

By: Representative Wallace

To: Education

HOUSE BILL NO. 1186

1 AN ACT TO AMEND SECTION 29-1-3, MISSISSIPPI CODE OF 1972, TO
 2 REVISE THE AUTHORITY OF THE SECRETARY OF STATE WITH REGARD TO
 3 REVIEWING THE TERMS AND CONDITIONS OF CERTAIN CONTRACTS AND
 4 AGREEMENTS ENTERED INTO BY BOARDS OF EDUCATION FOR THE SALE OF
 5 TIMBER, TIMBER PRODUCTS OR OTHER FOREST PRODUCTS PRODUCED AND
 6 HARVESTED ON SIXTEENTH SECTION SCHOOL LANDS; TO AMEND SECTION
 7 29-3-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LOCAL SCHOOL BOARDS
 8 TO ENTER INTO LONG-TERM CONTRACTS, NOT TO EXCEED A TERM OF 60
 9 YEARS, FOR THE SALE OF TIMBER OR TIMBER PRODUCTS AND OTHER FOREST
 10 PRODUCTS PRODUCED AND HARVESTED ON SIXTEENTH SECTION SCHOOL LANDS;
 11 TO PROVIDE DISCRETIONARY AUTHORITY TO LOCAL BOARDS TO ENTER INTO
 12 COOPERATIVE AGREEMENTS WITH OTHER BOARDS OF EDUCATION AND THE
 13 STATE FORESTRY COMMISSION FOR THE NEGOTIATION OF A JOINT SUPPLY
 14 CONTRACT FOR THE BENEFIT OF THE SCHOOL DISTRICTS THAT ARE PARTIES
 15 TO THE AGREEMENT; TO REQUIRE THE SECRETARY OF STATE TO REVISE THE
 16 TERMS AND CONDITIONS OF COOPERATIVE AGREEMENTS ENTERED INTO BY
 17 BOARDS OF EDUCATION BEFORE ANY LONG TERM CONTRACT IS EXECUTED; TO
 18 AMEND SECTION 29-3-33, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN
 19 TERMS; TO BRING FORWARD SECTION 29-3-41, MISSISSIPPI CODE OF 1972,
 20 FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 29-3-45,
 21 MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE FORESTRY COMMISSION
 22 TO OVERSEE THE APPROVAL OF ANY CONTRACTS FOR THE SALE OF TIMBER,
 23 TIMBER PRODUCTS OR OTHER FOREST PRODUCTS PRODUCED AND HARVESTED ON
 24 SIXTEENTH SECTION SCHOOL LANDS FOR THE PURPOSE OF ENSURING THE
 25 CONTRACT IS IN THE BEST INTEREST OF THE LOCAL BOARD OF EDUCATION
 26 AND THAT A FAIR PRICE IS RECEIVED FOR THE SALE; TO AMEND SECTION
 27 37-7-301 AND 37-39-23, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO
 28 THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

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

30 **SECTION 1.** Section 29-1-3, Mississippi Code of 1972, is
 31 amended as follows:



32 29-1-3. (1) The Secretary of State has a supervisory power
33 over sixteenth section lands or lands granted in lieu thereof; and
34 he shall supply to the members of the Legislature, the boards of
35 supervisors, the boards of education and other interested persons
36 information concerning those lands and make such recommendations
37 and suggestions as he may deem proper.

38 (2) The Secretary of State shall prepare a report which
39 shall include the terms of all leases on sixteenth section school
40 lands, or lands granted in lieu thereof, the condition of the
41 title to all such lands and the current income from all sources
42 earned by such lands, and he shall maintain such report in his
43 office for examination by any interested person.

44 (3) Any state, county, municipal or school district official
45 shall supply annually to the Secretary of State such sixteenth
46 section management information as shall be requested by the
47 secretary. Such information shall include, but not be limited to,
48 the following items pertaining to all new leases, rights-of-way,
49 easements and sales of school trust lands: the number of acres in
50 each parcel; the consideration paid for each transaction; the
51 length and expiration of each lease, easement, or right-of-way;
52 and the use to be made of each parcel. The applicable public
53 official shall likewise report information requested by the
54 Secretary of State on schedule of revenue and expenses and
55 principal fund investments. Such information shall include, but
56 not be limited to, the following items: revenues received from



57 various sources; expenses; escrow funds; principal funds; amounts
58 of monies invested; dates of investment; where invested; form of
59 investment; rate of return of each investment; and the amount of
60 revenue earned upon each investment. The information must be
61 submitted in electronic format in the manner required by the
62 Secretary of State.

63 The action of mandamus shall lie as is provided under Section
64 29-3-9 to compel the transmittal of information under this
65 subsection by any public official to the best of his knowledge and
66 belief.

67 (4) The Secretary of State shall:

68 (a) Review the terms and conditions of cooperative
69 agreements entered into by two (2) or more school districts for
70 the negotiation of a joint supply contract for the benefit of all
71 school districts that are parties to the agreement; and

72 (b) Review the terms of any long-term contract for the
73 sale of timber, timber products and other forestry products, by
74 the State Forestry Commission on behalf of one or more school
75 districts before such contract is executed.

76 **SECTION 2.** Section 29-3-1, Mississippi Code of 1972, is
77 amended as follows:

78 29-3-1. (1) Sixteenth section school lands, or lands
79 granted in lieu thereof, constitute property held in trust for the
80 benefit of the public schools and must be treated as such. The
81 board of education under the general supervision of the * * *



82 Secretary of State, shall have control and jurisdiction of said
83 school trust lands and of all funds arising from any disposition
84 thereof heretofore or hereafter made. It shall be the duty of the
85 board of education to manage the school trust lands and all funds
86 arising therefrom as trust property. Accordingly, the board shall
87 assure that adequate compensation is received for all uses of the
88 trust lands, except for uses by the public schools.

