

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1565**

**BY: Committee**

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.