MISSISSIPPI LEGISLATURE REGULAR SESSION 2009

By: Representative Dedeaux

To: County Affairs; Municipalities

# HOUSE BILL NO. 310

AN ACT TO AMEND SECTION 17-1-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MAXIMUM AMOUNT OF THE PER DIEM THAT MEMBERS OF LOCAL PLANNING COMMISSIONS MAY BE PAID FOR THE PERFORMANCE OF THEIR DUTIES TO AN AMOUNT NOT TO EXCEED THE FEDERAL PER DIEM RATE; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 17-1-11, Mississippi Code of 1972, is amended as follows:

17-1-11. (1) (a) The governing authority of each municipality and county may provide for the preparation, adoption, amendment, extension and carrying out of a comprehensive plan for the purpose of bringing about coordinated physical development in accordance with present and future needs and may create, independently or jointly, a local planning commission with authority to prepare and propose (a) a comprehensive plan of physical development of the municipality or county; (b) a proposed zoning ordinance and map; (c) regulations governing subdivisions of land; (d) building or set back lines on streets, roads and highways; and (e) recommendations to the governing authorities of each municipality or county with regard to the enforcement of and amendments to the comprehensive plan, zoning ordinance, subdivision regulations and capital improvements program. The governing authority of each municipality and county may, in its discretion, pay to each member of a planning commission a per diem in an amount as determined by such governing authority for each day, or portion thereof, spent in the performance of his duties; however, <u>the amount of the per diem shall not exceed the maximum per diem rate allowable to employees of the federal government for</u>

travel in the high rate geographical area of Jackson, Mississippi, as may be established by federal regulations.

(b) The definition of "comprehensive plan" set forth in paragraph (c) of Section 17-1-1 shall not be construed to affect, or to require the amendment of, any plan adopted by a county or municipality prior to July 1, 1988, which plan does not specifically conform to the minimum elements of a comprehensive plan required in such definition.

(2) The governing authority of each municipality and county may adopt, amend and enforce the comprehensive plan, zoning ordinance, subdivision regulations and capital improvements program as recommended by the local planning commission after a public hearing thereon as provided by Section 17-1-15.

(3) In the performance of its duties, the local planning commission may cooperate with, contract with, or accept funds from federal, state or local agencies or private individuals or corporations and may expend such funds and carry out such cooperative undertakings and contracts.

(4) Any comprehensive plan established under this section shall not contain any provision which conflicts with Article VII of the Chickasaw Trail Economic Development Compact described in Section 57-36-1.

**SECTION 2.** This act shall take effect and be in force from and after July 1, 2009.



ST: Local planning commission members; revise the maximum per diem amount to the federal per diem rate.