

By: Representative Holland

To: Agriculture

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1145

1 AN ACT TO AMEND SECTION 69-27-9, MISSISSIPPI CODE OF 1972, TO
2 CONFORM MEMBERSHIP OF THE STATE SOIL AND WATER CONSERVATION
3 COMMISSION TO NEW CONGRESSIONAL DISTRICTS ON A PHASED-IN BASIS;
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 69-27-9, Mississippi Code of 1972, is
7 amended as follows:

8 69-27-9. (1) The State Soil and Water Conservation
9 Commission shall be constituted as follows:

10 (a) Eleven (11) voting members:

11 (i) The Commissioner of Agriculture and Commerce;

12 (ii) The State Forester;

13 (iii) The President of the Mississippi Association
14 of Soil and Water Conservation District Commissioners;

15 (iv) The first vice president of the association;

16 (v) The second vice president of the association;

17 (vi) The immediate or most recent ex-president of
18 the association willing and able to serve; and

19 (vii) Five (5) members to be elected from the
20 membership of the soil and water conservation district

21 commissioners at the annual meeting of the association, one (1)

22 from each United States congressional district by a caucus of the
23 association members from each congressional district as

24 constituted at the time of the caucus, to be elected as follows:

25 First District, one (1) member elected for a one-year term,

26 beginning January 1, 1968, and ending January 1, 1969, his

27 successor to be similarly elected at the 1968 annual meeting of

28 the association for a three-year term ending January 1, 1972, and



29 each successor elected in the succeeding third annual meeting for
30 a three-year term; Second District, one (1) member elected for a
31 two-year term beginning January 1, 1968, and ending January 1,
32 1970, his successor to be similarly elected at the 1969 annual
33 meeting of the association for a three-year term ending January 1,
34 1973, and each successor elected in the succeeding third annual
35 meeting for a three-year term; Third District, election to be
36 similar to the Second District; Fourth District, one (1) member
37 elected for a three-year term beginning January 1, 1968, and
38 ending January 1, 1971, each successor to be similarly elected at
39 the succeeding third annual meeting for a three-year term; Fifth
40 District, election to be similar to Fourth District;

41 (viii) The elected members of the board as constituted
42 on January 15, 2003, shall continue to serve until the expiration
43 of their respective terms. As the terms of the five (5) members
44 expire, the members shall be elected as follows: one (1) member
45 from each congressional district by caucus of the association
46 members from each congressional district as constituted at the
47 time of the caucus and the remainder to be elected from the state
48 at large by caucus of all association members. The position and
49 term of the member elected from the Third District whose term
50 expires January 1, 2004, shall be the term and position of the at
51 large member.

52 (b) The purpose of the above procedure is to provide
53 that when put into effect, elected members will serve three-year
54 staggered terms. The State Soil and Water Conservation Commission
55 is empowered to adopt and carry out procedures for filling
56 unexpired terms of its elected members. The incumbent will
57 continue to serve until his successor is duly qualified and enters
58 into the duties of his office.

59 (c) Two (2) members shall serve ex officio and without
60 voting power, but with all privileges of discussion and debate as
61 follows:



62 (i) The Director of the State Extension Service;
63 and

64 (ii) The Director of the State Agricultural and
65 Forestry Experimental Station.

66 (d) Such nonvoting ex officio member who, due to the
67 pressure of his other required official duties, believes that he
68 will be unable to regularly attend meetings of the commission
69 shall designate a substitute to attend in his stead with the same
70 rights and privileges that he would have had.

71 (2) The commission shall designate its chairman and vice
72 chairman and may from time to time change such designation. A
73 majority of the voting members of the commission shall constitute
74 a quorum, and the concurrence of a majority in any matter within
75 their duties shall be required for its determination. The voting
76 members of the commission shall receive a per diem at the uniform
77 rate established in Section 25-3-69, Mississippi Code of 1972, for
78 their services on the commission for not more than thirty-six (36)
79 days in any one (1) calendar year. In addition, and in the
80 discretion of the commission, all members may be entitled to
81 expenses, including traveling expenses, necessarily incurred in
82 the discharge of their duties on the commission, not to exceed the
83 rate established in Section 25-3-41, Mississippi Code of 1972, for
84 state officers and employees. The commission may provide for the
85 execution of surety bonds for all employees and officers who shall
86 be entrusted with funds or property, shall provide for the keeping
87 of a full and accurate record of all proceedings and of all
88 resolutions, regulations and orders issued or adopted, and shall
89 provide for an annual audit of the accounts of receipts and
90 disbursements by the State Auditor.

91 (3) The commission shall keep a record of its official
92 actions, shall adopt a seal, which seal shall be judicially
93 noticed, and may perform such acts, hold such public hearings, and



94 promulgate such rules and regulations as may be necessary for the
95 execution of its functions under this article.

96 **SECTION 2.** This act shall take effect and be in force from
97 and after its passage.

