

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

To: Appropriations

HOUSE BILL NO. 1698

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE STATE FORESTRY COMMISSION AND FOR THE PURPOSE  
3 OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI INSTITUTE FOR FOREST  
4 INVENTORY FOR THE FISCAL YEAR 2008.

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

6 SECTION 1. The following sum, or so much thereof as may be  
7 necessary, is hereby appropriated out of any money in the State  
8 General Fund not otherwise appropriated, for the support and  
9 maintenance of the State Forestry Commission for the fiscal year  
10 beginning July 1, 2007, and ending June 30, 2008.....  
11 ..... \$ 20,035,317.00.

12 SECTION 2. The following sum, or so much thereof as may be  
13 necessary, is hereby appropriated out of any money in the special  
14 fund in the State Treasury to the credit of the State Forestry  
15 Commission which is comprised of special source funds collected by  
16 or otherwise available to the commission, for the support and  
17 maintenance of the commission for the fiscal year beginning  
18 July 1, 2007, and ending June 30, 2008.....  
19 ..... \$ 10,222,240.00.

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

28 Landowners who contract with the commission for such work shall

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

33 **SECTION 3.** Of the funds appropriated under the provisions of  
34 Sections 1 and 2, the following positions are authorized:

35 AUTHORIZED POSITIONS:

36	Permanent:	Full Time.....	585
37		Part Time.....	54
38	Time-Limited:	Full Time.....	0
39		Part Time.....	0

40 Funds are provided herein to adjust the Variable Compensation  
41 Plan to ensure that all full-time employees receive a pay increase  
42 equal to the realignment component of the Variable Compensation  
43 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
44 is greater.

45 With the funds herein appropriated, it is the intention of  
46 the Legislature that it shall be the agency's responsibility to  
47 make certain that funds required to be appropriated for "Personal  
48 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
49 funds appropriated for that purpose, unless programs or positions  
50 are added to the agency's Fiscal Year 2009 budget by the  
51 Mississippi Legislature. Based on data provided by the  
52 Legislative Budget Office, the State Personnel Board shall  
53 determine and publish the projected annual cost to fully fund all  
54 appropriated positions in compliance with the provisions of this  
55 act. It shall be the responsibility of the agency head to insure  
56 that no single personnel action increases this projected annual  
57 cost and/or the Fiscal Year 2008 appropriation for "Personal  
58 Services" when annualized, with the exception of escalated funds.  
59 If, at the time the agency takes any action to change "Personal  
60 Services," the State Personnel Board determines that the agency  
61 has taken an action which would cause the agency to exceed this

62 projected annual cost or the Fiscal Year 2008 "Personal Services"  
63 appropriated level, when annualized, then only those actions which  
64 reduce the projected annual cost and/or the appropriation  
65 requirement will be processed by the State Personnel Board until  
66 such time as the requirements of this provision are met.

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

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

80 **SECTION 4.** It is the intention of the Legislature that the  
81 State Forestry Commission and the Mississippi Institute for Forest  
82 Inventory shall maintain complete accounting and personnel records  
83 related to the expenditure of all funds appropriated under this  
84 act and that such records shall be in the same format and level of  
85 detail as maintained for Fiscal Year 2007. It is further the  
86 intention of the Legislature that the agency's budget request for  
87 Fiscal Year 2009 shall be submitted to the Joint Legislative  
88 Budget Committee in a format and level of detail comparable to the  
89 format and level of detail provided during the Fiscal Year 2008  
90 budget request process.

91 **SECTION 5.** In compliance with the "Mississippi Performance  
92 Budget and Strategic Planning Act of 1994," it is the intent of  
93 the Legislature that the funds provided herein shall be utilized  
94 in the most efficient and effective manner possible to achieve the

95 intended mission of this agency. Based on the funding authorized,  
 96 this agency shall make every effort to attain the targeted  
 97 performance measures provided below:

	FY2008
<u>Performance Measures</u>	<u>Target</u>
100 Fire Protection	
101       Number of Fires per Year (Events)	2,000
102       Average Size of Fire (Acres)	18
103 Forest Stewardship	
104       Land Reforested (Acres)	65,000
105       Landowners Assisted (Persons)	18,000
106 Public Outreach	
107       School/Youth Programs (Events)	50
108 Resource Analysis/Economic Development	
109       Economic Development Assistance Customers	
110           Served (Persons)	50
111       Economic Development Assist Reports (Reports)	100
112 Urban/Community Forestry Assistance	
113       Homeowners Assisted	2,625

114       A reporting of the degree to which the performance targets  
 115 set above have been or are being achieved shall be provided in the  
 116 agency's budget request submitted to the Joint Legislative Budget  
 117 Committee for Fiscal Year 2009.