89 (2) In the event the board of supervisors declines to
90 approve the rental value of the land set by the board of
91 education, the board of education shall within ten (10) days
92 appoint one (1) appraiser, the board of supervisors shall within
93 twenty (20) days appoint one (1) appraiser and the two (2)
94 appraisers so appointed shall within twenty (20) days appoint a
95 third appraiser whose duty it shall be to appraise the land,
96 exclusive of buildings and improvements, the title to which is not
97 held in trust for the public schools, and to file a written report
98 with each board setting forth their recommendation for the rental
99 value of the land within thirty (30) days. The cost of the
100 appraisal shall be paid from any available sixteenth section
101 school funds or other school funds of the district. If no appeal
102 is taken within twenty (20) days as provided hereunder, the lease
103 shall be executed in accordance with said recommended rental value
104 within thirty (30) days of the receipt of the appraisers' report.
105 In the event any party is aggrieved by the decision of the
106 appraisers setting forth the appraised rental value, the party so



107 aggrieved shall be entitled to an appeal to the chancery court in
108 which the land is located. Such appeal shall be taken within
109 twenty (20) days following the decision. The chancery court, on
110 appeal, may review all of the proceedings, may receive additional
111 evidence, and make findings of fact, as well as conclusions of law
112 to insure that a fair and reasonable return may be obtained on the
113 sixteenth section lands or lands in lieu thereof.

114 (3) The board of education, under the authority prescribed
115 in subsection (1) to have control and jurisdiction of said school
116 trust lands and of all funds arising from any disposition, is
117 authorized to enter into long-term contracts for the sale of
118 timber or timber products, as defined in Section 29-3-33, and
119 other forest products produced and harvested on sixteenth section
120 school lands, or lands granted in lieu thereof, provided that no
121 such agreement shall exceed a term of sixty (60) years. In
122 addition to the authority granted in this subsection, the board of
123 education, upon a determination that it is in the best public and
124 financial interest of the affected school district, may enter into
125 a cooperative agreement with other boards of education and the
126 State Forestry Commission for the negotiation of a joint supply
127 contract for the benefit of all school districts that are parties
128 to the agreement under any such terms and conditions established
129 by such parties, which such cooperative agreement shall be
130 reviewed and approved by the Secretary of State before any



131 long-term contract is executed on behalf of the school districts
132 that are parties to the agreement.

133 **SECTION 3.** Section 29-3-33, Mississippi Code of 1972, is
134 amended as follows:

135 29-3-33. For the purpose of determining the proper category
136 for such lands and the oil, gas and other minerals in, on and
137 under such lands, the following definitions shall be controlling
138 unless the context clearly indicates otherwise:

139 (a) "Forest land" shall mean all land at least ninety
140 percent (90%) of the total area of which is at present forest or
141 wasteland, or land which will produce a maximum of revenue by
142 utilization to produce timber or other forest products, shall be
143 classified as forest land. The unit of measurement to be used in
144 arriving at the classification of forest land shall be the
145 smallest division of the government survey covering said lands in
146 counties where such government survey has been made, and in other
147 counties shall be forty (40) acres.

148 (b) "Agricultural land" shall mean land most suitable
149 for pasturage or cultivation.

150 (c) "Industrial land" shall mean land most suitable for
151 port, harbor, industrial, manufacturing or warehousing use.

152 (d) "Commercial land" shall mean land most suitable for
153 wholesale or retail businesses, financial institutions,
154 professional offices and clinics, service trades and occupations,
155 privately owned public utilities and similar businesses.



156 (e) "Residential land" shall mean any tract of land
157 upon which the lessee or board-approved sub-lessee is residing.
158 Such lands shall be set up, as nearly as possible, in a
159 rectangular form so as to include the houses and such other
160 permanent improvements as may have been placed thereon by said
161 lessee or his predecessor in title; provided, however, that such
162 tract of land shall not exceed five (5) acres.

163 (f) "Farm residential land" shall mean any tract of
164 land upon which a leaseholder resides not exceeding one hundred
165 sixty (160) acres in size existing on July 1, 1978, which is
166 utilized for agricultural purposes. Provided, however, that farm
167 residential land may consist of two (2) noncontiguous tracts not
168 exceeding one hundred sixty (160) acres in the aggregate (a) with
169 reasonable easements connecting the residential and outlying
170 tracts; or (b) with the residential tract situated a distance not
171 exceeding one and one-half (1-1/2) miles from the outlying tract.
172 Provided further that no sixteenth section lands or lands granted
173 in lieu thereof, situated in a county lying wholly or partially
174 within a levee district shall be classified as farm residential
175 land.

176 (g) "Recreational land" shall mean land most suitable
177 for uses which provide for activities or services of a
178 recreational nature. Recreational nature shall include, but not
179 be limited to, parks, campsites, lodges and similar uses and
180 facilities.



181 (h) "Catfish farming land" shall mean land most
182 suitable for the construction of catfish ponds and for wholesale
183 or retail catfish farm raising and harvesting.

184 (i) "Other land" shall mean any land which is not
185 suitable for any of the uses described above.

186 (j) "Oil, gas and minerals" shall mean the following:

187 (i) oil, gas, carbon dioxide and other gaseous substances; (ii)
188 metals, compounds of metals, or metal-bearing ores; (iii) coal,
189 including anthracite, bituminous, subbituminous, lignite and their
190 constituent components and products and minerals intermingled or
191 associated therewith; and (iv) sulphur, salt, sand, gravel, fill
192 dirt and clay, in, on and under the lands classified above. Such
193 oil, gas and minerals shall be a classification of land separate
194 and distinct from the classifications set forth above in
195 paragraphs (a) through (h) inclusive.

196 (k) "Biomass" means any organic matter which is
197 available on a renewable basis including agricultural crops and
198 agricultural wastes and residues, wood and wood wastes and
199 residues and animal wastes, including, but not limited to:

200 (i) Forest-related mill residues, pulping
201 byproduct and other byproducts of wood processing, thinnings,
202 slash, limbs, bark, brush and other cellulosic plant material or
203 nonmerchantable forest-related products;



204 (ii) Solid wood waste materials, including
205 dunnage, manufacturing and construction wood wastes, demolition
206 and storm debris and landscape or right-of-way trimmings;

207 (iii) Agriculture wastes, including orchard tree
208 crops, vineyard, grain, legumes, sugar and other crop by-products
209 or residues and livestock waste nutrients;

210 (iv) All plant and grass material that is grown
211 exclusively as a fuel for the production of electricity;

212 (v) Refuse derived fuels consisting of organic
213 components and fibers of waste water treatment solids; or

214 (vi) Whole trees.

215 (l) "Timber" means timber after severance or
216 production.

217 (m) "Timber products" means timber of all kinds,
218 species, or sizes, after severance, including logs, lumber, poles,
219 piling, posts, blocks, bolts, cordwood, and pulpwood, pine
220 stumpwood, pine knots or other distillate wood, crossties,
221 turpentine (crude gum), and all other products derived from timber
222 which have a sale or commercial value.

