

By: Senator(s) Williamson, Fillingane, White To: Forestry

SENATE BILL NO. 2833

1 AN ACT TO AMEND SECTIONS 73-36-7, 73-36-9 AND 73-36-35,  
2 MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN REFERENCES TO REGISTER  
3 FORESTER; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 73-36-7, Mississippi Code of 1972, is  
6 amended as follows:

7 73-36-7. Nothing contained in this chapter shall be  
8 construed as preventing any person, firm, partnership or  
9 corporation from practicing forestry or managing woodlands,  
10 forests or trees on any land, provided such acts are not performed  
11 or offered to the public for compensation \* \* \*.

12 **SECTION 2.** Section 73-36-9, Mississippi Code of 1972, is  
13 amended as follows:

14 73-36-9. There is hereby created the State Board of  
15 Registration for Foresters of the State of Mississippi for the  
16 purposes of safeguarding forests by regulating the practice of  
17 forestry and requiring that persons practicing or offering to  
18 practice forestry \* \* \* to be registered. The board shall be  
19 composed of seven (7) members appointed by the Governor with the  
20 advice and consent of the Senate. One (1) member shall be  
21 appointed from each of the six (6) forestry commission districts  
22 as constituted on January 1, 1999, and one (1) member shall be  
23 appointed at large. The State Forester of Mississippi shall serve  
24 as an ex officio member of the board. Each of the members shall  
25 be a forester within the meaning of this chapter with at least  
26 three (3) years' experience in such field, and a resident and  
27 citizen of the State of Mississippi at the time of his

28 appointment. Within thirty (30) days after the passage of this  
29 chapter, the Governor shall appoint the members, designating a  
30 term of office of one (1), two (2), three (3), four (4) or five  
31 (5) years for each of the members as appointed; provided, however,  
32 two (2) members shall serve a term of one (1) year and two (2)  
33 shall serve a term of four (4) years. As the terms of office of  
34 the members so appointed expire, successors shall be appointed for  
35 terms of five (5) years. Any vacancy occurring in the membership  
36 of the board shall be filled by the Governor for the unexpired  
37 term. The Governor shall have the right, upon the approval of a  
38 majority of the board, to remove any members of the board for  
39 inefficiency, neglect of duty or dishonorable conduct.

40 **SECTION 3.** Section 73-36-35, Mississippi Code of 1972, is  
41 amended as follows:

42 73-36-35. Any person who practices or offers to practice the  
43 profession of forestry in this state \* \* \* without being  
44 registered in accordance with this chapter, or any person who uses  
45 in connection with his name, or otherwise assumes, uses or  
46 advertises any title or description tending to convey the  
47 impression that he is a registered forester without being  
48 registered in accordance with this chapter, or any person who  
49 presents or attempts to use as his own the license of another, or  
50 any person who gives any false or forged evidence of any kind to  
51 the board or any member in obtaining a license, or any person who  
52 attempts to use an expired or revoked license, or any person,  
53 firm, partnership or corporation who violates any of the  
54 provisions of this chapter and has not been issued an  
55 administrative fine by the board for the violation is guilty of a  
56 misdemeanor and, upon conviction, shall be fined not more than  
57 Five Thousand Dollars (\$5,000.00) for each violation. The board,  
58 or any person or persons as may be designated by the board to act  
59 in its stead, is empowered to prefer charges for any violations of  
60 this chapter in any court of competent jurisdiction. It shall be

61 the duty of all duly constituted officers of the law of this state  
62 to enforce the provisions of this chapter and to prosecute any  
63 persons, firms, partnerships or corporations violating same. The  
64 Attorney General of the state or his designated assistant shall  
65 act as legal advisor of the board and render such assistance as  
66 may be necessary in carrying out the provisions of this chapter.

67       **SECTION 4.** This act shall take effect and be in force from  
68 and after July 1, 2007.