HOUSE BILL NO. 456

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 ANNUALLY; AND FOR RELATED PURPOSES.
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5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:
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7 SECTION 1. Section 33-11-18, Mississippi Code of 1972, is
8 amended as follows:
9 33-11-18. (1) In order to conserve and promote timber
10 development at Camp Shelby, Mississippi, the State Forestry
11 Commission shall lend its services, advice and recommendations to
12 the Adjutant General of Mississippi in developing a sound timber
13 management program on state-owned lands in the military
14 reservation.
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16 (2) The Adjutant General may sell trees, timber, stumps,
17 naval stores faces or other forest products on state-owned lands
18 in the military reservation at Camp Shelby, Mississippi, as shall
19 be recommended by the State Forestry Commission and to secure the
20 services of the State Forestry Commission in the reforestation and
21 use of planting, cutting and practices recommended by the State
22 Forestry Commission. The Adjutant General, however, may cut
23 timber to provide clearing for military purposes and for
24 rights-of-way without recommendation of the State Forestry
25 Commission, and may sell the timber at the prevailing scale
26 without advertising for bids, when the value thereof is estimated
27 at less than One Thousand Five Hundred Dollars ($1,500.00) by the
28 State Forestry Commission. Based on the recommendation and value
29 estimate of the State Forestry Commission, the Adjutant General
30 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 the 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, 2002.