



Mississippi Forestry Association

Legislative Bulletin

The Voice of Forestry

Volume 2008 Number 9

April 30, 2008

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Win a prize! If you are the 20th email response to this 4 question survey, you win a hunter green fleece blanket!

MFA's *Legislative Bulletin* is designed for you to easily access legislative news. Please take a minute to answer this reader's survey so we can continue to improve the *bulletin*. Simply email Amanda Box, abox@msforestry.net MFA Communication and Program Coordinator, with your comments on the following questions.

1. Do you like the format of the *bulletin*? Why or why not?
2. Do you ever print the attached .pdf version?
3. Do you ever forward the *bulletin* to others?
4. Do you have any suggestions for changes?

2008 Legislative Summary



The Mississippi Legislature adjourned the 2008 Regular Session on Friday, April 18. MFA's government affairs team focused on four major objectives this year. Working with MFA's Government Affairs Committee, strategic coalition partners and forestry allies, ***MFA successfully achieved all four major objectives:***

- Protect private property rights relative to eminent domain
- Improve trespass protection for private forest and farm landowners
- Prevent discrimination against wood building products in the application of building rating systems adopted by state government.
- Preserve and protect water quality in the state's public waterways

Protecting private property rights through Eminent Domain

– The Mississippi House and Senate were not able to agree to resolve the differences between two different bills. As a result, no eminent domain bill was passed and the current law was not changed. MFA was committed to supporting private property rights and current Mississippi law that specifies that the power of eminent domain cannot be exercised except for a direct public use. Current law specifies public uses such as oil and gas pipelines, electric power lines, and water and sewage lines. To view the bills that were sent to conference, click on the links below:

http://billstatus.ls.state.ms.us/documents/2008/html/sam/Amendment_Report_for_HB0591.htm

http://billstatus.ls.state.ms.us/documents/2008/html/ham/Amendment_Report_for_SB2822.htm

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Links: MFA Government Affairs

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Strengthening the trespass law – Aggressive lobbying efforts by MFA and coalition partners resulted in an increase in penalties for trespassing on private lands. Current penalties for trespassing on private property were too minor compared to the cost to the landowner, both in dollars and time, and risk of confronting the trespasser(s).

The fine for the first offense was raised from \$150 to \$250; the fine for a second or subsequent offense was raised from \$250 to \$500. No change was made to the provision for imprisonment in the county jail for 10 to 30 days. MFA gratefully acknowledges the contributions and support of the Miss. Farm Bureau Federation, Wildlife Mississippi, the Miss. Chapter of the Sierra Club and the Miss. Department of Wildlife, Fisheries, and Parks.

In addition, MFA will be asking our county forestry associations, members, partners and pro-forestry legislators to develop a comprehensive trespass bill this summer for consideration in the 2009 legislative session, to achieve further protection for private landowners.

[http://billstatus.ls.state.ms.us/documents/2008/
html/HB/1300-1399/HB1357SG.htm](http://billstatus.ls.state.ms.us/documents/2008/html/HB/1300-1399/HB1357SG.htm)

Allowing the use of nationally recognized building rating systems to save energy and prevent discrimination against wood products – Why pass a bill promoting energy conservation for state owned buildings? There is a growing interest in buildings that are better for the environment, healthier for occupants and more cost-efficient to operate. Governments see it as their role to lead by example, and legislation encouraging the use of “green building” rating systems is becoming increasingly common. At the same time, building science experts continue to find new and better ways to build “green” and the rating systems themselves are evolving.

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After three years of combating efforts to have the state designate just one building rating system, MFA and our coalition partners were committed to passing legislation that: 1. resulted in energy savings in state owned buildings, 2. provided equal opportunity to use any acceptable national building rating system, and 3. did not discriminate against wood building materials and products manufactured in Mississippi.

MFA worked with several coalition partners, both locally and nationally, to accomplish these strategic goals. MFA's thanks and appreciation go to the Mississippi Forest Products Manufacturers Council, Mississippi Manufacturers Association, Weyerhaeuser Company, Georgia-Pacific, LLC, the American Forest & Paper Association, American Chemistry Council, United Brotherhood of Carpenters and Joiners of America, International Association of Machinists and Aerospace Workers of America, and the American Forest Foundation.

<http://billstatus.ls.state.ms.us/documents/2008/html/SB/3000-3099/SB3007SG.htm>

Protecting private property rights and improving water quality – MFA's goals were to protect private property rights, decrease the widespread practice of trespassing on private lands by all-terrain vehicles (ATVs), and prevent the associated destruction of aquatic ecosystems and fisheries habitat.

To strengthen Mississippi's public waterways statute, the law was changed to prohibit all types of vehicles, including ATVs, from operating within the bed of our public waterways and trespassing on private land. However, it is legal to ford streams for recreational, agricultural, forestry, or other lawful purposes.

What is a public waterway? Mississippi Code defines a public waterway as having a mean annual flow of 100 cubic feet per second or greater. A map of all the state's public waterways can be viewed on the MS Dept. of Environmental Quality's website: http://www.deq.state.ms.us/MDEQ.nsf/page/L&W_pub_waterways?OpenDocument

MFA wishes to thank the Miss. Dept. of Wildlife, Fisheries and Parks, Miss. Museum of Natural Science, Wildlife Mississippi, Miss. Farm Bureau Federation, and the Miss. Chapter of the Sierra Club for their support and advocacy partnership. <http://billstatus.ls.state.ms.us/documents/2008/html/HB/1300-1399/HB1357SG.htm>

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Forestry acreage tax – The current nine cent per acre protection tax on forest-land was extended for another three years. This tax supports the purchase of fire-fighting equipment by the Mississippi Forestry Commission.

<http://billstatus.ls.state.ms.us/documents/2008/html/SB/2400-2499/SB2457SG.htm>



Mississippi Forestry Commission (MFC) - The FY09 Appropriations Conference Report was filed on Monday, April 14, 2008. General Fund dollars were flat compared to FY08 (adjusted for a change in insurance costs) at \$19,630,157. Special Funds of \$12,759,327 were down from FY08 reflecting the ending in Hurricane Mitigation Grant funds from the USDA Forest Service. The agency's total budget of \$32,389,484 allows MFC to sustain current personnel and services for FY09.

Mississippi Forestry Commission (MFC) Arson Officers Authorization –

Current law provides for the appointment, upon the State Forester's recommendation, of six MFC law enforcement officers with authority to bear arms, investigate, and make arrests limited to woods arson. This authority was extended for another three years to June 30, 2011.

<http://billstatus.ls.state.ms.us/documents/2008/html/SB/2400-2499/SB2458SG.htm>

MSU Forest and Wildlife Research Center – After several years of budget cuts, the FWRC received a 22% increase in appropriations during the 2007 Legislative Session that returned the Center to the funding level they had in 2001. As a result, the FWRC provided merit and equity salary increases, paid for increasing utility costs, invested in graduate education, and increased research funding this fiscal year. In the 2008 Session, the FY09 FWRC appropriation was level with FY08 except for a small increase dedicated to paying for increased employee insurance costs.