

By: Harvey

To: Forestry

SENATE BILL NO. 2238
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 49-19-3, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE REPEALER ON FORESTRY ARSON INVESTIGATORS AND TO
3 INCREASE THE NUMBER OF AUTHORIZED INVESTIGATORS; AND FOR RELATED
4 PURPOSES.

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

6 SECTION 1. Section 49-19-3, Mississippi Code of 1972, is
7 amended as follows:[LTR1]

8 49-19-3. The duties and powers of the commission shall be:

9 (1) To appoint a state forester, who shall serve at the will
10 and pleasure of the commission and who is qualified to perform the
11 duties as set forth herein; and to pay him such salary as is
12 provided by the Legislature, and allow him such office expenses
13 incidental to the performance of his official duties as the
14 commission, in its discretion, may deem necessary; and to charge
15 him with the immediate direction and control, subject to the
16 supervision and approval of the commission, of all matters
17 relating to forestry as authorized herein. Any person appointed
18 by the commission as state forester shall have received a
19 bachelor's degree in forestry from an accredited school or college
20 of forestry and shall be licensed and registered under the
21 provisions of the Mississippi Foresters Registration Law (Section
22 73-36-1 et seq.) and in addition shall have had at least five (5)
23 years' administrative experience in a forestry-related field.

24 (2) To take such action and provide and maintain such
25 organized means as may seem necessary and expedient to prevent,
26 control and extinguish forest fires, including the enforcement of
27 any and all laws pertaining to the protection of forests and

28 woodland.

29 (3) To encourage forest and tree planting for the production
30 of a wood crop, for the protection of water supply, for windbreak
31 and shade, or for any other beneficial purposes contributing to
32 the general welfare, public hygiene and comfort of the people.

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

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

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

63 (7) To control the expenditure of any and all funds
64 appropriated or otherwise made available for the several purposes

65 set forth herein under suitable regulations and restrictions by
66 the commission and to specifically authorize any officer or
67 employee of the commission to incur necessary and stipulated
68 expenses in connection with the work in which such person may be
69 engaged.

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

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

77 (10) To appoint, upon the state forester's recommendation,
78 six (6) individuals who shall be designated Mississippi Forestry
79 Commission Law Enforcement Officers with authority to bear arms,
80 investigate and make arrests; however, the law enforcement duties
81 and authority of the officers shall be limited to woods arson.
82 The officers shall comply with applicable minimum educational and
83 training standards for law enforcement officers. This subsection
84 (10) shall stand repealed on June 30, 2005.

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