

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

HOUSE BILL NO. 1515
(As Sent to Governor)

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 2018.

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, 2017, and ending June 30, 2018.....
11\$ 13,628,515.00.

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, 2017, and ending June 30, 2018.....
19\$ 9,998,275.00.



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.....	450
37	Part Time.....	2
38 Time-Limited:	Full Time.....	11
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 2019 do not
43 exceed Fiscal Year 2018 funds appropriated for that purpose,
44 unless programs or positions are added to the agency's Fiscal Year



2018 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 2018 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 2018 "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 2017. It is further the
85 intention of the Legislature that the agency's budget request for
86 Fiscal Year 2019 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 2018
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



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

	FY2018
<u>Performance Measures</u>	<u>Target</u>
Forest Protection & Information	
Average Suppresssion Time (Hours from	
Detection to Control)	3
Number of Acres Enrolled in Prescribed	
Burn Program	23,000
Percentage of Fires Suppressed at 100	
Acres or Less	97.00
Number of Arson Cases Investigated &	
Present	0
Forest Management	
Forest Acres Regenerated or Improved	35,000
Acres Monitored for Insect, Storm or Disease	19,800,000
MS Inst Of Forest Inventory	
Re-inventory State Forest Lands (% of	
Regions)	20.00
Increase Percentage of Re-inventory of	
State Forest Land (%)	20.00
A reporting of the degree to which the performance targets	
set above have been or are being achieved shall be provided in the	



agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2019.

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

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for volunteer fire departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements 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.



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

149 **SECTION 7.** There is created in the State Treasury a fund
150 designated as the Camden State Forest Revolving Fund to be used by
151 the State Forestry Commission to direct forest management
152 activities on the Camden State Forest in Madison County,
153 Mississippi. The forest management activities will include, but
154 not be limited to, maintenance of property, timber sale activities
155 and regeneration work.

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

164 It is the intention of the Legislature that any revolving
165 funds in excess of the budgeted amount needed for the necessary
166 operation and maintenance of all properties under the direct



supervision and management of the State Forestry Commission shall remain in the Camden State Forest Revolving Fund for use in future years.

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2018.

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

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

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with 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



191 or upon their official bonds, shall be held responsible for
192 actions contrary to this provision.

193 **SECTION 12.** The money herein appropriated shall be paid by
194 the State Treasurer out of any money in the State Treasury to the
195 credit of the proper fund or funds as set forth in this act, upon
196 warrants issued by the State Fiscal Officer; and the State Fiscal
197 Officer shall issue his warrants upon requisitions signed by the
198 proper person, officer or officers, in the manner provided by law.

199 **SECTION 13.** This act shall take effect and be in force from
200 and after July 1, 2017.