223 **SECTION 4.** Section 29-3-41, Mississippi Code of 1972, is
224 brought forward as follows:

225 29-3-41. After any parcels of sixteenth section lands have
226 been classified as hereinabove provided, all land which has been
227 classified as forest land and which is not now under lease shall
228 hereafter not be leased. The lands classified as forest lands



229 which may be under a lease that has a fixed date of expiration
230 shall not be re-leased when said lease expires; nor shall the
231 lessee be permitted to cut or remove any timber therefrom except
232 according to the terms of his lease. Such lands shall be reserved
233 and kept as forest lands. Provided further, that the mineral
234 rights in all such lands may be leased for oil, gas, or mineral
235 purposes, and the board of education may grant leases to the
236 surface of said lands classified as forest, which are limited to
237 hunting and fishing rights and activities in relation thereto, and
238 which shall not extend for a period longer than fifteen (15)
239 years. It shall be the duty of the board of education to lease
240 said hunting and fishing rights at public contract after having
241 advertised same for rent in a newspaper published in said county
242 or, if no newspaper be published in said county, then in a
243 newspaper having a general circulation therein, for two (2)
244 successive weeks, the first being at least ten (10) days prior to
245 said public contract. Said hunting and fishing rights shall be
246 leased to the person offering the highest annual rental. Bids
247 received by the board of education in response to the
248 advertisement shall be opened at a regular or special meeting of
249 the board. The board of education, at its option, may reject all
250 bids or accept the highest and best bid received in response to
251 the advertisement, or the board of education may hold an auction
252 among those who submitted bids in response to the advertisement,
253 provided that three (3) or more persons who submitted bids in



254 response to the advertisement participate in the auction. The
255 opening bid at the auction shall be the highest bid received in
256 response to the advertisement. Provided that if the board of
257 education receives an acceptable bid or elects to hold an auction,
258 the most recent holder of said hunting and fishing rights if it
259 shall have made an offer, shall have the final right to extend its
260 lease for the term advertised at the annual rental equal to said
261 highest offer received by the board of education, or equal to the
262 highest bid offered at the auction, as the case may be.

263 If no bid acceptable to the board of education is received
264 after said advertisement, the board of education may, within
265 ninety (90) days, lease same by private contract for an amount
266 greater than the highest bid previously rejected. If the board of
267 education determines to lease the land by private contract, the
268 most recent holder of said hunting and fishing rights, if it shall
269 have made an offer, shall have the final right to extend its lease
270 on the same terms and conditions as those contained in the private
271 contract proposed to be accepted by the board of education.

272 **SECTION 5.** Section 29-3-45, Mississippi Code of 1972, is
273 amended as follows:

274 29-3-45. (1) (a) The board of education shall, by order
275 placed upon its minutes, enter into an agreement with the State
276 Forestry Commission for the general supervision and management of
277 all lands classified as forest lands and of all timber or other
278 forest products under the control of the board on sixteenth



279 section lands, and lieu lands which have not been so classified.
280 However, any school board may contract with private persons or
281 businesses for the reforestation of sixteenth section lands and
282 may contract with a registered forester to be paid from the 16th
283 Section Interest Fund for a review of any forestry management
284 decision or forestry practice including the sale of timber for
285 sixteenth section forest land provided that any implementation of
286 a forestry management decision or forestry practice to be taken as
287 a result of the review described in this subsection shall be
288 subject to the approval of both the commission and the Secretary
289 of State. When such agreement has been entered into, no timber or
290 other forest products shall be sold from any of the sixteenth
291 section lands or lieu lands except such as have been marked or
292 approved for cutting by the State Forestry Commission's employees.
293 The Forestry Commission, or its designated employee, shall fix the
294 minimum total cash price or minimum price per unit, one thousand
295 (1,000) feet or other measure, at which the marked timber or other
296 forest products shall be sold. The sales may be made for a lump
297 sum or upon a unit price as in the opinion of the board may be
298 calculated to bring the greatest return. Sales shall be made upon
299 such other terms and conditions as to manner of cutting, damages
300 for cutting of unmarked trees, damages to trees not cut and other
301 pertinent matters as the board of education shall approve.

302 (b) The State Forestry Commission shall have the sole
303 authority and control in scheduling of all cutting and harvesting



304 of timber or other forest products when such timber stands or
305 other forest products are determined by the State Forestry
306 Commission to be economically ready for cutting and harvesting.

307 (c) Should a school board disagree with the Forestry
308 Commission concerning the time of cutting and harvesting, the
309 board may make an appeal to the Forestry Commission at a regular
310 monthly scheduled meeting of the commission. If the school board
311 is not satisfied after the appeal to the commission, the board may
312 then appeal to the Secretary of State who will make the final
313 decision as to the time for cutting and harvesting. In the event
314 that the local school board is divested of its management
315 authority under subsection (3) hereof, the Secretary of State
316 after due consultation with the Forestry Commission shall retain
317 the right to make final decisions concerning the management and
318 sale of timber and other forest products.

319 (d) It is hereby made the duty of the State Forestry
320 Commission, from time to time, to mark timber which should be cut
321 from the lands, to determine what planting, deadening or other
322 forestry improvements should be made, giving due consideration to
323 food and habitat for wildlife, and to report to the appropriate
324 board of education. The State Forestry Commission and the board
325 of education shall supervise the cutting of any timber or
326 harvesting of other forest products sold from the lands herein
327 designated and shall have authority to require any timber-cutting
328 operations on the lands to cease until proper adjustment is made,



329 whenever it shall appear that timber is being cut in violation of
330 the terms of the sale. In the event that it is desired to lease
331 any of such lands or standing timber for turpentine purposes, such
332 lease shall only cover such trees as the State Forestry Commission
333 shall designate, and the commission through its employees shall
334 approve the number of faces, method of chipping and boxing of such
335 timber, and shall fix a minimum total cash price or minimum price
336 per unit.

337 (e) No sale of any timber, turpentine or other forest
338 products lease shall be made until notice of same shall have been
339 published once a week for three (3) consecutive weeks in at least
340 one (1) newspaper published in such county. The first publication
341 of such notice shall be made not less than twenty-one (21) days
342 prior to the date fixed for the sale, and the last publication
343 shall be made not more than seven (7) days prior to such date. If
344 no newspaper is published in such county, then such notice shall
345 be given by publishing the same for the required time in some
346 newspaper having a general circulation in such county and, in
347 addition thereto, by posting a copy of such notice for at least
348 twenty-one (21) days next preceding such sale at three (3) public
349 places in such county.

