HOUSE BILL NO. 1546
(As Sent to Governor)

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

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, 2003, and ending June 30, 2004......................
$ 19,811,525.00.

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, 2003, and ending June 30, 2004...........................
$ 9,366,825.00.

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:**

<table>
<thead>
<tr>
<th>Personal Services:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages and Fringe Benefits........... $ 21,111,525.00</td>
</tr>
<tr>
<td>Travel and Subsistence........................ $ 60,000.00</td>
</tr>
<tr>
<td>Contractual Services......................... $ 2,172,619.00</td>
</tr>
<tr>
<td>Commodities.................................... $ 2,029,000.00</td>
</tr>
</tbody>
</table>

**Capital Outlay:**

| Other Than Equipment.......................... $ 100,000.00 |
| Equipment...................................... $ 1,200,000.00 |
| Subsidies, Loans and Grants................... $ 2,505,206.00 |

**Total........................................ $ 29,178,350.00**

**FUNDING:**

| General Funds................................. $ 19,811,525.00 |
| Special Funds.................................. $ 9,366,825.00 |

**Total........................................ $ 29,178,350.00**

**AUTHORIZED POSITIONS:**

<table>
<thead>
<tr>
<th>Permanent: Full Time......................653</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part Time.................................58</td>
</tr>
<tr>
<td>Time-Limited: Full Time..................0</td>
</tr>
<tr>
<td>Part Time.................................0</td>
</tr>
</tbody>
</table>

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 2005 do not exceed Fiscal Year 2004
funds appropriated for that purpose, unless programs or positions
are added to the agency's Fiscal Year 2005 budget by the
Mississippi Legislature. Based on data provided by the
Legislative Budget Office, the State Personnel Board shall
determine and publish the projected 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 insure
that no single personnel action increases this projected annual
cost and/or the Fiscal Year 2004 appropriation for "Personal
Services" when annualized. 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 2004 "Personal Services"
appropriated level, when annualized, 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. 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 6. It is the intention of the State Legislature that as soon as funds come available that the Forestry Commission Career Ladder be implemented.

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

SECTION 8. 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 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 9. It is the intention of the Legislature that the Executive Director of the State Forestry Commission may authorize increases in major objects of expenditure in total amounts not to exceed twenty percent (20%) of the appropriated amount of each major object of expenditure, provided that other major objects of expenditure are decreased by the corresponding dollar amount. However, no transfers shall be authorized which increase the major object of expenditure "Salaries, Wages and Fringe Benefits."

SECTION 10. 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 11. This act shall take effect and be in force from and after July 1, 2003.