

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

To: Appropriations

HOUSE BILL NO. 1546
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR
3 2004.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the support and
8 maintenance of the State Forestry Commission for the fiscal year
9 beginning July 1, 2003, and ending June 30, 2004.....
10 \$ 19,811,525.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the State Forestry
14 Commission which is comprised of special source funds collected by
15 or otherwise available to the commission, for the support and
16 maintenance of the commission for the fiscal year beginning
17 July 1, 2003, and ending June 30, 2004.....
18 \$ 9,366,825.00.

19 Of the funds specified in this section, Two Hundred Fifty
20 Thousand Dollars (\$250,000.00) shall be deposited in a fund
21 created in the State Treasury called the "Forest Improvement
22 Revolving Fund." Money in this fund shall be used by the State
23 Forestry Commission to assist in the reforestation and growth
24 improvement of the forests, woodlands, and publicly owned lands of
25 the state, including sixteenth section lands, Camp Shelby,
26 Columbia Training School and colleges and universities.
27 Landowners who contract with the commission for such work shall



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

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

36 MAJOR OBJECTS OF EXPENDITURE:

37 Personal Services:

38	Salaries, Wages and Fringe Benefits..	\$	21,111,525.00
39	Travel and Subsistence.....		60,000.00
40	Contractual Services.....		2,172,619.00
41	Commodities.....		2,029,000.00
42	Capital Outlay:		
43	Other Than Equipment.....		100,000.00
44	Equipment.....		1,200,000.00
45	Subsidies, Loans and Grants.....		<u>2,505,206.00</u>
46	Total.....	\$	29,178,350.00

47 FUNDING:

48	General Funds.....	\$	19,811,525.00
49	Special Funds.....		<u>9,366,825.00</u>
50	Total.....	\$	29,178,350.00

51 AUTHORIZED POSITIONS:

52	Permanent:	Full Time.....	653
53		Part Time.....	58
54	Time-Limited:	Full Time.....	0
55		Part Time.....	0

56 With the funds herein appropriated, it is the intention of
 57 the Legislature that it shall be the agency's responsibility to
 58 make certain that funds required to be appropriated for "Personal
 59 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
 60 funds appropriated for that purpose, unless programs or positions



61 are added to the agency's Fiscal Year 2005 budget by the
62 Mississippi Legislature. Based on data provided by the
63 Legislative Budget Office, the State Personnel Board shall
64 determine and publish the projected annual cost to fully fund all
65 appropriated positions in compliance with the provisions of this
66 act. It shall be the responsibility of the agency head to insure
67 that no single personnel action increases this projected annual
68 cost and/or the Fiscal Year 2004 appropriation for "Personal
69 Services" when annualized. If, at the end of any calendar month,
70 the State Personnel Board determines that the agency has taken
71 action(s) which would cause the agency to exceed this projected
72 annual cost or the Fiscal Year 2004 "Personal Services"
73 appropriated level, when annualized, then only those actions which
74 reduce the projected annual cost and/or the appropriation
75 requirement will be processed by the State Personnel Board until
76 such time as the requirements of this provision are met.

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

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

83 **SECTION 4.** It is the intention of the Legislature that the
84 State Forestry Commission be allowed to escalate its budget in the
85 Capital Outlay: Equipment major object of expenditure, with funds
86 generated from the Forest Acreage Tax, and with funds generated
87 from the sale of old equipment and lease of tower sites an amount
88 not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00).
89 It is further the intention of the Legislature that the State
90 Forestry Commission be allowed to escalate its budget in the
91 Subsidies, Loans and Grants major object of expenditure, with
92 funds generated from the Severance Tax to fund the Forest Resource
93 Development Program in an amount not to exceed Five Hundred



94 Thousand Dollars (\$500,000.00). The receipt of these funds is
95 hereby authorized and approved, provided such receipts and
96 expenditures are reported and otherwise accounted for in
97 accordance with Section 27-103-101 et seq. and Section 27-104-1 et
98 seq., Mississippi Code of 1972.

99 **SECTION 5.** It is the intention of the Legislature that the
100 State Forestry Commission be allowed to escalate part-time
101 positions up to one hundred (100) and expend funds not to exceed
102 Five Hundred Thousand Dollars (\$500,000.00) from any source of
103 funds that become available to the commission. This escalation
104 shall be in accordance with rules and regulations of the
105 Department of Finance and Administration in a manner consistent
106 with the escalation of federal funds. These positions may be used
107 to protect life and property during extended periods of extreme
108 wildfire occurrences of a minimum of fifty (50) fires per day.
109 The escalation of positions and the expenditure of these funds
110 shall be at the discretion of the State Forester, with written
111 notification to the State Personnel Board and the State Fiscal
112 Officer.

113 **SECTION 6.** It is the intention of the State Legislature that
114 as soon as funds come available that the Forestry Commission
115 Career Ladder be implemented.

116 **SECTION 7.** The Forestry Commission has the authority to
117 purchase from the "General Services Administration" Fire Fighter
118 Catalog and any other GSA Catalog as long as the cost of such
119 items are less than the quotes received.

120 **SECTION 8.** There is hereby created in the State Treasury a
121 fund designated as the Volunteer Fire Department Equipment
122 Conversion Revolving Fund to be used by the State Forestry
123 Commission to assist in the conversion of vehicles acquired by the
124 State Forestry Commission through the Federal Excess Personal
125 Property Program or by Volunteer Fire Departments through other
126 means to adapt them for use in the suppression of wildland fires.



127 This assistance shall be in the form of fabrication of water tanks
128 or other accessories necessary for the operation of fire
129 suppression units, installation of piping and valves, painting or
130 other similar or associated component work necessary to place fire
131 suppression equipment into service. It is not for general vehicle
132 maintenance or repair.

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

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

149 **SECTION 9.** It is the intention of the Legislature that the
150 Executive Director of the State Forestry Commission may authorize
151 increases in major objects of expenditure in total amounts not to
152 exceed twenty percent (20%) of the appropriated amount of each
153 major object of expenditure, provided that other major objects of
154 expenditure are decreased by the corresponding dollar amount.
155 However, no transfers shall be authorized which increase the major
156 object of expenditure "Salaries, Wages and Fringe Benefits."

157 **SECTION 10.** The money herein appropriated shall be paid by
158 the State Treasurer out of any money in the State Treasury to the
159 credit of the proper fund or funds as set forth in this act, upon



160 warrants issued by the State Fiscal Officer; and the State Fiscal
161 Officer shall issue his warrants upon requisitions signed by the
162 proper person, officer or officers, in the manner provided by law.

163 **SECTION 11.** This act shall take effect and be in force from
164 and after July 1, 2003.

