

By: Representatives Frierson, Sullivan,  
Bennett, Bounds, Busby, DeLano, Eure,  
Huddleston (15th), Huddleston (30th), Ladner,  
Monsour, Read, Shows, Staples, Turner,  
Kinkade

To: Appropriations

## HOUSE BILL NO. 1654

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 2017.

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 appropriated out of any money in the State General  
8 Fund not otherwise appropriated, for the support and maintenance  
9 of the State Forestry Commission for the fiscal year beginning  
10 July 1, 2016, and ending June 30, 2017.....  
11 .....\$ 18,438,508.00.

12 **SECTION 2.** The following sum, or so much thereof as may be  
13 necessary, is appropriated out of any money in the special fund in  
14 the State Treasury to the credit of the State Forestry Commission  
15 which is comprised of special source funds collected by or  
16 otherwise available to the commission, for the support and  
17 maintenance of the commission for the fiscal year beginning  
18 July 1, 2016, and ending June 30, 2017.....  
19 .....\$ 9,787,635.00.



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   this act, the following positions are authorized:

35   AUTHORIZED POSITIONS:

36       Permanent:	Full Time.....	421
37	Part Time.....	0
38       Time-Limited:	Full Time.....	6
39	Part Time.....	0

40           With the funds herein appropriated, it shall be the agency's  
41   responsibility to make certain that funds required to be  
42   appropriated for "Personal Services" for Fiscal Year 2018 do not  
43   exceed Fiscal Year 2017 funds appropriated for that purpose,  
44   unless programs or positions are added to the agency's Fiscal Year



2017 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 ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2017 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2017 "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 or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions



69 without proof of availability of new or additional funds above the  
70 appropriated level.

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

75 None of the funds herein appropriated shall be used in  
76 violation of Internal Revenue Service's Publication 15-A relating  
77 to the reporting of income paid to contract employees, as  
78 interpreted by the Office of the State Auditor.

79 **SECTION 4.** It is the intention of the Legislature that the  
80 State Forestry Commission and the Mississippi Institute for Forest  
81 Inventory shall maintain complete accounting and personnel records  
82 related to the expenditure of all funds appropriated under this  
83 act and that such records shall be in the same format and level of  
84 detail as maintained for Fiscal Year 2016. It is further the  
85 intention of the Legislature that the agency's budget request for  
86 Fiscal Year 2018 shall be submitted to the Joint Legislative  
87 Budget Committee in a format and level of detail comparable to the  
88 format and level of detail provided during the Fiscal Year 2017  
89 budget request process.

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



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

97 FY2017

98 Performance Measures Target

99 Forest Protection & Information

100 Average Suppresssion Time 2.00

101 (Hours from Detection to Control)

102 Citations Issued for Starting Wildfire (Num) 5

103 Arrests for Felony Woods Arson (Num) 5

104 Wildland Firefighting Related Equipment

105 Provided to Local Firefighting Partners (Num) 120

106 Wildfire Prevention Programs to Public (Num) 200

107 Forest Management

108 Private Landowners Assisted 5,610

109 Acres Monitored for Insect, Storm or Disease 18,600,000

110 Private Land Reforested (Acres) 17,340

111 Change in Timber Sale Revenue on

112 School Trust Lands 23,000,000.00

113 Change in Timber Sale Revenue on

114 Other Public Lands 488,000.00

115 MS Inst Of Forest Inventory

116 Re-inventory State Forest

117 Lands (% of Regions) 20.00

118 Increase Percentage of Re-inventory of



119 State Forest Land (%) 20.00

120 A reporting of the degree to which the performance targets  
121 set above have been or are being achieved shall be provided in the  
122 agency's budget request submitted to the Joint Legislative Budget  
123 Committee for Fiscal Year 2018.

