

By: Representatives Eaton, Gibbs, Frierson,
Hamilton (109th), Holland, Hudson, Martinson,
Middleton, Miles, Shows, Warren

To: Appropriations

HOUSE BILL NO. 1565

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR
3 2007.

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, 2006, and ending June 30, 2007.....
10 \$ 16,082,202.00.

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, 2006, and ending June 30, 2007.....
18 \$ 12,413,284.00.

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.** With the funds appropriated under the provisions
33 of Sections 1 and 2, not more than the amounts set forth below
34 shall 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..	\$	19,275,805.00
39	Travel and Subsistence.....		60,000.00
40	Contractual Services.....		2,249,829.00
41	Commodities.....		2,259,852.00
42	Capital Outlay:		
43	Other Than Equipment.....		150,000.00
44	Equipment.....		1,500,000.00
45	Subsidies, Loans and Grants.....		<u>3,000,000.00</u>
46	Total.....	\$	28,495,486.00

47 AUTHORIZED POSITIONS:

48	Permanent:	Full Time.....	553
49		Part Time.....	33
50	Time-Limited:	Full Time.....	0
51		Part Time.....	0

52 For the fiscal year beginning on July 1, 2006, funds are
53 provided herein to adjust the annual compensation of each employee
54 who has been employed for twelve (12) months or longer by an
55 amount equal to One Thousand Dollars (\$1,000.00), effective on
56 July 1, 2006.

57 With the funds herein appropriated, it is the intention of
58 the Legislature that it shall be the agency's responsibility to
59 make certain that funds required to be appropriated for "Personal
60 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007

61 funds appropriated for that purpose, unless programs or positions
62 are added to the agency's Fiscal Year 2008 budget by the
63 Mississippi Legislature. Based on data provided by the
64 Legislative Budget Office, the State Personnel Board shall
65 determine and publish the projected annual cost to fully fund all
66 appropriated positions in compliance with the provisions of this
67 act. It shall be the responsibility of the agency head to insure
68 that no single personnel action increases this projected annual
69 cost and/or the Fiscal Year 2007 appropriation for "Personal
70 Services" when annualized, with the exception of escalated funds.
71 If, at the time the agency takes any action to change "Personal
72 Services," the State Personnel Board determines that the agency
73 has taken an action which would cause the agency to exceed this
74 projected annual cost or the Fiscal Year 2007 "Personal Services"
75 appropriated level, when annualized, then only those actions which
76 reduce the projected annual cost and/or the appropriation
77 requirement will be processed by the State Personnel Board until
78 such time as the requirements of this provision are met.

79 Any transfers or escalations shall be made in accordance with
80 the terms, conditions and procedures established by law or
81 allowable under the terms set forth within this act. The State
82 Personnel Board shall not escalate positions without written
83 approval from the Department of Finance and Administration. The
84 Department of Finance and Administration shall not provide written
85 approval to escalate any funds for salaries and/or positions
86 without proof of availability of new or additional funds above the
87 appropriated level.

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

92 **SECTION 4.** It is the intention of the Legislature that the
93 State Forestry Commission shall maintain complete accounting and

94 personnel records related to the expenditure of all funds
95 appropriated under this act and that such records shall be in the
96 same format and level of detail as maintained for Fiscal Year
97 2006. It is further the intention of the Legislature that the
98 agency's budget request for Fiscal Year 2008 shall be submitted to
99 the Joint Legislative Budget Committee in a format and level of
100 detail comparable to the format and level of detail provided
101 during the Fiscal Year 2007 budget request process.

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

	FY2007
<u>Performance Measures</u>	<u>Target</u>
111 Fire Protection	
112 Number of Fires per Year (Events)	3,800
113 Average Size of Fire (Acres)	12.50
114 Forest Stewardship	
115 Land Reforested (Acres)	58,000
116 Landowners Assisted (Persons)	17,000
117 Public Outreach	
118 School/Youth Programs (Events)	800
119 Resource Analysis/Economic Development	
120 Economic Development Assistance Customers	
121 Served (Persons)	50
122 Urban/Community Forestry Assistance	
123 Homeowners Assisted	4,000

124 A reporting of the degree to which the performance targets
125 set above have been or are being achieved shall be provided in the

126 agency's budget request submitted to the Joint Legislative Budget
127 Committee for Fiscal Year 2008.

