

By: Representative Warren

To: Public Utilities;  
Appropriations

## HOUSE BILL NO. 1163

1 AN ACT TO AMEND SECTION 77-15-1, MISSISSIPPI CODE OF 1972,  
2 WHICH AUTHORIZES THE CHICKASAWHAY NATURAL GAS DISTRICT TO  
3 ESTABLISH A BOARD OF DIRECTORS AND PROVIDES CERTAIN PROCEDURES FOR  
4 ELECTING THE DISTRICT'S OFFICERS; TO EXTEND THE DATE OF REPEAL ON  
5 THIS SECTION FROM JULY 1, 2007, TO JULY 1, 2009; AND FOR RELATED  
6 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. The board of directors,  
33 including any mayors who serve on the board, shall be entitled to  
34 compensation as follows: (a) the chairperson of the board shall  
35 receive Two Hundred Fifty Dollars (\$250.00) per month, and (b) all  
36 other board members shall receive Two Hundred Dollars (\$200.00)  
37 per month. The chairperson and vice chairperson shall be elected  
38 by and from the entire membership of the governing board at the  
39 first meeting in July of each year. The vice chairperson shall  
40 preside over meetings as the chairperson in the absence or  
41 incapacity of the chairperson. In addition, an official meeting  
42 may be called at any time by a two-thirds (2/3) proclamation by  
43 the board membership.

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

53 The initial terms of the two (2) municipal/county system-user  
54 board members shall begin July 1, 2005, and shall serve until June  
55 30, 2008, and thereafter the municipal/county system-user board  
56 members, as described in this subsection (2), shall be elected at  
57 large by the municipal and county system-users.

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

60 (3) All board members shall file any required statements of  
61 economic interest with the Ethics Commission as required by law.

62 This section shall not apply to any local natural gas district

63 which leases its distribution system to an investor-owned utility  
64 company regulated by the Public Service Commission.

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

69 (5) The provisions of this section shall only apply to the  
70 Chickasawhay Natural Gas District.

71 (6) This section shall stand repealed on July 1, 2009.

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