

By: Senator(s) Posey

To: Environment Prot, Cons
and Water Res

SENATE BILL NO. 2666

1 AN ACT TO AMEND SECTIONS 51-9-1 AND 51-9-107, MISSISSIPPI
2 CODE OF 1972, TO REQUIRE THAT MEMBERS OF THE PEARL RIVER
3 INDUSTRIAL COMMISSION APPOINTED FROM MADISON COUNTY SHALL BE
4 RESIDENTIAL LEASEHOLDERS OF THE PEARL RIVER VALLEY WATER SUPPLY
5 DISTRICT AND RESIDENTS OF MADISON COUNTY; TO REQUIRE THAT FROM AND
6 AFTER THE EFFECTIVE DATE OF THIS ACT, THE POSITIONS ON THE PEARL
7 RIVER VALLEY WATER SUPPLY DISTRICT BOARD OF DIRECTORS SHALL BECOME
8 VACANT, AND NEW APPOINTEES TO THESE POSITIONS SHALL HAVE A TERM OF
9 OFFICE OF FOUR YEARS; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 51-9-1, Mississippi Code of 1972, is
12 amended as follows:

13 51-9-1. There is hereby created the Pearl River Industrial
14 Commission, composed of Hinds, Leake, Madison, Neshoba, Rankin and
15 such other counties in the state through which or bordering which
16 the Pearl River runs. The Governor shall appoint one (1) member
17 to the commission from each county from a list of three (3) names
18 to be submitted by the board of supervisors in each participating
19 county. The three (3) names submitted by the Board of Supervisors
20 of Rankin County shall be the names of persons who reside on and
21 are holders or residential leases from the Pearl River Valley
22 Water Supply District which are located in Rankin County. The
23 three (3) names submitted by the Board of Supervisors of Madison
24 County shall be the names of persons who reside on and are holders
25 of residential leases from the Pearl River Valley Water Supply
26 District which are located in Madison County. In his appointment
27 the Governor shall designate the chairman and vice chairman of the
28 commission. The board of supervisors in any county through which
29 or by which the Pearl River runs, other than those counties named
30 above, may bring that county in as a member of the commission by

31 resolution presented to the Governor; and the board of supervisors
32 in such county may, in its discretion, call an election prior to
33 taking such action, said election to be held as nearly as possible
34 in the same manner other elections are held in the county.

35 **SECTION 2.** Section 51-9-107, Mississippi Code of 1972, is
36 amended as follows:

37 51-9-107. All powers of the district shall be exercised by a
38 board of directors, to be composed of the following:

39 (a) Each member of the Pearl River Industrial
40 Commission whose county becomes a part of the Pearl River Valley
41 Water Supply District shall be a member of the Board of Directors
42 of the Pearl River Valley Water Supply District. Such directors
43 shall serve on this board during their term of office on the Pearl
44 River Industrial Commission. In addition, the board of
45 supervisors of each county which becomes a part of the district
46 shall appoint one (1) additional member. From and after the
47 effective date of this act, the positions to which boards of
48 supervisors have made appointments shall become vacant. The
49 boards of supervisors of each member county shall thereafter
50 appoint one (1) member who shall hold office for a term of four
51 (4) years.

52 (b) The Mississippi Commission on Environmental
53 Quality, the Mississippi Commission on Wildlife, Fisheries and
54 Parks, Forestry Commission and the State Board of Health of the
55 State of Mississippi shall each appoint one (1) director from that
56 department to serve on the Board of Directors of the Pearl River
57 Valley Water Supply District to serve at the pleasure of the
58 respective board appointing him.

59 (c) Each director shall take and subscribe to the oath
60 of office required by Section 268 of the Constitution of the State
61 of Mississippi before a chancery clerk, that he will faithfully
62 discharge the duties of the office, which oath shall be filed with
63 the said clerk and by him preserved.

64 (d) Each director shall receive per diem compensation
65 in the amount as provided in Section 25-3-69 for attending each
66 meeting of the board and for each day spent in attending to the
67 necessary business of the district and shall be reimbursed for
68 actual expenses thus incurred upon express authorization of the
69 board, including travel expenses, as provided in Section 25-3-41.

70 (e) The board of directors shall annually elect from
71 its number a president and a vice president of the district, and
72 such other officers as in the judgment of the board are necessary.
73 The president shall be the chief executive officer of the district
74 and the presiding officer of the board, and shall have the same
75 right to vote as any other director. The vice president shall
76 perform all duties and exercise all powers conferred by this
77 article upon the president when the president is absent or fails
78 or declines to act, except the president's right to vote. The
79 board shall also appoint a secretary and a treasurer who may or
80 may not be members of the board, and it may combine those offices.
81 The treasurer shall give bond in the sum of not less than Fifty
82 Thousand Dollars (\$50,000.00) as set by the board of directors and
83 each director shall give bond in the sum of not less than Ten
84 Thousand Dollars (\$10,000.00), and the premiums on said bonds
85 shall be an expense of the district. The condition of each such
86 bond shall be that the treasurer or director will faithfully
87 perform all duties of office and account for all money which shall
88 come into his custody as treasurer or director of the district.

89 **SECTION 3.** This act shall take effect and be in force from
90 and after July 1, 2005.