118       **SECTION 6.** In addition to all other sums herein  
 119 appropriated, the following sum, or so much thereof as may be  
 120 necessary, is hereby appropriated out of any money in the State  
 121 General Fund not otherwise appropriated, for the support of the  
 122 Mississippi Institute for Forest Inventory for the fiscal year  
 123 beginning July 1, 2007, and ending June 30, 2008.....  
 124 ..... \$ 150,000.00.

125       **SECTION 7.** In addition to all other sums herein  
 126 appropriated, the following sum, or so much thereof as may be  
 127 necessary, is hereby appropriated out of any money in the State

128 Treasury to the credit of the Mississippi Institute for Forest  
129 Inventory which is comprised of special source funds and donations  
130 collected by or otherwise available to the Institute for the  
131 purpose of defraying the expenses of the Institute for the period  
132 beginning July 1, 2007, and ending June 30, 2008.....  
133 ..... \$ 260,894.00.

134 **SECTION 8.** Of the funds appropriated under the provisions of  
135 Section 1, not more than the amounts set forth below shall be  
136 under the authority of the State Personnel Board:

137 AUTHORIZED POSITIONS:

138	Permanent:	Full Time.....	2
139		Part Time.....	0
140	Time-Limited:	Full Time.....	0
141		Part Time.....	0

142 Funds are provided herein to adjust the Variable Compensation  
143 Plan to ensure that all full-time employees receive a pay increase  
144 equal to the realignment component of the Variable Compensation  
145 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
146 is greater.

147 With the funds herein appropriated, it is the intention of  
148 the Legislature that it shall be the agency's responsibility to  
149 make certain that funds required to be appropriated for "Personal  
150 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
151 funds appropriated for that purpose, unless programs or positions  
152 are added to the agency's Fiscal Year 2009 budget by the  
153 Mississippi Legislature. Based on data provided by the  
154 Legislative Budget Office, the State Personnel Board shall  
155 determine and publish the projected annual cost to fully fund all  
156 appropriated positions in compliance with the provisions of this  
157 act. It shall be the responsibility of the agency head to insure  
158 that no single personnel action increases this projected annual  
159 cost and/or the Fiscal Year 2008 appropriation for "Personal  
160 Services" when annualized, with the exception of escalated funds.

161 If, at the time the agency takes any action to change "Personal  
162 Services," the State Personnel Board determines that the agency  
163 has taken an action which would cause the agency to exceed this  
164 projected annual cost or the Fiscal Year 2008 "Personal Services"  
165 appropriated level, when annualized, then only those actions which  
166 reduce the projected annual cost and/or the appropriation  
167 requirement will be processed by the State Personnel Board until  
168 such time as the requirements of this provision are met.

169 Any transfers or escalations shall be made in accordance with  
170 the terms, conditions and procedures established by law or  
171 allowable under the terms set forth within this act. The State  
172 Personnel Board shall not escalate positions without written  
173 approval from the Department of Finance and Administration. The  
174 Department of Finance and Administration shall not provide written  
175 approval to escalate any funds for salaries and/or positions  
176 without proof of availability of new or additional funds above the  
177 appropriated level.

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

182 **SECTION 9.** It is the intention of the Legislature that the  
183 State Forestry Commission be allowed to escalate its budget in the  
184 Capital Outlay: Equipment major object of expenditure, with funds  
185 generated from the Forest Acreage Tax, and with funds generated  
186 from the sale of old equipment and lease of tower sites an amount  
187 not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00).  
188 It is further the intention of the Legislature that the State  
189 Forestry Commission be allowed to escalate its budget in the  
190 Subsidies, Loans and Grants major object of expenditure, with  
191 funds generated from the Severance Tax to fund the Forest Resource  
192 Development Program in an amount not to exceed Five Hundred  
193 Thousand Dollars (\$500,000.00). The receipt of these funds is

194 hereby authorized and approved, provided such receipts and  
195 expenditures are reported and otherwise accounted for in  
196 accordance with Section 27-103-101 et seq. and Section 27-104-1 et  
197 seq., Mississippi Code of 1972.

198       **SECTION 10.** It is the intention of the Legislature that the  
199 State Forestry Commission be allowed to escalate part-time  
200 positions up to one hundred (100) and expend funds not to exceed  
201 Five Hundred Thousand Dollars (\$500,000.00) from any source of  
202 funds that become available to the commission. This escalation  
203 shall be in accordance with rules and regulations of the  
204 Department of Finance and Administration in a manner consistent  
205 with the escalation of federal funds. These positions may be used  
206 to protect life and property during extended periods of extreme  
207 wildfire occurrences of a minimum of fifty (50) fires per day.  
208 The escalation of positions and the expenditure of these funds  
209 shall be at the discretion of the State Forester, with written  
210 notification to the State Personnel Board and the State Fiscal  
211 Officer.

