

Senate Amendments to House Bill No. 1565

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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 \$ 17,186,938.00.

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 \$ 10,914,482.00.

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, the following positions are authorized:

34 AUTHORIZED POSITIONS:

35	Permanent:	Full Time.....	510
36		Part Time.....	29
37	Time-Limited:	Full Time.....	0
38		Part Time.....	0

39 Funds are provided herein to adjust the Variable Compensation
40 Plan to ensure that all full-time employees receive a pay increase
41 equal to the realignment component of the Variable Compensation
42 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
43 beginning on July 1, 2006.

44 Pursuant to policies established by the State Personnel
45 Board, agency heads may, on a case by case basis and within funds
46 available, recommend equity salary adjustments to Fiscal Year 2006
47 agency appropriation acts where application of limitations result
48 in awarding one employee a salary increase greater than another
49 employee within the same agency, with the same job classification
50 series and greater longevity.

51 With the funds herein appropriated, it is the intention of
52 the Legislature that it shall be the agency's responsibility to
53 make certain that funds required to be appropriated for "Personal
54 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
55 funds appropriated for that purpose, unless programs or positions
56 are added to the agency's Fiscal Year 2008 budget by the
57 Mississippi Legislature. Based on data provided by the
58 Legislative Budget Office, the State Personnel Board shall
59 determine and publish the projected annual cost to fully fund all
60 appropriated positions in compliance with the provisions of this
61 act. It shall be the responsibility of the agency head to insure
62 that no single personnel action increases this projected annual
63 cost and/or the Fiscal Year 2007 appropriation for "Personal
64 Services" when annualized, with the exception of escalated funds.

65 If, at the time the agency takes any action to change "Personal
66 Services," the State Personnel Board determines that the agency
67 has taken an action which would cause the agency to exceed this
68 projected annual cost or the Fiscal Year 2007 "Personal Services"
69 appropriated level, when annualized, then only those actions which
70 reduce the projected annual cost and/or the appropriation
71 requirement will be processed by the State Personnel Board until
72 such time as the requirements of this provision are met.

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

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

86 No general funds authorized to be expended herein shall be
87 used to spend more money on any public information than the agency
88 spent for public information in the fiscal year preceding the
89 effective date of this appropriation.

90 **SECTION 4.** It is the intention of the Legislature that the
91 State Forestry Commission shall maintain complete accounting and
92 personnel records related to the expenditure of all funds
93 appropriated under this act and that such records shall be in the
94 same format and level of detail as maintained for Fiscal Year
95 2006. It is further the intention of the Legislature that the
96 agency's budget request for Fiscal Year 2008 shall be submitted to
97 the Joint Legislative Budget Committee in a format and level of
98 detail comparable to the format and level of detail provided
99 during the Fiscal Year 2007 budget request process.

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

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

122 A reporting of the degree to which the performance targets
 123 set above have been or are being achieved shall be provided in the
 124 agency's budget request submitted to the Joint Legislative Budget
 125 Committee for Fiscal Year 2008.

126 **SECTION 6.** It is the intention of the Legislature that the
 127 State Forestry Commission be allowed to escalate its budget in the
 128 Capital Outlay: Equipment major object of expenditure, with funds
 129 generated from the Forest Acreage Tax, and with funds generated
 130 from the sale of old equipment and lease of tower sites an amount
 131 not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00).
 132 It is further the intention of the Legislature that the State
 133 Forestry Commission be allowed to escalate its budget in the
 134 Subsidies, Loans and Grants major object of expenditure, with

135 funds generated from the Severance Tax to fund the Forest Resource
136 Development Program in an amount not to exceed Five Hundred
137 Thousand Dollars (\$500,000.00). The receipt of these funds is
138 hereby authorized and approved, provided such receipts and
139 expenditures are reported and otherwise accounted for in
140 accordance with Section 27-103-101 et seq. and Section 27-104-1 et
141 seq., Mississippi Code of 1972.

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

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

160 **SECTION 9.** There is hereby created in the State Treasury a
161 fund designated as the Volunteer Fire Department Equipment
162 Conversion Revolving Fund to be used by the State Forestry
163 Commission to assist in the conversion of vehicles acquired by the
164 State Forestry Commission through the Federal Excess Personal
165 Property Program or by Volunteer Fire Departments through other
166 means to adapt them for use in the suppression of wildland fires.
167 This assistance shall be in the form of fabrication of water tanks
168 or other accessories necessary for the operation of fire
169 suppression units, installation of piping and valves, painting or

170 other similar or associated component work necessary to place fire
171 suppression equipment into service. It is not for general vehicle
172 maintenance or repair.

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

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

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

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

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

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

216 **SECTION 12.** It is the intention of the Legislature that
217 whenever two (2) or more bids are received by this agency for the
218 purchase of commodities or equipment, and whenever all things
219 stated in such received bids are equal with respect to price,
220 quality and service, the Mississippi Industries for the Blind
221 shall be given preference. A similar preference shall be given to
222 the Mississippi Industries for the Blind whenever purchases are
223 made without competitive bids.

224 **SECTION 13.** Any person who was an employee of the Forestry
225 Commission who was laid off during Fiscal Year 2006 shall be given
226 first priority in any new employment by the commission.

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

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

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John O. Gilbert
Secretary of the Senate