPOINTMENTS MADE BY THE BOARDS OF SUPERVISORS SHALL BE
10 FOR A TERM OF FOUR YEARS; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 51-9-1, Mississippi Code of 1972, is
13 amended as follows:

14 51-9-1. There is hereby created the Pearl River Industrial
15 Commission, composed of Hinds, Leake, Madison, Neshoba, Rankin and
16 such other counties in the state through which or bordering which
17 the Pearl River runs. The Governor shall appoint one (1) member
18 to the commission from each county from a list of three (3) names
19 to be submitted by the board of supervisors in each participating
20 county. The three (3) names submitted by the Board of Supervisors
21 of Rankin County shall be the names of persons who reside on and
22 are holders of residential leases from the Pearl River Valley
23 Water Supply District which are located in Rankin County. The
24 three (3) names submitted by the Board of Supervisors of Madison
25 County shall be the names of persons who reside on and are holders
26 of residential leases from the Pearl River Valley Water Supply
27 District which are located in Madison County. In his appointment
28 the Governor shall designate the chairman and vice chairman of the
29 commission. The board of supervisors in any county through which
30 or by which the Pearl River runs, other than those counties named
31 above, may bring that county in as a member of the commission by

32 resolution presented to the Governor; and the board of supervisors
33 in such county may, in its discretion, call an election prior to
34 taking such action, said election to be held as nearly as possible
35 in the same manner other elections are held in the county.

36 **SECTION 2.** Section 51-9-107, Mississippi Code of 1972, is
37 amended as follows:

38 51-9-107. All powers of the district shall be exercised by a
39 board of directors, to be composed of the following:

40 (a) (i) Each member of the Pearl River Industrial
41 Commission whose county becomes a part of the Pearl River Valley
42 Water Supply District shall be a member of the board of directors
43 of the Pearl River Valley Water Supply District. Such directors
44 shall serve on this board during their term of office on the Pearl
45 River Industrial Commission.

46 (ii) In addition, the board of supervisors of each
47 county which becomes a part of the district shall appoint one (1)
48 additional member to the Board of Directors of the Pearl River
49 Valley Water Supply District. Each director position that has
50 been appointed by the board of supervisors shall become vacant on
51 July 1, 2005. From and after July 1, 2005, the board of
52 supervisors of each member county shall appoint one (1) additional
53 member to the Board of Directors of the Pearl River Valley Water
54 Supply District, who shall hold office for a term of four (4)
55 years.

56 (b) The Mississippi Commission on Natural Resources,
57 the Mississippi Commission on Wildlife Conservation, Forestry
58 Commission and the State Board of Health of the State of
59 Mississippi shall each appoint one (1) director from that
60 department to serve on the Board of Directors of the Pearl River
61 Valley Water Supply District to serve at the pleasure of the
62 respective board appointing him.

63 (c) Each director shall take and subscribe to the oath
64 of office required by Section 268 of the Constitution of the State

65 of Mississippi before a chancery clerk, that he will faithfully
66 discharge the duties of the office, which oath shall be filed with
67 the said clerk and by him preserved.

68 (d) Each director shall receive per diem compensation
69 in the amount as provided in Section 25-3-69 for attending each
70 meeting of the board and for each day spent in attending to the
71 necessary business of the district and shall be reimbursed for
72 actual expenses thus incurred upon express authorization of the
73 board, including travel expenses, as provided in Section 25-3-41.

74 (e) The board of directors shall annually elect from
75 its number a president and a vice president of the district, and
76 such other officers as in the judgment of the board are necessary.
77 The president shall be the chief executive officer of the district
78 and the presiding officer of the board, and shall have the same
79 right to vote as any other director. The vice president shall
80 perform all duties and exercise all powers conferred by this
81 article upon the president when the president is absent or fails
82 or declines to act, except the president's right to vote. The
83 board shall also appoint a secretary and a treasurer who may or
84 may not be members of the board, and it may combine those offices.
85 The treasurer shall give bond in the sum of not less than Fifty
86 Thousand Dollars (\$50,000.00) as set by the board of directors and
87 each director shall give bond in the sum of not less than Ten
88 Thousand Dollars (\$10,000.00), and the premiums on said bonds
89 shall be an expense of the district. The condition of each such
90 bond shall be that the treasurer or director will faithfully
91 perform all duties of office and account for all money which shall
92 come into his custody as treasurer or director of the district.

93 **SECTION 3.** This act shall take effect and be in force from
94 and after July 1, 2005.