

By: Representative Bowles

To: Military Affairs

HOUSE BILL NO. 618

1 AN ACT TO AMEND SECTION 33-11-18, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE STATE AUDITOR ANNUALLY TO AUDIT THE CAMP SHELBY
3 TIMBER FUND; 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 is directed to lend its services, advice and
10 recommendations to the Adjutant General of Mississippi in
11 developing a sound timber management program on state-owned lands
12 in said military reservation.

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



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

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

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



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

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

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

73 **SECTION 2.** This act shall take effect and be in force from
74 and after July 1, 2003.

