

By: Harvey

To: Forestry

SENATE BILL NO. 2238

1 AN ACT TO AMEND SECTION 49-19-3, MISSISSIPPI CODE OF 1972, TO  
2 EXTEND THE REPEALER ON FORESTRY ARSON INVESTIGATORS AND TO  
3 INCREASE THE NUMBER OF AUTHORIZED INVESTIGATORS; AND FOR RELATED  
4 PURPOSES.

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

6 SECTION 1. Section 49-19-3, Mississippi Code of 1972, is  
7 amended as follows:[LTR1]

8 49-19-3. The duties and powers of the commission shall be:

9 (1) To appoint a state forester, who shall serve at the will  
10 and pleasure of the commission and who is qualified to perform the  
11 duties as set forth herein; and to pay him such salary as is  
12 provided by the Legislature, and allow him such office expenses  
13 incidental to the performance of his official duties as the  
14 commission, in its discretion, may deem necessary; and to charge  
15 him with the immediate direction and control, subject to the  
16 supervision and approval of the commission, of all matters  
17 relating to forestry as authorized herein. Any person appointed  
18 by the commission as state forester shall have received a  
19 bachelor's degree in forestry from an accredited school or college  
20 of forestry and shall be licensed and registered under the  
21 provisions of the Mississippi Foresters Registration Law (Section  
22 73-36-1 et seq.) and in addition shall have had at least five (5)

23 years' administrative experience in a forestry-related field.

24 (2) To take such action and provide and maintain such  
25 organized means as may seem necessary and expedient to prevent,  
26 control and extinguish forest fires, including the enforcement of  
27 any and all laws pertaining to the protection of forests and  
28 woodland.

29 (3) To encourage forest and tree planting for the production  
30 of a wood crop, for the protection of water supply, for windbreak  
31 and shade, or for any other beneficial purposes contributing to  
32 the general welfare, public hygiene and comfort of the people.

33 (4) To cause to be made such technical investigations and  
34 studies concerning forest conditions, the propagation, care and  
35 protection of forest and shade trees, the care and management of  
36 forests, their growth, yield and the products and by-products  
37 thereof, and any other competent subject, including forest  
38 taxation, bearing on the timber supply and needs of the state,  
39 which the commission, in its discretion, may deem proper.

40 (5) To assist and cooperate with any federal or state  
41 department or institution, county, town, corporation or  
42 individual, under such terms as in the judgment of the commission  
43 will best serve the public interest, in the preparation and  
44 execution of plans for the protection, management, replacement, or  
45 extension of the forest, woodland and roadside or other ornamental  
46 tree growth in the state.

47 (6) To encourage public interest in forestry by means of  
48 correspondence, the public press, periodicals, the publication of  
49 bulletins and leaflets for general distribution, the delivery of  
50 lectures in the schools and other suitable means, and to cooperate  
51 to the fullest extent with the extension department services of  
52 the state colleges in promoting reforestation. It shall be the  
53 duty of the state forester to cooperate with private timber owners

54 in laying plans for the protection, management and replacement of  
55 forests and in aiding them to form protection associations. It  
56 shall be his duty to examine all timbered lands belonging to the  
57 state and its institutions and report to the commission upon their  
58 timber conditions and actual value, and also whether some of these  
59 lands may not be held as state forests. He shall be responsible  
60 for the protection and management of lands donated, purchased or  
61 belonging to the state or state institutions, and all other lands  
62 reserved by the state as state forests.

63 (7) To control the expenditure of any and all funds  
64 appropriated or otherwise made available for the several purposes  
65 set forth herein under suitable regulations and restrictions by  
66 the commission and to specifically authorize any officer or  
67 employee of the commission to incur necessary and stipulated  
68 expenses in connection with the work in which such person may be  
69 engaged.

70 (8) To submit annually to the Legislature a report of the  
71 expenditures, proceedings and results achieved, together with such  
72 other matters including recommendations concerning legislation as  
73 are germane to the aims and purposes of this chapter.

74 (9) To create, establish and organize the State of  
75 Mississippi into forestry districts for the most effective and  
76 efficient administration of the commission.

77 (10) To appoint, upon the state forester's recommendation,  
78 six (6) individuals who shall be designated Mississippi Forestry  
79 Commission Law Enforcement Officers with authority to bear arms,  
80 investigate and make arrests; however, the law enforcement duties  
81 and authority of the officers shall be limited to woods arson.

82 The officers shall comply with applicable minimum educational and  
83 training standards for law enforcement officers. This subsection  
84 (10) shall stand repealed on June 30, 2005.

85 SECTION 2. This act shall take effect and be in force from  
86 and after its passage.