

By: Representative Warren

To: Agriculture

## HOUSE BILL NO. 986

1 AN ACT TO AMEND SECTION 73-36-21, MISSISSIPPI CODE OF 1972,  
2 TO ESTABLISH A LIMITED TIME PERIOD WITHIN WHICH A PERSON WITH  
3 CERTAIN QUALIFICATIONS MAY BE ISSUED A LICENSE AS A REGISTERED  
4 FORESTER; TO AMEND SECTION 73-36-35, MISSISSIPPI CODE OF 1972, TO  
5 DISALLOW CRIMINAL PROSECUTIONS OF THOSE QUALIFIED INDIVIDUALS  
6 UNTIL THE EXPIRATION OF THE LIMITED TIME PERIOD; AND FOR RELATED  
7 PURPOSES.

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

9 **SECTION 1.** Section 73-36-21, Mississippi Code of 1972, is  
10 amended as follows:

11 73-36-21. (1) Any person who has graduated with a  
12 bachelor's degree or higher degree from a university or college of  
13 forestry in a curriculum in forestry acceptable to the board and  
14 found by the board to be substantially equivalent to curricula in  
15 schools of forestry accredited by the Society of American  
16 Foresters shall be eligible for registration as a registered  
17 forester, and a license shall be issued upon application and  
18 payment of the required fee, if the person files an application  
19 for registration with the board and successfully passes a written  
20 and/or oral examination.

21 (2) From the effective date of this act until sixty (60)  
22 days have elapsed following that date, any person who has been  
23 engaged in the occupation of forester for twenty (20) consecutive  
24 years and who is a high school graduate shall be issued a license  
25 as a registered forester, upon application and payment of the  
26 required fee to the board. The board may not require such a  
27 person to possess any other qualification, including an additional  
28 educational degree or the successful completion of any written or  
29 oral examination. Proof of engaging in the occupation of forester



may consist of affidavits submitted by the applicant and one or more other person(s) having knowledge of the applicant's experience as a forester. Upon submission of such proof, the board does not have discretion to deny a license during the limited period of time specified in this subsection. The provisions of this subsection shall be repealed sixty-one (61) days after the effective date of this act.

**SECTION 2.** Section 73-36-35, Mississippi Code of 1972, is amended as follows:

73-36-35. (1) Any person who practices or offers to practice the profession of forestry in this state as a registered forester without being registered in accordance with this chapter, or any person who uses in connection with his name, or otherwise assumes, uses or advertises any title or description tending to convey the impression that he is a registered forester without being registered in accordance with this chapter, or any person who presents or attempts to use as his own the license of another, or any person who gives any false or forged evidence of any kind to the board or any member in obtaining a license, or any person who attempts to use an expired or revoked license, or any person, firm, partnership or corporation who violates any of the provisions of this chapter and has not been issued an administrative fine by the board for the violation is guilty of a misdemeanor and, upon conviction, shall be fined not more than Five Thousand Dollars (\$5,000.00) for each violation. The board, or any person or persons as may be designated by the board to act in its stead, is empowered to prefer charges for any violations of this chapter in any court of competent jurisdiction. It shall be the duty of all duly constituted officers of the law of this state to enforce the provisions of this chapter and to prosecute any persons, firms, partnerships or corporations violating same. The Attorney General of the state or his designated assistant shall



62 act as legal advisor of the board and render such assistance as  
63 may be necessary in carrying out the provisions of this chapter.

64 (2) Until sixty (60) days have elapsed from the effective  
65 date of this act, a person may not be prosecuted for violations of  
66 this act if he has met the qualifications specified in Section  
67 73-36-21(2) or has applied to be licensed as a registered forester  
68 under that provision. The provisions of this subsection shall be  
69 repealed sixty-one (61) days after the effective date of this act.

70 **SECTION 3.** This act shall take effect and be in force from  
71 and after its passage.

