



Mississippi Forestry Association

The Voice of Forestry

Legislative Bulletin

Volume 2008 Number 7

March 31, 2008

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Links: MFA Government Affairs

<http://www.msforestry.net/governmentaffairs.php>

MFA Online

www.msforestry.net

2008 Forestry Issues Summary

This coming week the Legislature will focus on debating and passing appropriations bills that will fund state government operations next fiscal year. Here is the current status of MFA's major legislative efforts:

[Strengthening the Trespass Law](#) – SB 2837 was not passed by the House last week so it died on the calendar. Despite lobbying efforts by MFA and several coalition partners to increase the penalties for trespassing on private lands, we were not successful this year. **MFA will be asking our county forestry associations, MFA members, coalition partners, and pro-forestry legislators** to develop a comprehensive trespass bill this summer for consideration in the 2009 legislative session.

[Protecting Private Property Rights and Improving Water Quality](#) – Both HB 1357 and SB 2820 have passed both chambers and are going to conference. MFA will be working with the conferees to develop a compromise that supports the forestry community's objectives.

[Forestry Acreage Tax](#) – SB 2457 has been approved by the Governor. The bill extends the current 9 cent per acre protection tax on forestland for another three years. This tax supports the purchase of firefighting equipment by the Mississippi Forestry Commission.

[MFC Arson Officers Authorization](#) - SB 2458 provides for the appointment, upon the State Forester's recommendation, of six (6) Mississippi Forestry Commission Law Enforcement Officers with authority to bear arms and investigate and make arrests limited to woods arson. This provision is extended to June 30, 2011.

[Protecting Private Property Rights Through Eminent Domain](#) – HB 591 and SB 2822 are both going to conference for further negotiations. MFA is committed to supporting private property rights and current law that specifies that eminent domain cannot be exercised except for a direct public use.

[Allowing the Use of Nationally Recognized Building Rating Systems and Preventing Discrimination Against Wood Products](#) – SB 3007 is going to conference since the House amended the bill and the Senate declined to concur. MFA is committed to passing legislation that results in energy savings in state owned buildings and does not discriminate against wood building materials.



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MFA Member Question of the Week

Q: What is the Mississippi severance tax money used for?

A: Last week *Legislative Bulletin* explained what the Mississippi severance tax is, and how it applies to forestland owners and their timber. Mississippi Code 27-25-11 specifies that the severance tax collected on timber shall be deposited into the state treasury. Eighty percent (80%) of such collections shall be credited to the Forest Resources Development Fund and twenty percent (20%) shall be returned to the counties from which the timber was severed. *Continued on page 3*

Upcoming Major Deadlines 2008 Legislative Calendar

April 1, Deadline for ORIGINAL FLOOR ACTION on APPROPRIATIONS and REVENUE bills originating in OTHER House

April 19, Sine die, end of 2008 Legislative Session

2008 MFA Forestry Bills Tracking List 2008 Regular Session Mississippi Legislature

Note: As of March 28, 2008. Bills will be added and deleted as necessary throughout the Legislative Session
Recommended MFA Positions: M = monitor, S = support, O = oppose

House of Representatives

HB 591 Eminent domain; restrict to direct public use <http://billstatus.ls.state.ms.us/2008/pdf/history/HB/HB0591.xml> 03/19 (S) Passed As Amended 03/24 (S) Returned For Concurrence 03/27 (H) Decline to Concur/Invite Conf

MFA: M

HB 1357 Mississippi Public Waterways Law; revise regulations relating to use of ATVs in public waters <http://billstatus.ls.state.ms.us/2008/pdf/history/HB/HB1357.xml> 03/20 (S) Passed As Amended 03/25 (S) Returned For Concurrence 03/28 (H) Decline to Concur/Invite Conf

MFA: S

Senate

SB 2437 Levees; clarify prohibited activities <http://billstatus.ls.state.ms.us/2008/pdf/history/SB/SB2437.xml> 02/28 (H) Referred To Judiciary B 03/18 (H) Title Suff Do Pass 03/26 (S) Enrolled Bill Signed 03/26 (H) Enrolled Bill Signed 03/26 Due From Governor 04/01/08

MFA: O

SB 2457 Forestry tax; extend repealer on forest acreage tax <http://billstatus.ls.state.ms.us/2008/pdf/history/SB/SB2457.xml> 03/25 Approved by Governor

MFA: S

SB 2458 Forestry; extend repealer on authority of the Forestry Commission to hire law enforcement officers to investigate arson <http://billstatus.ls.state.ms.us/2008/pdf/history/SB/SB2458.xml> 03/24 Approved by Governor

MFA: S

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Senate *(continued)*

SB 2820 Public waterways; provide penalty for damaging fish habitat by riding motorized vehicle in the bed of a stream <http://billstatus.ls.state.ms.us/2008/pdf/history/SB/SB2820.xml> 03/14 (H) Passed As Amended 03/17 (H) Returned For Concurrence

MFA: S with S. amendment

SB 2822 Eminent domain; restrict to direct public use (Hyde-Smith) <http://billstatus.ls.state.ms.us/2008/pdf/history/SB/SB2822.xml> 03/20 (S) Conferees Named Fill- ingane, Nunnelee, Hyde-Smith 03/27 (H) Conferees Named Blackmon, Cockerham, Moss

MFA: S

SB 2837 Criminal trespass; enhance when trespass is knowing and trespasser is in possession of a firearm <http://billstatus.ls.state.ms.us/2008/pdf/history/SB/SB2837.xml> 03/26 (H) Died On Calendar **DEAD**

MFA: S

SB 2910 Elections; make various revisions to the state election law <http://billstatus.ls.state.ms.us/2008/pdf/history/SB/SB2910.xml> 03/25 (H) Amended 03/25 (H) Passed As Amended 03/27 (H) Returned For Concurrence

MFA: S

SB 3007 Public buildings; authorize use of green building standards in certain major facility projects <http://billstatus.ls.state.ms.us/2008/pdf/history/SB/SB3007.xml> 03/27 (S) Decline to Concur/Invite Conf

MFA: S

SCR 556 Urge Congress to enact the Secure Rural Schools and Community Self-Determination Act <http://billstatus.ls.state.ms.us/2008/pdf/history/SC/SC0556.xml> 02/25 (S) Enrolled Bill Signed 02/25 (H) Enrolled Bill Signed

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The Forest Resources Development Fund (FRDP) is administered by the Mississippi Forestry Commission (MFC). The program was established in 1974 to provide cost-share funding for tree planting and forest improvement practices for the purpose of long-term timber production. Cost-share payments cover 50 to 75 % of the total cost of implementing one or more forestry practices, not to exceed a maximum limit. Eligible landowners can receive up to \$7,000 of FRDP assistance a year. In turn, a landowner agrees to protect the area receiving FRDP assistance from fire and grazing and to properly manage the area for a minimum of ten years. For more information, visit <http://www.mfc.state.ms.us/frdp.htm> or contact Ronnie Myers, Private Lands Forester, MS Forestry Commission, 301 N. Lamar St., Suite 300, Jackson, MS 39201; (601) 359-2826, rmyers@mfc.state.ms.us

Mississippi's counties receive 20% of the severance tax funds. This money is credited to each county's general fund, and can be used to maintain county roads and bridges or for retiring general county bonds. The law allows for these funds to be used to pay bonds and interest, or for school and road maintenance purposes.