

By: Representative Shows

To: Forestry

HOUSE BILL NO. 1227

1 AN ACT TO AMEND SECTION 49-19-1, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE STATE FORESTRY COMMISSION MEMBERS SHALL SERVE
3 STAGGERED TERMS; AND FOR RELATED PURPOSES.

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

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

7 49-19-1. (1) (a) Until July 1, 2005, there shall be a
8 State Forestry Commission composed of nine (9) members, who shall
9 be qualified electors of the state. The Dean of the School of
10 Forest Resources at Mississippi State University shall be an ex
11 officio member of the commission, with full voting authority. The
12 Governor shall appoint eight (8) members, with the advice and
13 consent of the Senate, for a term of six (6) years. The Governor
14 shall appoint one (1) member from each congressional district as
15 constituted at the time the appointments are made and shall
16 appoint the remainder of the members from the state at large. A
17 member from a congressional district must be a certified tree
18 farmer who owns eighty (80) or more acres of forest land or a
19 person who derives a major portion of his personal income from
20 forest-related business, industry or other related activities.
21 Members of the commission from the state at large may or may not
22 possess the same qualifications as members appointed from the
23 congressional districts.

24 (b) From and after July 1, 2005, terms of all members
25 then serving on the State Forestry Commission, as provided in
26 subsection (1)(a) of this section, shall terminate, and the State
27 Forestry Commission shall be reconstituted as follows: The State

28 Forestry Commission shall be composed of nine (9) members, who
29 shall be qualified electors of the state. The Dean of the School
30 of Forest Resources at Mississippi State University shall be an ex
31 officio member of the commission, with full voting authority. The
32 Governor shall appoint eight (8) members, with the advice and
33 consent of the Senate. Three (3) members shall serve initial
34 terms of three (3) years. Four (4) members shall serve initial
35 terms of four (4) years. One (1) member shall serve an initial
36 term of two (2) years. All members after the initial appointment
37 shall serve for terms of four (4) years each. The Governor shall
38 appoint one (1) member from each congressional district as
39 constituted at the time the appointments are made and shall
40 appoint the remainder of the members from the state at large. A
41 member from a congressional district must be a certified tree
42 farmer who owns eighty (80) or more acres of forest land or a
43 person who derives a major portion of his personal income from
44 forest-related business, industry or other related activities.
45 Members of the commission from the state at large may or may not
46 possess the same qualifications as members appointed from the
47 congressional districts.

48 (2) The members of the commission shall receive no annual
49 salary but each member of the commission shall receive a per diem
50 plus expenses and mileage as authorized by law for each day
51 devoted to the discharge of official duties. No member of the
52 commission shall receive total per diem in excess of twenty-four
53 (24) days' compensation per annum.

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

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

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

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

73 **SECTION 2.** This act shall take effect and be in force from
74 and after July 1, 2005.