350 (f) Notwithstanding the above provision pertaining to
351 the sale of any timber, turpentine or other forest products, in
352 the event that timber must be cleared from an existing road or
353 existing utility right-of-way, the public notice requirement may



354 be waived. Prior to waiver of the public notice requirement, the
355 State Forestry Commission must make a finding that, due to the
356 small area of timber to be cleared, a public notice sale would not
357 be in the best interest of the local board of education. If the
358 State Forestry Commission makes such a finding, then it shall set
359 the value of the timber to be paid to the local board of education
360 by the party requesting the timber be removed.

361 (g) Provided, however, in the case of damage by fire,
362 windstorm or other natural causes which would require immediate
363 sale of the timber, because the time involved for advertisement as
364 prescribed herein would allow decay, rot or destruction
365 substantially decreasing the purchase price to be received had not
366 such delay occurred, the advertisement provisions of this section
367 shall not apply. The local board of education, with a written
368 recommendation from a designated employee of the State Forestry
369 Commission filed in the minutes of the local board of education,
370 shall determine when immediate sale of the timber is required.
371 When the board of education shall find an immediate sale necessary
372 for the causes stated herein, it shall, in its discretion, set the
373 time for receipt of bids on the purchase of the timber, but shall
374 show due diligence in notifying competitive bidders so that a true
375 competitive bid shall be received.

376 (2) (a) A local board of education having control of the
377 sixteenth section lands in the Hurricane Katrina Disaster of 2005
378 shall be granted emergency powers to take any and all actions of a



379 reasonably prudent trustee acting under emergency conditions to
380 recover damaged timber, prevent further loss or damage to timber,
381 and to minimize economic loss. All such actions shall be taken in
382 consultation with and shall be subject to the prior approval from
383 the Secretary of State and the State Forestry Commission. The
384 emergency powers shall be as follows:

385 (i) Contract with any individual or entity for
386 management advice, sale of timber, clearing of damage to timber
387 producing lands, transporting of timber, repairing access roads to
388 timber lands, conducting aerial spraying, or taking any other type
389 of action to prevent further loss of timber or diminution in value
390 of existing timber as the result of the incident which
391 necessitated the declaration of a natural disaster. In
392 contracting with any individual or entity, the local board of
393 education shall use its best efforts to ensure that all costs
394 incurred are reasonable and that a fair price is received for all
395 sales.

396 (ii) Enter into agreements with any individual,
397 private company, or other governmental entities for the pooling of
398 resources, or the sharing of costs so as to maximize the
399 mitigation of loss and minimize the expense of mitigating the loss
400 of timber.

401 (iii) Apply for any state, federal, or private
402 party grant or nonrepayable funds to cover costs associated with
403 emergency management contracts, sale timber, including loss for



404 diminution of value, transporting of timber, replanting of timber,
405 repairing access roads to timber, conducting aerial spraying, or
406 reimbursement for any other action taken to prevent further timber
407 damage, as well as mitigating the loss of funds due to damage.

408 (b) The emergency powers granted herein shall be for a
409 period of one (1) year from the date of designation as a disaster
410 area due to Hurricane Katrina. The emergency powers may be
411 extended for one (1) additional one-year period upon prior written
412 approval from the Secretary of State.

413 (c) The emergency powers shall also apply to the
414 management of timber by the Secretary of State pursuant to
415 subsection (3) of this section.

416 (d) In the event a local board of education is unable
417 to acquire the services of the State Forestry Commission or the
418 Secretary of State to meet an immediate need to salvage, remove or
419 take other appropriate action on damaged timber, the local board
420 of education shall unilaterally be granted the authority to take
421 such actions as necessary regarding the management or sale of
422 timber or other forest products.

423 (e) In exercising emergency powers, a local board of
424 education or the Secretary of State shall exercise the general
425 powers of a trustee with the same general restrictions and general
426 liabilities of a trustee and shall exercise the care and skill of
427 an ordinary prudent person to protect the beneficiaries of the
428 trust under such emergency circumstances.



429 (f) Any contractor with a local board of education or
430 the Secretary of State shall be entitled to rely on
431 representations by such board of education or the Secretary of
432 State as to who has authority to enter contracts for the
433 management or sale of timber or other forest products, and
434 reliance on such representations shall not be grounds for voiding
435 any contract.

436 (3) (a) In the event that any member of a local board of
437 education may have a personal interest, either direct or indirect,
438 in the decisions regarding the management or sale of timber or
439 other forest products or in a contract for the sale of timber or
440 other forest products from sixteenth section school lands under
441 the jurisdiction and control of the board, then the board of
442 education shall automatically be divested of all authority and
443 power to manage and sell timber or other forest products on
444 sixteenth section lands under its control and jurisdiction. The
445 divestiture shall extend for the period of service, and for one
446 (1) year thereafter, of the board member having a direct or
447 indirect personal interest in the sale or decision to sell timber
448 or other forest products.

449 (b) During the time in which any local board of
450 education may be divested of authority and power to manage and
451 sell timber and other forest products, such authority and power
452 shall be vested in the Secretary of State, as supervisory trustee
453 of sixteenth section lands. Upon the appointment or election of a



454 member of a local board of education who may have such an
455 appointment or election of a member of a local board of education
456 who may have such an interest in decisions and contracts regarding
457 the management and sale of timber or other forest products, the
458 board of education shall immediately notify the Secretary of State
459 in writing. Likewise, the board shall give written notification
460 to the Secretary of State within thirty (30) days prior to the
461 expiration of any such divestiture period. Any contractor with a
462 local board of education or the Secretary of State shall be
463 entitled to rely on representations by such board or the Secretary
464 of State as to who has authority to enter contracts for the
465 management or sale of timber or other forest products, and
466 reliance on such representations shall not be grounds for voiding
467 any contract.

468 (c) The laws providing for the management and sale of
469 timber and other forest products by local boards of education
470 shall apply to the management and sale of timber and other forest
471 products by the Secretary of State. The Mississippi Forestry
472 Commission shall provide the Secretary of State with advice and
473 services in the same manner as provided to local boards of
474 education.

