MISSISSIPPI LEGISLATURE
REGULAR SESSION 2001

By: Representative Bowles

To: Military Affairs

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

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

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

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

(2) The Adjutant General may sell trees, timber, stumps, naval stores faces or other forest products on state-owned lands in the military reservation at Camp Shelby, Mississippi, as shall be recommended by the State Forestry Commission and to secure the services of the State Forestry Commission in the reforestation and use of planting, cutting and practices recommended by the State Forestry Commission. The Adjutant General, however, may cut timber to provide clearing for military purposes and for rights-of-way without recommendation of the State Forestry Commission, and may sell the timber at the prevailing scale without advertising for bids, when the value thereof is estimated at less than One Thousand Five Hundred Dollars ($1,500.00) by the State Forestry Commission. Based on the recommendation and value estimate of the State Forestry Commission, the Adjutant General may sell at the prevailing price, without advertising for bids,
timber which has been damaged by storm, fire, insect, disease or otherwise. Based on recommendations by the State Forestry Commission, as provided by the Timber Management Program, the Adjutant General may dispose of nonmarketable timber that is diseased or has been deadened by the State Forestry Commission, authorizing noncommercial public cutting when considered in the best interest of the state. ** However, ** before any other sale of timber may be made as ** authorized in this section, the Adjutant General shall advertise for bids on ** timber in a newspaper of general circulation in the State of Mississippi at least once each week for three (3) consecutive weeks before the date upon which bids are to be received.

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

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

The funds derived from any timber and other forest product sales as ** provided in this section shall be paid by the State
Treasurer upon warrants issued by the State Auditor of Public Accounts and the * * * Auditor shall issue his warrant upon requisitions signed by the proper person, officer or officers in the manner provided by law for funds appropriated for support of the Mississippi National Guard.

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

The State Auditor annually shall conduct a legal compliance audit of the special fund created under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.