212       **SECTION 11.** The Forestry Commission has the authority to  
213 purchase from the "General Services Administration" Fire Fighter  
214 Catalog and any other GSA Catalog as long as the cost of such  
215 items are less than the quotes received.

216       **SECTION 12.** There is hereby created in the State Treasury a  
217 fund designated as the Volunteer Fire Department Equipment  
218 Conversion Revolving Fund to be used by the State Forestry  
219 Commission to assist in the conversion of vehicles acquired by the  
220 State Forestry Commission through the Federal Excess Personal  
221 Property Program or by Volunteer Fire Departments through other  
222 means to adapt them for use in the suppression of wildland fires.  
223 This assistance shall be in the form of fabrication of water tanks  
224 or other accessories necessary for the operation of fire  
225 suppression units, installation of piping and valves, painting or  
226 other similar or associated component work necessary to place fire

227 suppression equipment into service. It is not for general vehicle  
228 maintenance or repair.

229 The Volunteer Fire Department Equipment Conversion Revolving  
230 Fund shall be funded by monies received from charges for work and  
231 services performed for Volunteer Fire Departments by the State  
232 Forestry Commission. Monies collected from such charges shall be  
233 deposited into the Volunteer Fire Department Equipment Conversion  
234 Revolving Fund. The State Treasurer shall make disbursements  
235 therefrom for payment of materials, supplies and labor upon  
236 requisition of the Forestry Commission and upon the issuance of  
237 warrants therefor by the Department of Finance and Administration.

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

245 **SECTION 13.** There is hereby created in the State Treasury a  
246 fund designated as the Camden State Forest Revolving Fund to be  
247 used by the State Forestry Commission to direct forest management  
248 activities on the Camden State Forest in Madison County,  
249 Mississippi. The forest management activities will include, but  
250 not be limited to, maintenance of property, timber sale activities  
251 and regeneration work.

252 The Camden State Forest Revolving Fund shall be funded by  
253 monies received from timber sales, leases, and any other source.  
254 Monies collected from these income sources shall be deposited into  
255 the Camden State Forest Revolving Fund. The State Treasurer shall  
256 make disbursements therefrom for payments of materials, supplies  
257 and labor upon requisition of the State Forestry Commission and  
258 upon the issuance of warrants therefor by the Department of  
259 Finance and Administration.



260           It is the intention of the Legislature that any revolving  
261 funds in excess of the budgeted amount needed for the necessary  
262 operation and maintenance of all properties under the direct  
263 supervision and management of the State Forestry Commission shall  
264 remain in the Camden State Forest Revolving Fund for use in future  
265 years.

266           **SECTION 14.** Of the funds appropriated in Section 2 and  
267 authorized for expenditure in Section 3, it is the intention of  
268 the Legislature that Two Hundred Thousand Dollars (\$200,000.00)  
269 shall be transferred to the Department of Agriculture and Commerce  
270 for the Beaver Control or Eradication Program during the Fiscal  
271 Year 2007.

272           **SECTION 15.** It is the intention of the Legislature that the  
273 Mississippi Institute for Forest Inventory is hereby authorized to  
274 accept, budget and expend funds, not to exceed One Million Dollars  
275 (\$1,000,000.00), from any source in accordance with rules and  
276 regulations of the Department of Finance and Administration in a  
277 manner consistent with the escalation of federal funds.

278           **SECTION 16.** It is the intention of the Legislature that  
279 whenever two (2) or more bids are received by this agency for the  
280 purchase of commodities or equipment, and whenever all things  
281 stated in such received bids are equal with respect to price,  
282 quality and service, the Mississippi Industries for the Blind  
283 shall be given preference. A similar preference shall be given to  
284 the Mississippi Industries for the Blind whenever purchases are  
285 made without competitive bids.

286           **SECTION 17.** Any person who was an employee of the Forestry  
287 Commission who was laid off during Fiscal Year 2006 shall be given  
288 first priority in any new employment by the commission.

289           **SECTION 18.** The money herein appropriated shall be paid by  
290 the State Treasurer out of any money in the State Treasury to the  
291 credit of the proper fund or funds as set forth in this act, upon  
292 warrants issued by the State Fiscal Officer; and the State Fiscal

293 Officer shall issue his warrants upon requisitions signed by the  
294 proper person, officer or officers, in the manner provided by law.

295         **SECTION 19.** This act shall take effect and be in force from  
296 and after July 1, 2007.