

By: Senator(s) Burton

To: County Affairs; Fees,
Salaries and Administration

SENATE BILL NO. 3055

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

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

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

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

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

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

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

46 (3) The board of supervisors, in their discretion, may
47 compensate managers who attend such training sessions. The
48 compensation shall be at a rate of not less than the federal
49 hourly minimum wage nor more than Ten Dollars (\$10.00) per hour.
50 Managers shall not be compensated for more than four (4) hours of
51 attendance at the training sessions regardless of the actual
52 amount of time that they attended the training sessions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

119 **SECTION 2.** The Attorney General of the State of Mississippi
120 shall submit this act, immediately upon approval by the Governor,
121 or upon approval by the Legislature subsequent to a veto, to the
122 Attorney General of the United States or to the United States
123 District Court for the District of Columbia in accordance with the
124 provisions of the Voting Rights Act of 1965, as amended and
125 extended.

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