

By: Senator(s) Tollison

To: Local and Private;
Finance

SENATE BILL NO. 3140

1 AN ACT TO AMEND CHAPTER 971, LOCAL AND PRIVATE LAWS OF 1974,
2 TO REVISE THE MEMBERSHIP AND TERMS OF THE AUTHORITY; TO CHANGE THE
3 NAME OF OXFORD-LAFAYETTE COUNTY RECREATIONAL DISTRICT TO THE
4 LAFAYETTE-OXFORD COUNTY RECREATIONAL AUTHORITY; TO LIMIT THE
5 NUMBER OF CONSECUTIVE TERMS THAT THE CHAIRMAN OF THE AUTHORITY MAY
6 SERVE; TO GRANT THE AUTHORITY CERTAIN ADDITIONAL POWERS AND
7 DUTIES; TO PROVIDE FOR AN ANNUAL INDEPENDENT AUDIT OF THE
8 AUTHORITY; TO AUTHORIZE THE CITY OF OXFORD, MISSISSIPPI, AND
9 LAFAYETTE COUNTY, MISSISSIPPI, TO DONATE SERVICES AND PERSONNEL TO
10 THE AUTHORITY; TO INCREASE THE AMOUNT OF THE AD VALOREM TAX THAT
11 MAY BE LEVIED BY THE CITY AND THE COUNTY TO SUPPORT THE AUTHORITY;
12 AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Chapter 971, Local and Private Laws of 1974, is
15 amended as follows:

16 Section 1. There is hereby created and established the
17 Lafayette-Oxford County Recreational Authority (hereinafter
18 referred to as the "authority"). The authority shall be governed
19 by a board of directors to be composed of seven (7) members, all
20 of whom shall be resident citizens of Lafayette County,
21 Mississippi. Three (3) members shall be appointed by the Board of
22 Supervisors of Lafayette County, three (3) members shall be
23 appointed by the governing authorities of the City of Oxford,
24 Mississippi, and one (1) member shall be jointly appointed by the
25 Board of Supervisors of Lafayette County and the governing
26 authorities of the City of Oxford, Mississippi. The initial terms
27 of the members first appointed to the authority shall be as
28 follows:

29 (a) One (1) member appointed by the city and one (1)
30 member appointed by the county shall serve for one (1) year;

31 (b) One (1) member appointed by the city and one (1)
32 member appointed by the county shall serve for two (2) years; and

33 (c) One (1) member appointed by the city and one (1)
34 member appointed by the county shall serve for three (3) years.

35 Thereafter, the terms of members of the authority shall be
36 three (3) years. The duration of the terms of the initial
37 membership of the board shall be determined by a vote of the
38 members of the authority. Vacancies in the membership of the
39 authority shall be filled for the unexpired term by an appointment
40 by the appointing body that made the original appointment.

41 Section 2. Immediately after the initial members are named
42 and commissioned, they shall meet at the county courthouse in
43 Lafayette County, or at an otherwise appropriate place, and
44 proceed to organize the authority by the election of a chairman, a
45 secretary and a treasurer. Thereafter, the duly elected chairman
46 shall preside at all meetings of the authority and perform all
47 duties incident to this office, but the chairman shall not vote
48 except in the case of a tie. In the event that the chairman is
49 absent, the secretary shall preside. In the event that the
50 chairman is absent, the member serving as chairman shall retain
51 all voting privileges. A member may serve as chairman for not
52 more than three (3) consecutive terms, but may be reelected as a
53 chairman after he has not served in that position for a period of
54 one (1) year or more.

55 Annually after the first meeting, the authority shall hold
56 its regular meeting for the election of officers and for the
57 transaction of other business. It shall meet at any other time
58 upon the call of the chairman.

59 Section 3. (1) The purpose of the authority is to promote,
60 develop, own, manage and operate a regional park or parks,
61 recreational facilities, recreation programs and similar objects
62 in the incorporated and unincorporated areas of Lafayette County.

63 (2) The authority is authorized to:

64 (a) Purchase, own, lease, rent, or otherwise furnish,
65 equip and operate any and all facilities, services and concessions
66 necessary to accomplish its purposes;

67 (b) Employ personnel, obtain supplies, services,
68 furnishings, equipment and other facilities necessary to
69 administer the affairs and duties of the authority and to pay for
70 them out of any funds available to it;

71 (c) * * * To receive any contributions in money,
72 property of any kind, or donations of land that might be made by
73 patriotic citizens to carry out the objects and purposes of this
74 act * * *; and to hold it in the name and for the benefit of the
75 citizens of the City of Oxford and of Lafayette County,
76 Mississippi.

77 (3) The authority shall make all purchases in accordance
78 with the laws of the state and shall keep proper financial
79 records. The records of the authority shall be audited annually
80 by an independent certified public accountant. The accountant
81 shall make a written report of his audit to the authority and the
82 authority shall submit a copy of the report to the City of Oxford
83 and Lafayette County. The audit shall be made and completed as
84 soon as practicable after the close of the fiscal year, and copies
85 of the audit report shall be filed with the City of Oxford and
86 Lafayette County within fifteen (15) days after receipt by the
87 authority.

88 Section 4. The Board of Supervisors of Lafayette County,
89 Mississippi, and the Mayor and Board of Aldermen of the City of
90 Oxford, Mississippi, are * * * authorized to make donations of
91 services, personnel and money to the authority, to be used for the
92 acquisition, establishment or maintenance of the facilities,
93 services and programs under the jurisdiction of the authority.
94 Monetary donations may be made from any available funds of the
95 City of Oxford or Lafayette County.

96 Section 5. The Board of Supervisors of Lafayette County,
97 Mississippi, and the Mayor and Board of Aldermen of the City of
98 Oxford, Mississippi, are hereby authorized and empowered, in their
99 discretion, to levy an ad valorem tax in an amount not to exceed
100 four (4) mills annually on all taxable property within the county
101 and city * * *. The proceeds from the tax are to be used for the
102 purposes set forth in this act. This tax is not to be considered
103 reimbursable under any provision of law in the Homestead Exemption
104 Act of the State of Mississippi.

105 The tax authorized in this section shall not be levied until
106 the board of supervisors or mayor and board of aldermen shall have
107 published notice of its intention to levy the tax. The notice to
108 be published once each week for three (3) weeks in some newspaper
109 having a general circulation in such county and city, but not less
110 than twenty-one (21) days, nor more than sixty (60) days,
111 intervening between the time of the first notice and the meeting
112 at which the tax is proposed to be levied. If within the time of
113 giving notice, twenty percent (20%) of the qualified electors of
114 the county or the city shall protest or file a petition against
115 the levy of the tax, then the tax shall not be levied in the
116 county or city unless authorized by a three-fifths (3/5) majority
117 of the qualified electors of the county or city voting at an
118 election to be called and held for that purpose.

119 Section 6. This act shall take effect and be in force from
120 and after its passage.

121 **SECTION 2.** The governing authorities of the City of Oxford,
122 Mississippi, and the Board of Supervisors of Lafayette County,
123 Mississippi, shall submit this act, immediately upon approval by
124 the Governor, or upon approval by the Legislature subsequent to a
125 veto, to the Attorney General of the United States or to the
126 United States District Court for the District of Columbia in
127 accordance with the provisions of the Voting Rights Act of 1965,
128 as amended and extended.

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