
OFFICE OF GOVERNOR RONNIE MUSGROVE
INTEROFFICE MEMORANDUM

TO: GOVERNOR
FROM: RILEY
SUBJECT: SB 2938
DATE: 3/8/01
CC: FILE

SB 2938

SB 2938 amends Section 29-3-45 to prescribe a procedure for the management of the sale of timber or other forest products on 16th Section land in the event that a local school board is divested of authority due to a conflict of interest.

SB 2938 expands the responsibilities of the State Forestry Commission to supervise and manage, on behalf of the local school board, not only all timber, but also other forest products on 16th Section lands. SB 2938 provides for Secretary of State to be vested with the authority as supervisory trustee of the 16th Section lands after a school board is divested of its authority to manage and sell timber on the land due to a school board member's conflict of interest. The divestiture shall extend for one year after the period of service of the school board member(s) having a conflict.

The Secretary of State will forward all monies derived from the sale of timber or other forest products to the superintendent with instructions for the proper settlement, deposit and investment of the funds. The local school district shall reimburse the Secretary of State for all direct costs for management of such sales and the Secretary may deduct such direct costs from the proceeds of the sale.

The Secretary of State's Office supports this bill and Bill Chaney of the Public Lands Division assisted in drafting the bill. According to Chaney, his office thought legislation three years ago corrected this problem, but the Ethics Commission disagreed. Chaney says that the Ethics Commission cannot take a position on this bill, but he has worked with Ethics staff in developing the bill. SB 2938 affects three school districts – Perry, Attala and Calhoun counties – which are prohibited from cutting timber under current law. Chaney said these three, particularly Perry County, annually budget revenues from timber cutting and are put in the position of greatly inhibiting revenues or going to jail.

SB 2938 is effective July 1, 2001.