

Chapter No. 549
12/SS01/R806SG
JN / BW/SG

SENATE BILL NO. 2703

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2703

AN ACT TO AMEND SECTION 51-9-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE NAMES SUBMITTED TO THE GOVERNOR BY THE BOARDS OF SUPERVISORS OF MADISON COUNTY AND RANKIN COUNTY FOR APPOINTMENT TO THE PEARL RIVER INDUSTRIAL COMMISSION SHALL BE THE NAMES OF PERSONS WHO RESIDE ON AND ARE HOLDERS OF RESIDENTIAL LEASES FROM THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT THAT ARE LOCATED IN MADISON COUNTY AND RANKIN COUNTY, RESPECTIVELY, OR WHO RESIDE IN ESTABLISHED SUBDIVISIONS IN MADISON COUNTY AND RANKIN COUNTY, RESPECTIVELY, IN WHICH SOME OF THE RESIDENTIAL PROPERTY OF THE SUBDIVISION IS LEASED FROM THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; TO PROVIDE THAT EACH MEMBER OF THE COMMISSION SHALL SERVE FOR A TERM CONCURRENT WITH THAT OF THE GOVERNOR; TO AMEND SECTION 51-9-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ADDITIONAL MEMBERS APPOINTED TO THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT BY THE BOARDS OF SUPERVISORS OF MADISON COUNTY AND RANKIN COUNTY SHALL BE PERSONS WHO RESIDE ON AND ARE HOLDERS OF RESIDENTIAL LEASES FROM THE DISTRICT THAT ARE LOCATED IN MADISON COUNTY AND RANKIN COUNTY, RESPECTIVELY, OR WHO RESIDE IN ESTABLISHED SUBDIVISIONS IN MADISON COUNTY AND RANKIN COUNTY, RESPECTIVELY, IN WHICH SOME OF THE RESIDENTIAL PROPERTY OF THE SUBDIVISION IS LEASED FROM THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; TO PROVIDE THAT MEMBERS OF THE BOARD OF DIRECTORS OF THE DISTRICT WHO ARE APPOINTED BY THE BOARDS OF SUPERVISORS SHALL SERVE FOR TERMS CONCURRENT WITH THE TERMS OF THE MEMBERS OF THE BOARD OF SUPERVISORS; AND FOR RELATED PURPOSES.

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

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

51-9-1. There is * * * created the Pearl River Industrial Commission, composed of Hinds, Leake, Madison, Neshoba, Rankin and such other counties in the state through which or bordering which the Pearl River runs. The Governor shall appoint one (1) member to the commission from each county from a list of three (3) names to be submitted by the board of supervisors in each participating county. The three (3) names submitted by the board of supervisors of Madison County and the board of supervisors of Rankin County shall be the names of persons who reside on and are holders of

residential leases from the Pearl River Valley Water Supply District that are located in Madison County and Rankin County, respectively, or who reside in established subdivisions in Madison County and Rankin County, respectively, in which some of the residential property of the subdivision is leased from the Pearl River Valley Water Supply District. In his appointment the Governor shall designate the chairman and vice chairman of the commission. Each member of the commission shall serve for a term concurrent with that of the Governor. The board of supervisors in any county through which or by which the Pearl River runs, other than those counties named above, may bring that county in as a member of the commission by resolution presented to the Governor; and the board of supervisors in such county may, in its discretion, call an election before taking such action, the election to be held as nearly as possible in the same manner other elections are held in the county.

The member appointed from Madison County who is serving on July 1, 2012, shall continue to serve until January 1, 2013, after which date the Governor shall appoint a member from Madison County who meets the residency requirements of this section. The person appointed under the provisions of this paragraph shall serve for the remainder of the unexpired term.

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

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

(a) Each member of the Pearl River Industrial Commission whose county becomes a part of the Pearl River Valley Water Supply District shall be a member of the Board of Directors of the Pearl River Valley Water Supply District. Such directors shall serve on this board during their term of office on the Pearl River Industrial Commission. In addition, the board of supervisors of each county that becomes a part of the district

shall appoint one (1) additional member, who shall serve for a term concurrent with the terms of the members of the board of supervisors. The members shall be appointed at the first meeting of the board of supervisors in January after the supervisors take office. The members appointed from Madison County and Rankin County shall be persons who reside on and are holders of residential leases from the Pearl River Valley Water Supply District that are located in Madison County and Rankin County, respectively, or who reside in established subdivisions in Madison County and Rankin County, respectively, in which some of the residential property of the subdivision is leased from the Pearl River Valley Water Supply District.

The members appointed from Madison County and Rankin County who are serving on July 1, 2012, shall continue to serve until January 1, 2013, after which date the Board of Supervisors of Madison County and the Board of Supervisors of Rankin County each shall appoint one (1) member who meets the residency requirements of this section. The persons appointed under the provisions of this paragraph shall serve for the remainder of the unexpired term.

(b) The Mississippi Commission on Environmental Quality, the Mississippi Commission on Wildlife, Fisheries and Parks, Forestry Commission and the State Board of Health of the State of Mississippi shall each appoint one (1) director from that department to serve on the Board of Directors of the Pearl River Valley Water Supply District to serve at the pleasure of the respective board appointing him. From and after January 1, 2013, each of the members appointed under this paragraph (b) shall be a person who resides on and is a holder of a residential lease from the Pearl River Valley Water Supply District.

(c) Each director shall take and subscribe to the oath of office required by Section 268 of the Constitution of the State of Mississippi before a chancery clerk, that he will faithfully

discharge the duties of the office, which oath shall be filed with the * * * clerk and by him preserved.

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

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

SECTION 3. This act shall take effect and be in force from
and after July 1, 2012.

PASSED BY THE SENATE
May 1, 2012



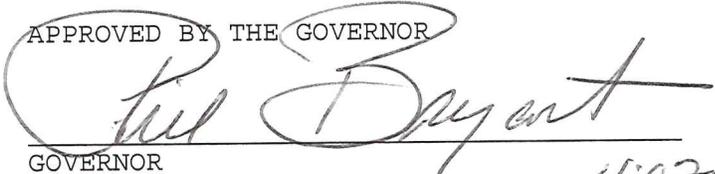
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 30, 2012



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

5-22-12 4:02pm