

By: Senator(s) Harden

To: Public Utilities

SENATE BILL NO. 2810

1 AN ACT TO AMEND SECTION 19-5-307, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE COMPOSITION OF THE BOARD OF COMMISSIONERS THAT MAY
3 BE APPOINTED BY A COMMUNICATIONS DISTRICT OF A COUNTY; TO REQUIRE
4 THE BOARD OF COMMISSIONERS TO REPRESENT BOTH THE COUNTY AND THE
5 INCORPORATED MUNICIPALITIES WITHIN THE COUNTY; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Section 19-5-307, Mississippi Code of 1972, is
9 amended as follows:

10 19-5-307. (1) When any district is created, the board of
11 supervisors of the county creating the district may appoint a
12 board of commissioners composed of at least seven (7) members and
13 not more than fourteen (14) to govern its affairs, and shall fix
14 the domicile of the board at any point within the district. The
15 members of the board shall be qualified electors of the district,
16 two (2) of whom shall be appointed for terms of two (2) years,
17 three (3) for terms of three (3) years, and two (2) for terms of
18 four (4) years, dating from the date of the adoption of the
19 ordinance creating the district. Thereafter, all appointments of
20 the members shall be for terms of four (4) years. The
21 appointments to the board shall represent both the county and each
22 of the incorporated municipalities within that county.
23 Appointments of municipal and county representation shall be
24 proportional and be based upon population data from the most
25 recent federal decennial census.

26 (2) The board of commissioners shall have complete and sole
27 authority to appoint a chairman and any other officers it may deem
28 necessary from among the membership of the board of commissioners.

29 (3) A majority of the board of commissioners membership
30 shall constitute a quorum and all official action of the board of
31 commissioners shall require a quorum.

32 (4) The board of commissioners shall have authority to
33 employ such employees, experts and consultants as it may deem
34 necessary to assist the board of commissioners in the discharge of
35 its responsibilities to the extent that funds are made available.

36 (5) In lieu of appointing a board of commissioners, the
37 board of supervisors of the county may serve as the board of
38 commissioners of the district, in which case it shall assume all
39 the powers and duties of the board of commissioners as provided in
40 Section 19-5-301 et seq.

41 (6) All emergency communications districts shall purchase,
42 lease or lease-purchase equipment used to comply with the FCC
43 Order, as defined in Section 19-5-333, from a products and
44 equipment list maintained by the Mississippi Department of
45 Information Technology Services; however, items not available from
46 the list, or items which may be purchased at a lower price, shall
47 be purchased in accordance with the Public Purchasing Law (Section
48 31-7-13).

49 **SECTION 2.** This act shall take effect and be in force from
50 and after July 1, 2005.