475 (d) The Secretary of State shall be paid all monies
476 derived from the sale of timber or other forest products and shall
477 promptly forward the same to the superintendent of education for
478 such school district with instructions for the proper settlement,



479 deposit and investment of the monies. Such local school board
480 shall reimburse the Secretary of State for all direct costs
481 relating to the management and sale of timber or other forest
482 products, and in the case of a sale of timber or other forest
483 products, the Secretary of State may deduct such direct cost from
484 the proceeds of sale. The Secretary of State shall furnish an
485 itemized listing of all direct cost charged to the local school
486 district.

487 (4) With regard to any long-term contract for the sale of
488 timber, timber products and other forestry products, the State
489 Forestry Commission, in fulfillment of its management duties under
490 subsection (1) of this section, shall oversee the approval of any
491 such contracts to ensure that the contract is in the best interest
492 of the local board of education and that a fair price is received
493 for the sale, provided that the Secretary of State shall review the
494 terms of such contract before it is executed.

495 **SECTION 6.** Section 37-7-301, Mississippi Code of 1972, is
496 amended as follows:

497 37-7-301. The school boards of all school districts shall
498 have the following powers, authority and duties in addition to all
499 others imposed or granted by law, to wit:

500 (a) To organize and operate the schools of the district
501 and to make such division between the high school grades and
502 elementary grades as, in their judgment, will serve the best
503 interests of the school;



504 (b) To introduce public school music, art, manual
505 training and other special subjects into either the elementary or
506 high school grades, as the board shall deem proper;

507 (c) To be the custodians of real and personal school
508 property and to manage, control and care for same, both during the
509 school term and during vacation;

510 (d) To have responsibility for the erection, repairing
511 and equipping of school facilities and the making of necessary
512 school improvements;

513 (e) To suspend or to expel a pupil or to change the
514 placement of a pupil to the school district's alternative school
515 or homebound program for misconduct in the school or on school
516 property, as defined in Section 37-11-29, on the road to and from
517 school, or at any school-related activity or event, or for conduct
518 occurring on property other than school property or other than at
519 a school-related activity or event when such conduct by a pupil,
520 in the determination of the school superintendent or principal,
521 renders that pupil's presence in the classroom a disruption to the
522 educational environment of the school or a detriment to the best
523 interest and welfare of the pupils and teacher of such class as a
524 whole, and to delegate such authority to the appropriate officials
525 of the school district;

526 (f) To visit schools in the district, in their
527 discretion, in a body for the purpose of determining what can be
528 done for the improvement of the school in a general way;



529 (g) To support, within reasonable limits, the
530 superintendent, principal and teachers where necessary for the
531 proper discipline of the school;

532 (h) To exclude from the schools students with what
533 appears to be infectious or contagious diseases; provided,
534 however, such student may be allowed to return to school upon
535 presenting a certificate from a public health officer, duly
536 licensed physician or nurse practitioner that the student is free
537 from such disease;

538 (i) To require those vaccinations specified by the
539 State Health Officer as provided in Section 41-23-37;

540 (j) To see that all necessary utilities and services
541 are provided in the schools at all times when same are needed;

542 (k) To authorize the use of the school buildings and
543 grounds for the holding of public meetings and gatherings of the
544 people under such regulations as may be prescribed by said board;

545 (l) To prescribe and enforce rules and regulations not
546 inconsistent with law or with the regulations of the State Board
547 of Education for their own government and for the government of
548 the schools, and to transact their business at regular and special
549 meetings called and held in the manner provided by law;

550 (m) To maintain and operate all of the schools under
551 their control for such length of time during the year as may be
552 required;



553 (n) To enforce in the schools the courses of study and
554 the use of the textbooks prescribed by the proper authorities;

555 (o) To make orders directed to the superintendent of
556 schools for the issuance of pay certificates for lawful purposes
557 on any available funds of the district and to have full control of
558 the receipt, distribution, allotment and disbursement of all funds
559 provided for the support and operation of the schools of such
560 school district whether such funds be derived from state
561 appropriations, local ad valorem tax collections, or otherwise.
562 The local school board shall be authorized and empowered to
563 promulgate rules and regulations that specify the types of claims
564 and set limits of the dollar amount for payment of claims by the
565 superintendent of schools to be ratified by the board at the next
566 regularly scheduled meeting after payment has been made;

567 (p) To select all school district personnel in the
568 manner provided by law, and to provide for such employee fringe
569 benefit programs, including accident reimbursement plans, as may
570 be deemed necessary and appropriate by the board;

571 (q) To provide athletic programs and other school
572 activities and to regulate the establishment and operation of such
573 programs and activities;

574 (r) To join, in their discretion, any association of
575 school boards and other public school-related organizations, and
576 to pay from local funds other than minimum foundation funds, any
577 membership dues;



578 (s) To expend local school activity funds, or other
579 available school district funds, other than minimum education
580 program funds, for the purposes prescribed under this paragraph.
581 "Activity funds" shall mean all funds received by school officials
582 in all school districts paid or collected to participate in any
583 school activity, such activity being part of the school program
584 and partially financed with public funds or supplemented by public
585 funds. The term "activity funds" shall not include any funds
586 raised and/or expended by any organization unless commingled in a
587 bank account with existing activity funds, regardless of whether
588 the funds were raised by school employees or received by school
589 employees during school hours or using school facilities, and
590 regardless of whether a school employee exercises influence over
591 the expenditure or disposition of such funds. Organizations shall
592 not be required to make any payment to any school for the use of
593 any school facility if, in the discretion of the local school
594 governing board, the organization's function shall be deemed to be
595 beneficial to the official or extracurricular programs of the
596 school. For the purposes of this provision, the term
597 "organization" shall not include any organization subject to the
598 control of the local school governing board. Activity funds may
599 only be expended for any necessary expenses or travel costs,
600 including advances, incurred by students and their chaperons in
601 attending any in-state or out-of-state school-related programs,
602 conventions or seminars and/or any commodities, equipment, travel



603 expenses, purchased services or school supplies which the local
604 school governing board, in its discretion, shall deem beneficial
605 to the official or extracurricular programs of the district,
606 including items which may subsequently become the personal
607 property of individuals, including yearbooks, athletic apparel,
608 book covers and trophies. Activity funds may be used to pay
609 travel expenses of school district personnel. The local school
610 governing board shall be authorized and empowered to promulgate
611 rules and regulations specifically designating for what purposes
612 school activity funds may be expended. The local school governing
613 board shall provide (i) that such school activity funds shall be
614 maintained and expended by the principal of the school generating
615 the funds in individual bank accounts, or (ii) that such school
616 activity funds shall be maintained and expended by the
617 superintendent of schools in a central depository approved by the
618 board. The local school governing board shall provide that such
619 school activity funds be audited as part of the annual audit
620 required in Section 37-9-18. The State Department of Education
621 shall prescribe a uniform system of accounting and financial
622 reporting for all school activity fund transactions;

