HOUSE BILL NO. 869

To: Agriculture

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2002
By: Representative Eaton

AN ACT TO AMEND SECTION 49-19-1, MISSISSIPPI CODE OF 1972, TO PLACE THE COMMISSIONER OF AGRICULTURE AS AN EX OFFICIO MEMBER OF THE STATE FORESTRY COMMISSION AND TO ADD ONE SUPERINTENDENT OF EDUCATION AS A MEMBER OF THE STATE FORESTRY COMMISSION; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-19-1, Mississippi Code of 1972, is amended as follows:

49-19-1. (1) There shall be a State Forestry Commission composed of eleven (11) members, who shall be qualified electors of the state. The Dean of the School of Forest Resources at Mississippi State University and the Commissioner of Agriculture and Commerce, or his designee, shall be * * * ex officio members of the commission, with full voting authority. The Governor shall appoint nine (9) members, with the advice and consent of the Senate, for a term of six (6) years. The Governor shall appoint one (1) member from each congressional district as constituted at the time the appointments are made, shall appoint one (1) superintendent of education from a school district that receives revenue from timber sales on sixteenth section land and shall appoint the remainder of the members from the state at large. A member from a congressional district must be a certified tree farmer who owns eighty (80) or more acres of forest land or a person who derives a major portion of his personal income from forest-related business, industry or other related activities. Members of the commission from the state at large may or may not possess the same qualifications as members appointed from the congressional districts.
(2) The members of the commission shall receive no annual salary but each member of the commission shall receive a per diem plus expenses and mileage as authorized by law for each day devoted to the discharge of official duties. No member of the commission shall receive total per diem in excess of twenty-four (24) days' compensation per annum.

(3) If a vacancy occurs in the office of an appointed member of the commission, the vacancy shall be filled by appointment for the balance of the unexpired term.

(4) The commission shall elect from its membership a chairman, who shall preside over meetings, and a vice-chairman, who shall preside in the absence of the chairman or when the chairman is excused.

(5) The commission shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. Each member of the commission shall take the oath prescribed by Section 268 of the Constitution and shall enter into bond in the amount of Thirty Thousand Dollars ($30,000.00) to be approved by the Secretary of State, conditioned according to law and payable to the State of Mississippi before assuming the duties of office.

(6) Any appointment made to the commission contrary to this section shall be void, and it is unlawful for the State Fiscal Officer to pay any per diem or authorize the expenses of the appointee.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.