

By: Senator(s) Nunnelee, Canon

To: Environment Prot, Cons
and Water Res

SENATE BILL NO. 2813

1 AN ACT TO AMEND SECTION 19-3-101, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT A COUNTY COOPERATIVE SERVICE DISTRICT THAT
 3 PROVIDES ITS OWN GARBAGE, RUBBISH OR SOLID WASTE COLLECTION OR
 4 DISPOSAL SERVICES AND DOES NOT CONTRACT WITH A PRIVATE COMPANY OR
 5 BUSINESS TO PERFORM THOSE SERVICES MAY MAKE THE SERVICE AVAILABLE
 6 ONLY FOR COLLECTION OR DISPOSAL OF RESIDENTIAL GENERATORS OF
 7 GARBAGE, RUBBISH AND SOLID WASTE AND MAY NOT PROVIDE THESE
 8 SERVICES FOR INDUSTRIAL OR COMMERCIAL GENERATORS OF GARBAGE,
 9 RUBBISH OR SOLID WASTE EXCEPT WHERE THERE IS NOT AVAILABLE A
 10 PRIVATE COMPANY OR BUSINESS TO PROVIDE SUCH SERVICES FOR
 11 INDUSTRIAL OR COMMERCIAL GENERATORS; TO PROVIDE THAT WHERE THERE
 12 IS NOT AVAILABLE A PRIVATE COMPANY OR BUSINESS TO PROVIDE GARBAGE,
 13 RUBBISH OR SOLID WASTE COLLECTION OR DISPOSAL SERVICES FOR
 14 INDUSTRIAL OR COMMERCIAL GENERATORS, THE COUNTY, MUNICIPALITY,
 15 AUTHORITY OR DISTRICT SHALL COLLECT AND DISPOSE OF RESIDENTIAL
 16 GARBAGE, RUBBISH AND SOLID WASTE SEPARATE AND APART FROM
 17 INDUSTRIAL OR COMMERCIAL GARBAGE, RUBBISH AND SOLID WASTE AND
 18 SHALL NOT MIX OR COMBINE RESIDENTIAL GARBAGE, RUBBISH AND SOLID
 19 WASTE WITH INDUSTRIAL OR COMMERCIAL GARBAGE, RUBBISH AND SOLID
 20 WASTE; AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** Section 19-3-101, Mississippi Code of 1972, is
 23 amended as follows:

24 19-3-101. (1) The board of supervisors of any county in
 25 this state may, by order duly entered on its minutes, join with
 26 any other county or counties in this state to establish a county
 27 cooperative service district for the purpose of instituting
 28 planning and mutual cooperation among counties to improve the
 29 delivery of services to, and the provision of benefits for, all
 30 citizens of participating counties by the joint financing,
 31 construction and administration of governmental services and
 32 facilities.

33 (2) Any power, authority or responsibility which may be
 34 lawfully exercised by a county, except for the imposition of taxes
 35 may be exercised jointly by participating counties through the
 36 board of commissioners of a county cooperative service district,



37 hereinafter in Sections 19-3-101 through 19-3-115, referred to as
38 the "district," unless in a resolution of a board of supervisors
39 creating the district the exercise of a particular power is
40 specifically excluded. The district shall have authority to
41 prepare or have prepared a water resources study or other
42 environmental studies; however, any action by the district which
43 will have an impact upon groundwater resources shall only be
44 implemented consistent with an official statewide water management
45 plan or with the approval of the Commission on Environmental
46 Quality.

47 (3) If a county cooperative service district establishes a
48 garbage, rubbish or solid waste collection or disposal service,
49 the district may provide the service for residential generators
50 only and may not provide the service for industrial or commercial
51 generators except in a participating county in which there is no
52 private company or business to provide garbage, rubbish or solid
53 waste collection or disposal services to industrial or commercial
54 generators. In a participating county in which there is no
55 private company or business to provide garbage, rubbish or solid
56 waste collection or disposal services to industrial or commercial
57 generators, the district shall collect and dispose of residential
58 garbage, rubbish and solid waste separate and apart from
59 industrial or commercial garbage, rubbish and solid waste and
60 shall not mix or combine residential garbage, rubbish and solid
61 waste with industrial or commercial garbage, rubbish and solid
62 waste.

63 **SECTION 2.** This act shall take effect and be in force from
64 and after July 1, 2003.