128 **SECTION 6.** It is the intention of the Legislature that the
129 State Forestry Commission be allowed to escalate its budget in the
130 Capital Outlay: Equipment major object of expenditure, with funds
131 generated from the Forest Acreage Tax, and with funds generated
132 from the sale of old equipment and lease of tower sites an amount
133 not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00).
134 It is further the intention of the Legislature that the State
135 Forestry Commission be allowed to escalate its budget in the
136 Subsidies, Loans and Grants major object of expenditure, with
137 funds generated from the Severance Tax to fund the Forest Resource
138 Development Program in an amount not to exceed Five Hundred
139 Thousand Dollars (\$500,000.00). The receipt of these funds is
140 hereby authorized and approved, provided such receipts and
141 expenditures are reported and otherwise accounted for in
142 accordance with Section 27-103-101 et seq. and Section 27-104-1 et
143 seq., Mississippi Code of 1972.

144 **SECTION 7.** It is the intention of the Legislature that the
145 State Forestry Commission be allowed to escalate part-time
146 positions up to one hundred (100) and expend funds not to exceed
147 Five Hundred Thousand Dollars (\$500,000.00) from any source of
148 funds that become available to the commission. This escalation
149 shall be in accordance with rules and regulations of the
150 Department of Finance and Administration in a manner consistent
151 with the escalation of federal funds. These positions may be used
152 to protect life and property during extended periods of extreme
153 wildfire occurrences of a minimum of fifty (50) fires per day.
154 The escalation of positions and the expenditure of these funds
155 shall be at the discretion of the State Forester, with written
156 notification to the State Personnel Board and the State Fiscal
157 Officer.

158 **SECTION 8.** The Forestry Commission has the authority to
159 purchase from the "General Services Administration" Fire Fighter
160 Catalog and any other GSA Catalog as long as the cost of such
161 items are less than the quotes received.

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

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

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

191 **SECTION 10.** There is hereby created in the State Treasury a
192 fund designated as the Camden State Forest Revolving Fund to be
193 used by the State Forestry Commission to direct forest management
194 activities on the Camden State Forest in Madison County,
195 Mississippi. The forest management activities will include, but
196 not be limited to, maintenance of property, timber sale activities
197 and regeneration work.

198 The Camden State Forest Revolving Fund shall be funded by
199 monies received from timber sales, leases, and any other source.
200 Monies collected from these income sources shall be deposited into
201 the Camden State Forest Revolving Fund. The State Treasurer shall
202 make disbursements therefrom for payments of materials, supplies
203 and labor upon requisition of the State Forestry Commission and
204 upon the issuance of warrants therefor by the Department of
205 Finance and Administration.

206 It is the intention of the Legislature that any revolving
207 funds in excess of the budgeted amount needed for the necessary
208 operation and maintenance of all properties under the direct
209 supervision and management of the State Forestry Commission shall
210 remain in the Camden State Forest Revolving Fund for use in future
211 years.

212 **SECTION 11.** Of the funds appropriated in Section 2 and
213 authorized for expenditure in Section 3, it is the intention of
214 the Legislature that Two Hundred Thousand Dollars (\$200,000.00)
215 shall be transferred to the Department of Agriculture and Commerce
216 for the Beaver Control or Eradication Program during the Fiscal
217 Year 2007.

218 **SECTION 12.** It is the intention of the Legislature that
219 whenever two (2) or more bids are received by this agency for the
220 purchase of commodities or equipment, and whenever all things
221 stated in such received bids are equal with respect to price,
222 quality and service, the Mississippi Industries for the Blind
223 shall be given preference. A similar preference shall be given to

224 the Mississippi Industries for the Blind whenever purchases are
225 made without competitive bids.

226 **SECTION 13.** Of the funds appropriated under the provisions
227 of Section 2, Eight Hundred Twenty-two Thousand Four Hundred
228 Thirty-two Dollars (\$822,432.00) shall be derived from the Budget
229 Contingency Fund created in Section 27-103-301, Mississippi Code
230 of 1972, for the purpose of defraying the expenses of the State
231 Forestry Commission.

232 **SECTION 14.** The money herein appropriated shall be paid by
233 the State Treasurer out of any money in the State Treasury to the
234 credit of the proper fund or funds as set forth in this act, upon
235 warrants issued by the State Fiscal Officer; and the State Fiscal
236 Officer shall issue his warrants upon requisitions signed by the
237 proper person, officer or officers, in the manner provided by law.

238 **SECTION 15.** This act shall take effect and be in force from
239 and after July 1, 2006.