MISSISSIPPI LEGISLATURE

REGULAR SESSION 2002

To: Appropriations

By: Representatives Henderson, Maples, Hamilton, Martinson, Stringer, Warren, Weathersby

HOUSE BILL NO. 1785
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR
2003.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
General Fund not otherwise appropriated, for the support and
maintenance of the State Forestry Commission for the fiscal year
beginning July 1, 2002, and ending June 30, 2003............... 
$ 18,870,596.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the special
fund in the State Treasury to the credit of the State Forestry
Commission which is comprised of special source funds collected by
or otherwise available to the commission, for the support and
maintenance of the commission for the fiscal year beginning
July 1, 2002, and ending June 30, 2003......................... 
$ 11,085,486.00.

Of the funds specified in this section, Two Hundred Fifty
Thousand Dollars ($250,000.00) shall be deposited in a fund
created in the State Treasury called the "Forest Improvement
Revolving Fund." Money in this fund shall be used by the State
Forestry Commission to assist in the reforestation and growth
improvement of the forests, woodlands, and publicly owned lands of
the state, including sixteenth section lands, Camp Shelby,
Columbia Training School and colleges and universities.

Landowners who contract with the commission for such work shall
pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended for the respective major objects or purposes of expenditure:

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
- Salaries, Wages and Fringe Benefits.. $ 20,474,706.00
- Travel and Subsistence................ 60,000.00
- Contractual Services..................... 2,242,495.00
- Commodities............................ 2,248,881.00

Capital Outlay:
- Other Than Equipment.................. 230,000.00
- Equipment.............................. 1,200,000.00
- Subsidies, Loans and Grants........... 3,500,000.00

Total................................ $ 29,956,082.00

FUNDING:
- General Funds.......................... $ 18,870,596.00
- Special Funds.......................... 11,085,486.00

Total................................ $ 29,956,082.00

AUTHORIZED POSITIONS:

Permanent: Full Time........... 653
- Part Time........... 58
Time-Limited: Full Time........... 0
- Part Time........... 0

Funds are provided herein to adjust the Variable Compensation Plan to ensure that all full-time employees receive a pay increase equal to fifty percent (50%) of the realignment component of the Variable Compensation Plan or Six Hundred Dollars ($600.00), whichever is greater, beginning on January 1, 2003.
With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003 funds appropriated for that purpose, unless programs, positions or pay increases are added to the agency's budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall, on July 1, 2002, publish separate annual projection reports, based on July 1, 2002, data, for the period of July 1, 2002, through December 31, 2002, and January 1, 2003, through June 30, 2003, that project the annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected cost and/or the Fiscal Year 2003 appropriation for "Personal Services," as annualized on a semiannual basis in accordance with the provisions of this act. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2003 "Personal Services" appropriated level, when annualized in compliance with the provisions of this act, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the State Forestry Commission be allowed to escalate its budget in the
Capital Outlay: Equipment major object of expenditure, with funds generated from the Forest Acreage Tax, and with funds generated from the sale of old equipment and lease of tower sites an amount not to exceed Seven Hundred Fifty Thousand Dollars ($750,000.00). It is further the intention of the Legislature that the State Forestry Commission be allowed to escalate its budget in the Subsidies, Loans and Grants major object of expenditure, with funds generated from the Severance Tax to fund the Forest Resource Development Program in an amount not to exceed Five Hundred Thousand Dollars ($500,000.00). The receipt of these funds is hereby authorized and approved, provided such receipts and expenditures are reported and otherwise accounted for in accordance with Section 27-103-101 et seq. and Section 27-104-1 et seq., Mississippi Code of 1972.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

<table>
<thead>
<tr>
<th>FY2003</th>
<th>Performance Measures</th>
<th>Target</th>
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<tbody>
<tr>
<td></td>
<td>Fire Control</td>
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<tr>
<td>118</td>
<td>Number of Fires per Year (Events)</td>
<td>4,027</td>
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<tr>
<td>119</td>
<td>Average Size of Fire (Acres)</td>
<td>11.95</td>
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<td></td>
<td>Private Lands Management</td>
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</tr>
<tr>
<td>121</td>
<td>Land Reforested (Acres)</td>
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<td>122</td>
<td>Landowners Assisted (Persons)</td>
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<tr>
<td></td>
<td>Public Lands Management</td>
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<td>124</td>
<td>Value of Timber Sold (Dollars)</td>
<td>30,000,000</td>
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<tr>
<td>125</td>
<td>Insect &amp; Disease Control</td>
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</tr>
<tr>
<td>126</td>
<td>Acres Surveyed ( Millions )</td>
<td>17,400,000</td>
</tr>
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</table>
SECTION 6. It is the intention of the Legislature that the State Forestry Commission be allowed to escalate part-time positions up to one hundred (100) and expend funds not to exceed Five Hundred Thousand Dollars ($500,000.00) from any source of funds that become available to the commission. This escalation shall be in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. These positions may be used to protect life and property during extended periods of extreme wildfire occurrences of a minimum of fifty (50) fires per day. The escalation of positions and the expenditure of these funds shall be at the discretion of the State Forester, with written notification to the State Personnel Board and the State Fiscal Officer.

SECTION 7. It is the intention of the State Legislature that as soon as funds come available that the Forestry Commission Career Ladder be implemented.

SECTION 8. The Forestry Commission has the authority to purchase from the "General Services Administration" Fire Fighter Catalog.

SECTION 9. There is hereby created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission.
Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by Volunteer Fire Departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for Volunteer Fire Departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements therefrom for payment of materials, supplies and labor upon requisition of the Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

The amount of monies deposited into the Volunteer Fire Department Equipment Conversion Fund through this work shall not exceed Fifty Thousand Dollars ($50,000.00). Funds in excess of Fifty Thousand Dollars ($50,000.00) shall be placed in the State Forestry Commission's regular appropriated special funds. Monies in this revolving fund are to be considered special funds and shall be carried forward from one fiscal year to the next.

**SECTION 10.** Of the funds appropriated under the provisions of Section 2, Two Hundred Twenty-four Three Hundred Thirty-seven Dollars ($224,337.00) shall be derived from the Budget Contingency Fund created in Section 27-103-301, Mississippi Code of 1972.

**SECTION 11.** The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon
warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

**SECTION 12.** This act shall take effect and be in force from and after July 1, 2002.