623 (t) To enter into an energy performance contract,
624 energy services contract, on a shared_savings, lease or
625 lease-purchase basis, for energy efficiency services and/or
626 equipment as provided for in Section 31-7-14;



627 (u) To maintain accounts and issue pay certificates on
628 school food service bank accounts;

629 (v) (i) To lease a school building from an individual,
630 partnership, nonprofit corporation or a private for-profit
631 corporation for the use of such school district, and to expend
632 funds therefor as may be available from any nonminimum program
633 sources. The school board of the school district desiring to
634 lease a school building shall declare by resolution that a need
635 exists for a school building and that the school district cannot
636 provide the necessary funds to pay the cost or its proportionate
637 share of the cost of a school building required to meet the
638 present needs. The resolution so adopted by the school board
639 shall be published once each week for three (3) consecutive weeks
640 in a newspaper having a general circulation in the school district
641 involved, with the first publication thereof to be made not less
642 than thirty (30) days prior to the date upon which the school
643 board is to act on the question of leasing a school building. If
644 no petition requesting an election is filed prior to such meeting
645 as hereinafter provided, then the school board may, by resolution
646 spread upon its minutes, proceed to lease a school building. If
647 at any time prior to said meeting a petition signed by not less
648 than twenty percent (20%) or fifteen hundred (1500), whichever is
649 less, of the qualified electors of the school district involved
650 shall be filed with the school board requesting that an election
651 be called on the question, then the school board shall, not later



652 than the next regular meeting, adopt a resolution calling an
653 election to be held within such school district upon the question
654 of authorizing the school board to lease a school building. Such
655 election shall be called and held, and notice thereof shall be
656 given, in the same manner for elections upon the questions of the
657 issuance of the bonds of school districts, and the results thereof
658 shall be certified to the school board. If at least three-fifths
659 (3/5) of the qualified electors of the school district who voted
660 in such election shall vote in favor of the leasing of a school
661 building, then the school board shall proceed to lease a school
662 building. The term of the lease contract shall not exceed twenty
663 (20) years, and the total cost of such lease shall be either the
664 amount of the lowest and best bid accepted by the school board
665 after advertisement for bids or an amount not to exceed the
666 current fair market value of the lease as determined by the
667 averaging of at least two (2) appraisals by certified general
668 appraisers licensed by the State of Mississippi. The term "school
669 building" as used in this paragraph (v) (i) shall be construed to
670 mean any building or buildings used for classroom purposes in
671 connection with the operation of schools and shall include the
672 site therefor, necessary support facilities, and the equipment
673 thereof and appurtenances thereto such as heating facilities,
674 water supply, sewage disposal, landscaping, walks, drives and
675 playgrounds. The term "lease" as used in this paragraph (v) (i)
676 may include a lease-purchase contract;



677 (ii) If two (2) or more school districts propose
678 to enter into a lease contract jointly, then joint meetings of the
679 school boards having control may be held but no action taken shall
680 be binding on any such school district unless the question of
681 leasing a school building is approved in each participating school
682 district under the procedure hereinabove set forth in paragraph
683 (v) (i). All of the provisions of paragraph (v) (i) regarding the
684 term and amount of the lease contract shall apply to the school
685 boards of school districts acting jointly. Any lease contract
686 executed by two (2) or more school districts as joint lessees
687 shall set out the amount of the aggregate lease rental to be paid
688 by each, which may be agreed upon, but there shall be no right of
689 occupancy by any lessee unless the aggregate rental is paid as
690 stipulated in the lease contract. All rights of joint lessees
691 under the lease contract shall be in proportion to the amount of
692 lease rental paid by each;

693 (w) To employ all noninstructional and noncertificated
694 employees and fix the duties and compensation of such personnel
695 deemed necessary pursuant to the recommendation of the
696 superintendent of schools;

697 (x) To employ and fix the duties and compensation of
698 such legal counsel as deemed necessary;

699 (y) Subject to rules and regulations of the State Board
700 of Education, to purchase, own and operate trucks, vans and other



701 motor vehicles, which shall bear the proper identification
702 required by law;

703 (z) To expend funds for the payment of substitute
704 teachers and to adopt reasonable regulations for the employment
705 and compensation of such substitute teachers;

706 (aa) To acquire in its own name by purchase all real
707 property which shall be necessary and desirable in connection with
708 the construction, renovation or improvement of any public school
709 building or structure. Whenever the purchase price for such real
710 property is greater than Fifty Thousand Dollars (\$50,000.00), the
711 school board shall not purchase the property for an amount
712 exceeding the fair market value of such property as determined by
713 the average of at least two (2) independent appraisals by
714 certified general appraisers licensed by the State of Mississippi.
715 If the board shall be unable to agree with the owner of any such
716 real property in connection with any such project, the board shall
717 have the power and authority to acquire any such real property by
718 condemnation proceedings pursuant to Section 11-27-1 et seq.,
719 Mississippi Code of 1972, and for such purpose, the right of
720 eminent domain is hereby conferred upon and vested in said board.
721 Provided further, that the local school board is authorized to
722 grant an easement for ingress and egress over sixteenth section
723 land or lieu land in exchange for a similar easement upon
724 adjoining land where the exchange of easements affords substantial
725 benefit to the sixteenth section land; provided, however, the



726 exchange must be based upon values as determined by a competent
727 appraiser, with any differential in value to be adjusted by cash
728 payment. Any easement rights granted over sixteenth section land
729 under such authority shall terminate when the easement ceases to
730 be used for its stated purpose. No sixteenth section or lieu land
731 which is subject to an existing lease shall be burdened by any
732 such easement except by consent of the lessee or unless the school
733 district shall acquire the unexpired leasehold interest affected
734 by the easement;

735 (bb) To charge reasonable fees related to the
736 educational programs of the district, in the manner prescribed in
737 Section 37-7-335;

738 (cc) Subject to rules and regulations of the State
739 Board of Education, to purchase relocatable classrooms for the use
740 of such school district, in the manner prescribed in Section
741 37-1-13;

