

By: Representative Eaton

To: Agriculture

HOUSE BILL NO. 869

1 AN ACT TO AMEND SECTION 49-19-1, MISSISSIPPI CODE OF 1972, TO  
2 PLACE THE COMMISSIONER OF AGRICULTURE AS AN EX OFFICIO MEMBER OF  
3 THE STATE FORESTRY COMMISSION AND TO ADD ONE SUPERINTENDENT OF  
4 EDUCATION AS A MEMBER OF THE STATE FORESTRY COMMISSION; AND FOR  
5 RELATED PURPOSES.

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

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

9 49-19-1. (1) There shall be a State Forestry Commission  
10 composed of eleven (11) members, who shall be qualified electors  
11 of the state. The Dean of the School of Forest Resources at  
12 Mississippi State University and the Commissioner of Agriculture  
13 and Commerce, or his designee, shall be \* \* \* ex officio members  
14 of the commission, with full voting authority. The Governor shall  
15 appoint nine (9) members, with the advice and consent of the  
16 Senate, for a term of six (6) years. The Governor shall appoint  
17 one (1) member from each congressional district as constituted at  
18 the time the appointments are made, shall appoint one (1)  
19 superintendent of education from a school district that receives  
20 revenue from timber sales on sixteenth section land and shall  
21 appoint the remainder of the members from the state at large. A  
22 member from a congressional district must be a certified tree  
23 farmer who owns eighty (80) or more acres of forest land or a  
24 person who derives a major portion of his personal income from  
25 forest-related business, industry or other related activities.  
26 Members of the commission from the state at large may or may not  
27 possess the same qualifications as members appointed from the  
28 congressional districts.



29           (2) The members of the commission shall receive no annual  
30 salary but each member of the commission shall receive a per diem  
31 plus expenses and mileage as authorized by law for each day  
32 devoted to the discharge of official duties. No member of the  
33 commission shall receive total per diem in excess of twenty-four  
34 (24) days' compensation per annum.

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

38           (4) The commission shall elect from its membership a  
39 chairman, who shall preside over meetings, and a vice-chairman,  
40 who shall preside in the absence of the chairman or when the  
41 chairman is excused.

42           (5) The commission shall adopt rules and regulations  
43 governing times and places for meetings, and governing the manner  
44 of conducting its business. Each member of the commission shall  
45 take the oath prescribed by Section 268 of the Constitution and  
46 shall enter into bond in the amount of Thirty Thousand Dollars  
47 (\$30,000.00) to be approved by the Secretary of State, conditioned  
48 according to law and payable to the State of Mississippi before  
49 assuming the duties of office.

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

54           **SECTION 2.** This act shall take effect and be in force from  
55 and after July 1, 2002.

