To: Forestry

MISSISSIPPI LEGISLATURE REGULAR SESSION 2003

By: Senator(s) Harvey

To: Forestry

SENATE BILL NO. 2514

AN ACT TO AMEND SECTION 49-19-3, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THE AUTHORITY OF THE FORESTRY COMMISSION TO HIRE LAW ENFORCEMENT PERSONNEL; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-19-3, Mississippi Code of 1972, is amended as follows:

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

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

(2) To take such action and provide and maintain such organized means as may seem necessary and expedient to prevent, control and extinguish forest fires, including the enforcement of any and all laws pertaining to the protection of forests and woodland.
(3) To encourage forest and tree planting for the production of a wood crop, for the protection of water supply, for windbreak and shade, or for any other beneficial purposes contributing to the general welfare, public hygiene and comfort of the people.

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

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

(6) To encourage public interest in forestry by means of correspondence, the public press, periodicals, the publication of bulletins and leaflets for general distribution, the delivery of lectures in the schools and other suitable means, and to cooperate to the fullest extent with the extension department services of the state colleges in promoting reforestation. It shall be the duty of the state forester to cooperate with private timber owners in laying plans for the protection, management and replacement of forests and in aiding them to form protection associations. It shall be his duty to examine all timbered lands belonging to the state and its institutions and report to the commission upon their timber conditions and actual value, and also whether some of these lands may not be held as state forests. He shall be responsible for the protection and management of lands donated, purchased or
belonging to the state or state institutions, and all other lands
reserved by the state as state forests.

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

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

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

(10) To appoint, upon the state forester's recommendation,
six (6) individuals who shall be designated Mississippi Forestry
Commission Law Enforcement Officers with authority to bear arms,
investigate and make arrests; however, the law enforcement duties
and authority of the officers shall be limited to woods arson.
The officers shall comply with applicable minimum educational and
training standards for law enforcement officers. * * *

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