

By: Representative Robinson (84th)

To: Public Utilities;  
Appropriations

HOUSE BILL NO. 1444

1 AN ACT TO AMEND SECTION 77-15-1, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE PROCEDURAL CLARIFICATION FOR ELECTING CERTAIN OFFICERS AND  
3 CONDUCTING MEETINGS FOR THE BOARD OF DIRECTORS OF THE CHICKASAWHAY  
4 NATURAL GAS DISTRICT; TO AUTHORIZE SUCH DISTRICT TO PAY A CERTAIN  
5 FRANCHISE FEE AND TO SELL CERTAIN APPLIANCES; TO REMOVE THE REPEAL  
6 DATE FROM THIS SECTION; AND FOR RELATED PURPOSES.

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

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

10 77-15-1. (1) Notwithstanding any other provisions of law to  
11 the contrary, all local natural gas districts containing two (2)  
12 or more municipalities and nonmunicipal customers shall establish  
13 and maintain a board of directors composed of: (a) the mayors of  
14 each municipality within the district whose terms shall be  
15 concurrent with their terms of office as mayor; and (b) one (1)  
16 system-user from each county within the district, who shall not be  
17 a public official. The county system-user board members shall be  
18 elected by the system-users residing outside of a municipality, in  
19 the county in which such board member resides. In order to  
20 qualify as a candidate for election to the board, each person  
21 shall obtain, on a petition, twenty-five (25) signatures from  
22 system-users in the county in which such person resides. The  
23 signatures shall be of system-users residing outside of a  
24 municipality and the candidate shall be a system-user who resides  
25 outside of a municipality. The board shall call an election  
26 within fifteen (15) days after July 1, 1989, to be held within  
27 sixty (60) days from the date such election is called. Those  
28 persons elected to the board shall serve until the next general  
29 election for supervisors and the election for such board members

30 thereafter shall be held at the same time as the supervisor  
31 elections and the terms of such board members shall be concurrent  
32 with the terms of the supervisors.

33 The board of directors, including any mayors who serve on the  
34 board, shall be entitled to compensation as follows: (a) the  
35 chairperson of the board shall receive Two Hundred Fifty Dollars  
36 (\$250.00) per month, and (b) all other board members shall receive  
37 Two Hundred Dollars (\$200.00) per month. Only mayors of the board  
38 shall serve as chairperson and such mayors shall serve annually on  
39 a rotating basis. The chairperson and vice chairperson shall be  
40 elected by and from the entire membership of the governing board  
41 at the first meeting in January of each year. The vice  
42 chairperson shall preside over meetings as the chairperson in the  
43 absence or incapacity of the chairperson. In addition, an  
44 official meeting may be called at any time by a two-thirds (2/3)  
45 proclamation by the board membership.

46 (2) Two (2) board municipal/county system-user board members  
47 who reside in his or her respective county, and must be customers  
48 of the district, and who must be system-users shall be appointed  
49 as follows for his or her initial term: (a) one (1) board member  
50 from the county lying in the northern section of the district,  
51 appointed by the Lieutenant Governor; and (b) one (1) board member  
52 from the county lying in the southern section of the district,  
53 appointed by the Governor. The appointed board municipal/county  
54 system-user board members may be elected public officials.

55 The initial terms of the two (2) municipal/county system-user  
56 board members shall begin July 1, 2005, and shall serve until the  
57 next general election for supervisors, and thereafter the  
58 municipal/county system-user board members, as described in this  
59 subsection (2), shall be elected at large by the municipal and  
60 county system-users.

61 The municipal/county system-user board members shall be  
62 compensated as prescribed in subsection (1) of this section.

63           (3) All board members shall file any required statements of  
64 economic interest with the Ethics Commission as required by law.  
65 This section shall not apply to any local natural gas district  
66 which leases its distribution system to an investor-owned utility  
67 company regulated by the Public Service Commission.

68           (4) From and after July 1, 2004, the Board of Directors of  
69 the Chickasawhay Natural Gas District shall discontinue  
70 distribution of any of the revenues of the district to  
71 municipalities within the district.

72           (5) The Chickasawhay Natural Gas District is authorized to  
73 pay an agreed upon franchise fee to the three (3) municipalities  
74 it serves.

75           (6) The Chickasawhay Natural Gas District is authorized to  
76 sell household appliances and heating products.

77           (7) The provisions of this section shall only apply to the  
78 Chickasawhay Natural Gas District.

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80           **SECTION 2.** This act shall take effect and be in force from  
81 and after its passage.