

By: Representatives Reynolds, Smith (27th),
Rotenberry, Moak, Hudson, Vince, Montgomery,
Turner, Upshaw, Staples

To: Apportionment and
Elections

HOUSE BILL NO. 801

1 AN ACT TO AMEND SECTION 23-15-239, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE NUMBER OF TRAINING SESSIONS FOR WHICH POLL
3 MANAGERS MAY BE COMPENSATED; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 23-15-239, Mississippi Code of 1972, is
6 amended as follows:

7 23-15-239. (1) The executive committee of each county, in
8 the case of a primary election, or the commissioners of election
9 of each county, in the case of all other elections, in conjunction
10 with the circuit clerk, shall sponsor and conduct, not less than
11 five (5) days prior to each election, training sessions to
12 instruct managers as to their duties in the proper administration
13 of the election and the operation of the polling place. No
14 manager shall serve in any election unless he has received such
15 instructions once during the twelve (12) months immediately
16 preceding the date upon which such election is held; however,
17 nothing in this section shall prevent the appointment of an
18 alternate manager to fill a vacancy in case of an emergency. The
19 county executive committee or the commissioners of election, as
20 appropriate, shall train a sufficient number of alternates to
21 serve in the event a manager is unable to serve for any reason.

22 (2) (a) If it is eligible under Section 23-15-266, the
23 county executive committee may enter into a written agreement with
24 the circuit clerk or the county election commission authorizing
25 the circuit clerk or the county election commission to perform any
26 of the duties required of the county executive committee pursuant
27 to this section. Any agreement entered into pursuant to this

28 subsection shall be signed by the chairman of the county executive
29 committee and the circuit clerk or the chairman of the county
30 election commission, as appropriate. The county executive
31 committee shall notify the State Executive Committee and the
32 Secretary of State of the existence of such agreement.

33 (b) If it is eligible under Section 23-15-266, the
34 municipal executive committee may enter into a written agreement
35 with the municipal clerk or the municipal election commission
36 authorizing the municipal clerk or the municipal election
37 commission to perform any of the duties required of the municipal
38 executive committee pursuant to this section. Any agreement
39 entered into pursuant to this subsection shall be signed by the
40 chairman of the municipal executive committee and the municipal
41 clerk or the chairman of the municipal election commission, as
42 appropriate. The municipal executive committee shall notify the
43 State Executive Committee and the Secretary of State of the
44 existence of such agreement.

45 (3) The board of supervisors, in their discretion, may
46 compensate managers who attend such training sessions. The
47 compensation shall be at a rate of not less than the federal
48 hourly minimum wage nor more than Ten Dollars (\$10.00) per hour.
49 Managers shall not be compensated for more than eight (8) hours of
50 attendance at the training sessions regardless of the actual
51 amount of time that they attended the training sessions.

52 (4) The time and location of the training sessions required
53 pursuant to this section shall be announced to the general public
54 by posting a notice thereof at the courthouse and by delivering a
55 copy of the notice to the office of a newspaper having general
56 circulation in the county five (5) days before the date upon which
57 the training session is to be conducted. Persons who will serve
58 as poll watchers for candidates and political parties, as well as
59 members of the general public, shall be allowed to attend the
60 sessions.

61 (5) Subject to the following annual limitations, the
62 commissioners of election shall be entitled to receive a per diem
63 in the amount of Eighty-four Dollars (\$84.00), to be paid from the
64 county general fund, for every day or period of no less than five
65 (5) hours accumulated over two (2) or more days actually employed
66 in the performance of their duties for the necessary time spent in
67 conducting training sessions as required by this section:

68 (a) In counties having less than fifteen thousand
69 (15,000) residents according to the latest federal decennial
70 census, not more than five (5) days per year;

71 (b) In counties having fifteen thousand (15,000)
72 residents according to the latest federal decennial census but
73 less than thirty thousand (30,000) residents according to the
74 latest federal decennial census, not more than eight (8) days per
75 year;

76 (c) In counties having thirty thousand (30,000)
77 residents according to the latest federal decennial census but
78 less than seventy thousand (70,000) residents according to the
79 latest federal decennial census, not more than ten (10) days per
80 year;

81 (d) In counties having seventy thousand (70,000)
82 residents according to the latest federal decennial census but
83 less than ninety thousand (90,000) residents according to the
84 latest federal decennial census, not more than twelve (12) days
85 per year;

86 (e) In counties having ninety thousand (90,000)
87 residents according to the latest federal decennial census but
88 less than one hundred seventy thousand (170,000) residents
89 according to the latest federal decennial census, not more than
90 fifteen (15) days per year;

91 (f) In counties having one hundred seventy thousand
92 (170,000) residents according to the latest federal decennial
93 census but less than two hundred thousand (200,000) residents

94 according to the latest federal decennial census, not more than
95 eighteen (18) days per year;

96 (g) In counties having two hundred thousand (200,000)
97 residents according to the latest federal decennial census but
98 less than two hundred twenty-five thousand (225,000) residents
99 according to the latest federal decennial census, not more than
100 nineteen (19) days per year;

101 (h) In counties having two hundred twenty-five thousand
102 (225,000) residents according to the latest federal decennial
103 census but less than two hundred fifty thousand (250,000)
104 residents according to the latest federal decennial census, not
105 more than twenty-two (22) days per year;

106 (i) In counties having two hundred fifty thousand
107 (250,000) residents according to the latest federal decennial
108 census but less than two hundred seventy-five thousand (275,000)
109 residents according to the latest federal decennial census, not
110 more than thirteen (13) days per year;

111 (j) In counties having two hundred seventy-five
112 thousand (275,000) residents according to the latest federal
113 decennial census or more, not more than fourteen (14) days per
114 year.

115 (6) Commissioners of election shall claim the per diem
116 authorized in subsection (5) of this section in the manner
117 provided for in Section 23-15-153(6).

118 **SECTION 2.** This act shall take effect and be in force from
119 and after July 1, 2007.