742 (dd) Enter into contracts or agreements with other
743 school districts, political subdivisions or governmental entities
744 to carry out one or more of the powers or duties of the school
745 board, or to allow more efficient utilization of limited resources
746 for providing services to the public;

747 (ee) To provide for in-service training for employees
748 of the district;

749 (ff) As part of their duties to prescribe the use of
750 textbooks, to provide that parents and legal guardians shall be



751 responsible for the textbooks and for the compensation to the
752 school district for any books which are not returned to the proper
753 schools upon the withdrawal of their dependent child. If a
754 textbook is lost or not returned by any student who drops out of
755 the public school district, the parent or legal guardian shall
756 also compensate the school district for the fair market value of
757 the textbooks;

758 (gg) To conduct fund-raising activities on behalf of
759 the school district that the local school board, in its
760 discretion, deems appropriate or beneficial to the official or
761 extracurricular programs of the district; provided that:

762 (i) Any proceeds of the fund-raising activities
763 shall be treated as "activity funds" and shall be accounted for as
764 are other activity funds under this section; and

765 (ii) Fund-raising activities conducted or
766 authorized by the board for the sale of school pictures, the
767 rental of caps and gowns or the sale of graduation invitations for
768 which the school board receives a commission, rebate or fee shall
769 contain a disclosure statement advising that a portion of the
770 proceeds of the sales or rentals shall be contributed to the
771 student activity fund;

772 (hh) To allow individual lessons for music, art and
773 other curriculum-related activities for academic credit or
774 nonacademic credit during school hours and using school equipment



775 and facilities, subject to uniform rules and regulations adopted
776 by the school board;

777 (ii) To charge reasonable fees for participating in an
778 extracurricular activity for academic or nonacademic credit for
779 necessary and required equipment such as safety equipment, band
780 instruments and uniforms;

781 (jj) To conduct or participate in any fund-raising
782 activities on behalf of or in connection with a tax-exempt
783 charitable organization;

784 (kk) To exercise such powers as may be reasonably
785 necessary to carry out the provisions of this section;

786 (ll) To expend funds for the services of nonprofit arts
787 organizations or other such nonprofit organizations who provide
788 performances or other services for the students of the school
789 district;

790 (mm) To expend federal No Child Left Behind Act funds,
791 or any other available funds that are expressly designated and
792 authorized for that use, to pay training, educational expenses,
793 salary incentives and salary supplements to employees of local
794 school districts; except that incentives shall not be considered
795 part of the local supplement as defined in Section 37-151-5(o),
796 nor shall incentives be considered part of the local supplement
797 paid to an individual teacher for the purposes of Section
798 37-19-7(1). Mississippi Adequate Education Program funds or any



799 other state funds may not be used for salary incentives or salary
800 supplements as provided in this paragraph (mm);

801 (nn) To use any available funds, not appropriated or
802 designated for any other purpose, for reimbursement to the
803 state-licensed employees from both in state and out of state, who
804 enter into a contract for employment in a school district, for the
805 expense of moving when the employment necessitates the relocation
806 of the licensed employee to a different geographical area than
807 that in which the licensed employee resides before entering into
808 the contract. The reimbursement shall not exceed One Thousand
809 Dollars (\$1,000.00) for the documented actual expenses incurred in
810 the course of relocating, including the expense of any
811 professional moving company or persons employed to assist with the
812 move, rented moving vehicles or equipment, mileage in the amount
813 authorized for county and municipal employees under Section
814 25-3-41 if the licensed employee used his personal vehicle or
815 vehicles for the move, meals and such other expenses associated
816 with the relocation. No licensed employee may be reimbursed for
817 moving expenses under this section on more than one (1) occasion
818 by the same school district. Nothing in this section shall be
819 construed to require the actual residence to which the licensed
820 employee relocates to be within the boundaries of the school
821 district that has executed a contract for employment in order for
822 the licensed employee to be eligible for reimbursement for the
823 moving expenses. However, the licensed employee must relocate



824 within the boundaries of the State of Mississippi. Any individual
825 receiving relocation assistance through the Critical Teacher
826 Shortage Act as provided in Section 37-159-5 shall not be eligible
827 to receive additional relocation funds as authorized in this
828 paragraph;

829 (oo) To use any available funds, not appropriated or
830 designated for any other purpose, to reimburse persons who
831 interview for employment as a licensed employee with the district
832 for the mileage and other actual expenses incurred in the course
833 of travel to and from the interview at the rate authorized for
834 county and municipal employees under Section 25-3-41;

835 (pp) Consistent with the report of the Task Force to
836 Conduct a Best Financial Management Practices Review, to improve
837 school district management and use of resources and identify cost
838 savings as established in Section 8 of Chapter 610, Laws of 2002,
839 local school boards are encouraged to conduct independent reviews
840 of the management and efficiency of schools and school districts.
841 Such management and efficiency reviews shall provide state and
842 local officials and the public with the following:

843 (i) An assessment of a school district's
844 governance and organizational structure;

845 (ii) An assessment of the school district's
846 financial and personnel management;

847 (iii) An assessment of revenue levels and sources;



848 (iv) An assessment of facilities utilization,
849 planning and maintenance;

850 (v) An assessment of food services, transportation
851 and safety/security systems;

852 (vi) An assessment of instructional and
853 administrative technology;

854 (vii) A review of the instructional management and
855 the efficiency and effectiveness of existing instructional
856 programs; and

857 (viii) Recommended methods for increasing
858 efficiency and effectiveness in providing educational services to
859 the public;

860 (qq) To enter into agreements with other local school
861 boards for the establishment of an educational service agency
862 (ESA) to provide for the cooperative needs of the region in which
863 the school district is located, as provided in Section 37-7-345;

864 (rr) To implement a financial literacy program for
865 students in Grades 10 and 11. The board may review the national
866 programs and obtain free literature from various nationally
867 recognized programs. After review of the different programs, the
868 board may certify a program that is most appropriate for the
869 school districts' needs. If a district implements a financial
870 literacy program, then any student in Grade 10 or 11 may
871 participate in the program. The financial literacy program shall
872 include, but is not limited to, instruction in the same areas of