124 **SECTION 6.** There is created in the State Treasury a fund  
125 designated as the Volunteer Fire Department Equipment Conversion  
126 Revolving Fund to be used by the State Forestry Commission to  
127 assist in the conversion of vehicles acquired by the State  
128 Forestry Commission through the Federal Excess Personal Property  
129 Program or by volunteer fire departments through other means to  
130 adapt them for use in the suppression of wildland fires. This  
131 assistance shall be in the form of fabrication of water tanks or  
132 other accessories necessary for the operation of fire suppression  
133 units, installation of piping and valves, painting or other  
134 similar or associated component work necessary to place fire  
135 suppression equipment into service. It is not for general vehicle  
136 maintenance or repair.

137 The Volunteer Fire Department Equipment Conversion Revolving  
138 Fund shall be funded by monies received from charges for work and  
139 services performed for volunteer fire departments by the State  
140 Forestry Commission. Monies collected from such charges shall be  
141 deposited into the Volunteer Fire Department Equipment Conversion  
142 Revolving Fund. The State Treasurer shall make disbursements  
143 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 7.** There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

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



168       It is the intention of the Legislature that any revolving  
169 funds in excess of the budgeted amount needed for the necessary  
170 operation and maintenance of all properties under the direct  
171 supervision and management of the State Forestry Commission shall  
172 remain in the Camden State Forest Revolving Fund for use in future  
173 years.

174       **SECTION 8.** Of the funds appropriated in Section 2, it is the  
175 intention of the Legislature that Two Hundred Thousand Dollars  
176 (\$200,000.00) shall be transferred to the Department of  
177 Agriculture and Commerce for the Beaver Control or Eradication  
178 Program during the Fiscal Year 2017.

179       **SECTION 9.** It is the intention of the Legislature that  
180 whenever two (2) or more bids are received by this agency for the  
181 purchase of commodities or equipment, and whenever all things  
182 stated in such received bids are equal with respect to price,  
183 quality and service, the Mississippi Industries for the Blind  
184 shall be given preference. A similar preference shall be given to  
185 the Mississippi Industries for the Blind whenever purchases are  
186 made without competitive bids.

187       **SECTION 10.** Any person who was an employee of the Forestry  
188 Commission who was laid off during Fiscal Year 2006 shall be given  
189 first priority in any new employment by the commission.

190       **SECTION 11.** It is the intention of the Legislature that the  
191 funds herein appropriated shall be expended in compliance with  
192 Section 27-104-25, Mississippi Code of 1972, that no state agency





shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

**SECTION 12.** The amount of funds appropriated from the State General Fund in this bill are conditioned upon the availability for appropriation of the full amount of the state general funds that were projected in the general fund revenue estimate for fiscal year 2017 that was determined under the provision of Section 27-103-125.

If the amount of general funds projected to be available for appropriation for fiscal year 2017 would be reduced by the enactment into law of any revenue bills, as defined in Joint Rule 40, that have been passed by the House of Representatives by March 17, 2016, then the amount of funds appropriated from the State General Fund in this bill shall be reduced by the same percentage reduction in the amount of general funds that would be available for appropriation for fiscal year 2017, and the reduced amount shall be engrossed into this bill before it is transmitted to Senate.

The determination of whether the House has passed any such revenue bills by March 17, 2016, and the amount and percentage of the resulting reduction in the amount of general funds projected to be available for appropriation for fiscal year 2017, shall be determined by the Legislative Budget Office and certified in



218 writing to the Chairman of the House Appropriations Committee by  
219 the Director of the Legislative Budget Office.

220       **SECTION 13.** The money herein appropriated shall be paid by  
221 the State Treasurer out of any money in the State Treasury to the  
222 credit of the proper fund or funds as set forth in this act, upon  
223 warrants issued by the State Fiscal Officer; and the State Fiscal  
224 Officer shall issue his warrants upon requisitions signed by the  
225 proper person, officer or officers, in the manner provided by law.

226       **SECTION 14.** This act shall take effect and be in force from  
227 and after July 1, 2016; and shall stand repealed from and after  
228 June 30, 2016.

