

By: Representative Holland

To: Agriculture

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. The position and term of the member elected from the
49 Third District whose term expires January 1, 2004, shall be the
50 term and position of the at large member.

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

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



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

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

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

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

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



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

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