873 personal business and finance as required under Section
874 37-1-3(2) (b). The school board may coordinate with volunteer
875 teachers from local community organizations, including, but not
876 limited to, the following: United States Department of
877 Agriculture Rural Development, United States Department of Housing
878 and Urban Development, Junior Achievement, bankers and other
879 nonprofit organizations. Nothing in this paragraph shall be
880 construed as to require school boards to implement a financial
881 literacy program;

882 (ss) To collaborate with the State Board of Education,
883 Community Action Agencies or the Department of Human Services to
884 develop and implement a voluntary program to provide services for
885 a prekindergarten program that addresses the cognitive, social,
886 and emotional needs of four-year-old and three-year-old children.
887 The school board may utilize any source of available revenue to
888 fund the voluntary program. Effective with the 2013-2014 school
889 year, to implement voluntary prekindergarten programs under the
890 Early Learning Collaborative Act of 2013 pursuant to state funds
891 awarded by the State Department of Education on a matching basis;

892 (tt) With respect to any lawful, written obligation of
893 a school district, including, but not limited to, leases
894 (excluding leases of sixteenth section public school trust land),
895 bonds, notes, or other agreement, to agree in writing with the
896 obligee that the Department of Revenue or any state agency,
897 department or commission created under state law may:



898 (i) Withhold all or any part (as agreed by the
899 school board) of any monies which such local school board is
900 entitled to receive from time to time under any law and which is
901 in the possession of the Department of Revenue, or any state
902 agency, department or commission created under state law; and

903 (ii) Pay the same over to any financial
904 institution, trustee or other obligee, as directed in writing by
905 the school board, to satisfy all or part of such obligation of the
906 school district.

907 The school board may make such written agreement to withhold
908 and transfer funds irrevocable for the term of the written
909 obligation and may include in the written agreement any other
910 terms and provisions acceptable to the school board. If the
911 school board files a copy of such written agreement with the
912 Department of Revenue, or any state agency, department or
913 commission created under state law then the Department of Revenue
914 or any state agency, department or commission created under state
915 law shall immediately make the withholdings provided in such
916 agreement from the amounts due the local school board and shall
917 continue to pay the same over to such financial institution,
918 trustee or obligee for the term of the agreement.

919 This paragraph (tt) shall not grant any extra authority to a
920 school board to issue debt in any amount exceeding statutory
921 limitations on assessed value of taxable property within such
922 school district or the statutory limitations on debt maturities,



923 and shall not grant any extra authority to impose, levy or collect
924 a tax which is not otherwise expressly provided for, and shall not
925 be construed to apply to sixteenth section public school trust
926 land;

927 (uu) With respect to any matter or transaction that is
928 competitively bid by a school district, to accept from any bidder
929 as a good-faith deposit or bid bond or bid surety, the same type
930 of good-faith deposit or bid bond or bid surety that may be
931 accepted by the state or any other political subdivision on
932 similar competitively bid matters or transactions. This paragraph
933 (uu) shall not be construed to apply to sixteenth section public
934 school trust land. The school board may authorize the investment
935 of any school district funds in the same kind and manner of
936 investments, including pooled investments, as any other political
937 subdivision, including community hospitals;

938 (vv) To utilize the alternate method for the conveyance
939 or exchange of unused school buildings and/or land, reserving a
940 partial or other undivided interest in the property, as
941 specifically authorized and provided in Section 37-7-485;

942 (ww) To delegate, privatize or otherwise enter into a
943 contract with private entities for the operation of any and all
944 functions of nonacademic school process, procedures and operations
945 including, but not limited to, cafeteria workers, janitorial
946 services, transportation, professional development, achievement
947 and instructional consulting services materials and products,



948 purchasing cooperatives, insurance, business manager services,
949 auditing and accounting services, school safety/risk prevention,
950 data processing and student records, and other staff services;
951 however, the authority under this paragraph does not apply to the
952 leasing, management or operation of sixteenth section lands.
953 Local school districts, working through their regional education
954 service agency, are encouraged to enter into buying consortia with
955 other member districts for the purposes of more efficient use of
956 state resources as described in Section 37-7-345;

957 (xx) To partner with entities, organizations and
958 corporations for the purpose of benefiting the school district;

959 (yy) To borrow funds from the Rural Economic
960 Development Authority for the maintenance of school buildings;

961 (zz) To fund and operate voluntary early childhood
962 education programs, defined as programs for children less than
963 five (5) years of age on or before September 1, and to use any
964 source of revenue for such early childhood education programs.

965 Such programs shall not conflict with the Early Learning
966 Collaborative Act of 2013;

967 (aaa) To issue and provide for the use of procurement
968 cards by school board members, superintendents and licensed school
969 personnel consistent with the rules and regulations of the
970 Mississippi Department of Finance and Administration under Section
971 31-7-9; * * *



972 (bbb) To conduct an annual comprehensive evaluation of
973 the superintendent of schools consistent with the assessment
974 components of paragraph (pp) of this section and the assessment
975 benchmarks established by the Mississippi School Board Association
976 to evaluate the success the superintendent has attained in meeting
977 district goals and objectives, the superintendent's leadership
978 skill and whether or not the superintendent has established
979 appropriate standards for performance, is monitoring success and
980 is using data for improvement * * *; and

981 (ccc) To enter into a contract with private entities
982 for the operation management or operation of sixteenth section
983 lands, for the purpose of selling timber, timber products or other
984 forest products. However, if there is a determination of need for
985 a private contract rather than a public bid contract, the school
986 district shall seek independent expert, low-cost oversight and
987 advice from the State Forestry Commission on the value of the
988 products to be sold and the minimum value at which the products
989 may be sold.

990 **SECTION 7.** Section 37-39-23, Mississippi Code of 1972, is
991 amended as follows:

992 37-39-23. The school boards of all public school districts
993 may, in their discretion, enter into an agreement, not
994 inconsistent with the provisions of this chapter, to act jointly
995 in the purchase of maintenance, operational and scholastic
996 services, supplies and materials and equipment, and to jointly



997 enter into cooperative agreements with other school boards and the
998 State Forestry Commission for the negotiation of a joint supply
999 contract for the sale of timber, timber products and other forest
1000 products produced on sixteenth section school lands, or lands
1001 granted in lieu thereof, for the benefit of all school districts
1002 that are parties to the agreement.

1003 It is the purpose of this section to enable the school
1004 systems to achieve economies of scale through increased purchasing
1005 power to the end that the education tax revenues be utilized
1006 efficiently.

1007 **SECTION 8.** This act shall take effect and be in force from
1008 and after July 1, 2023.

