

By: Representative Bowles

To: Military Affairs

HOUSE BILL NO. 367

1 AN ACT TO AMEND SECTION 33-11-18, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE STATE AUDITOR TO AUDIT THE CAMP SHELBY TIMBER FUND;
3 AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 33-11-18, Mississippi Code of 1972, is
6 amended as follows:

7 33-11-18. (1) In order to conserve and promote timber
8 development at Camp Shelby, Mississippi, the State Forestry
9 Commission shall lend its services, advice and recommendations to
10 the Adjutant General of Mississippi in developing a sound timber
11 management program on state-owned lands in the military
12 reservation.

13 (2) The Adjutant General may sell trees, timber, stumps,
14 naval stores faces or other forest products on state-owned lands
15 in the military reservation at Camp Shelby, Mississippi, as shall
16 be recommended by the State Forestry Commission and to secure the
17 services of the State Forestry Commission in the reforestation and
18 use of planting, cutting and practices recommended by the State
19 Forestry Commission. The Adjutant General, however, is empowered
20 to cut timber to provide clearing for military purposes and for
21 rights-of-way without recommendation of the State Forestry
22 Commission, and may sell the timber at the prevailing scale
23 without advertising for bids, when the value thereof is estimated
24 at less than One Thousand Five Hundred Dollars (\$1,500.00) by the
25 State Forestry Commission. Based on the recommendation and value
26 estimate of the State Forestry Commission, the Adjutant General

27 may sell at the prevailing price, without advertising for bids,
28 timber which has been damaged by storm, fire, insect, disease or
29 otherwise. Based on recommendations by the State Forestry
30 Commission, as provided by the Timber Management Program, the
31 Adjutant General may dispose of nonmarketable timber that is
32 diseased or has been deadened by the State Forestry Commission,
33 authorizing noncommercial public cutting when considered in the
34 best interest of the state. Provided, however, that before any
35 other sale of timber may be made as * * * authorized in this
36 section, the Adjutant General shall advertise for bids on the
37 timber in a newspaper of general circulation in the State of
38 Mississippi at least once each week for three (3) consecutive
39 weeks before the date upon which bids are to be received.

40 The Adjutant General may pay all of the funds derived from
41 any timber and other forest product sales on state-owned lands in
42 the reservation into a special fund in the State Treasury, which
43 shall be a revolving fund, to be used for the maintenance,
44 development and improvement of the military reservation at Camp
45 Shelby, Mississippi, and out of which the Adjutant General may pay
46 the State Forestry Commission the cost incurred by the State
47 Forestry Commission in selecting and cutting trees, tree planting,
48 elimination of undesirable trees and shrubs, construction of fire
49 lanes, control of insect and disease outbreaks, and other
50 desirable aspects of forest management practices on this military
51 reservation for the benefit of this military reservation.

52 The Adjutant General of Mississippi, with concurrence of the
53 State Fiscal Officer, may pay from available Camp Shelby timber
54 funds, restitution for timber * * * or minerals cut * * * or
55 removed without permission, by employees or authorized agents of
56 the State Military Department, from private property whose sales,
57 use or damage shall have enriched * * * or benefited the State
58 Military Department.

59 The funds derived from any timber and other forest product
60 sales as * * * provided in this section shall be paid by the State
61 Treasurer upon warrants issued by the State Auditor of Public
62 Accounts and the * * * Auditor shall issue his warrant upon
63 requisitions signed by the proper person, officer or officers in

64 the manner provided by law for funds appropriated for support of
65 the Mississippi National Guard.

66 The Adjutant General shall make an annual report to the
67 Legislature on receipts and disbursements in connection with all
68 funds derived from minerals, timber and other forest product sales
69 on state-owned lands at the Camp Shelby military reservation.

70 The State Auditor shall conduct a legal compliance audit of
71 the special fund created under this section once per year.

72 SECTION 2. This act shall take effect and be in force from
73 and after July 1, 1999.