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.

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:

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

(2) The Adjutant General may sell trees, timber,
7 stumps, naval stores faces or other forest products on state-owned
8 lands in the military reservation at Camp Shelby, Mississippi, as
9 shall be recommended by the State Forestry Commission and to
10 secure the services of the State Forestry Commission in the
11 reforestation and use of planting, cutting and practices
12 recommended by the State Forestry Commission. The Adjutant
13 General, however, may cut timber to provide clearing for military
14 purposes and for rights-of-way without recommendation of the State
15 Forestry Commission, and may sell the timber at the prevailing
16 scale without advertising for bids, when the value thereof is
17 estimated at less than One Thousand Five Hundred Dollars
18 ($1,500.00) by the State Forestry Commission. Based on the
19 recommendation and value estimate of the State Forestry
20 Commission, the Adjutant General is authorized to 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
said 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 said 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, 2003.