

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

HOUSE BILL NO. 1604
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR
3 2019.

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the support and maintenance
8 of the State Forestry Commission for the fiscal year beginning
9 July 1, 2018, and ending June 30, 2019.....
10\$ 13,645,976.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the State Forestry Commission
14 which is comprised of special source funds collected by or
15 otherwise available to the commission, for the support and
16 maintenance of the commission for the fiscal year beginning
17 July 1, 2018, and ending June 30, 2019.....
18\$ 15,598,275.00.



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.** Of the funds appropriated under the provisions of
33 this act, the following positions are authorized:

34 AUTHORIZED POSITIONS:

35	Permanent:	Full Time.....	450
36		Part Time.....	2
37	Time-Limited:	Full Time.....	11
38		Part Time.....	0

39 With the funds herein appropriated, it shall be the agency's
40 responsibility to make certain that funds required to be
41 appropriated for "Personal Services" for Fiscal Year 2020 do not
42 exceed Fiscal Year 2019 funds appropriated for that purpose,
43 unless programs or positions are added to the agency's Fiscal Year



44 2019 budget by the Mississippi Legislature. Based on data
45 provided by the Legislative Budget Office, the State Personnel
46 Board shall determine and publish the projected annual cost to
47 fully fund all appropriated positions in compliance with the
48 provisions of this act. It shall be the responsibility of the
49 agency head to ensure that no single personnel action increases
50 this projected annual cost and/or the Fiscal Year 2019
51 appropriations for "Personal Services" when annualized, with the
52 exception of escalated funds and the award of benchmarks. If, at
53 the time the agency takes any action to change "Personal
54 Services," the State Personnel Board determines that the agency
55 has taken an action which would cause the agency to exceed this
56 projected annual cost or the Fiscal Year 2019 "Personal Services"
57 appropriated level, when annualized, then only those actions which
58 reduce the projected annual cost and/or the appropriation
59 requirement will be processed by the State Personnel Board until
60 such time as the requirements of this provision are met.

61 Any transfers or escalations shall be made in accordance with
62 the terms, conditions and procedures established by law or
63 allowable under the terms set forth within this act. The State
64 Personnel Board shall not escalate positions without written
65 approval from the Department of Finance and Administration. The
66 Department of Finance and Administration shall not provide written
67 approval to escalate any funds for salaries and/or positions



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

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

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

78 **SECTION 4.** It is the intention of the Legislature that the
79 State Forestry Commission shall maintain complete accounting and
80 personnel records related to the expenditure of all funds
81 appropriated under this act and that such records shall be in the
82 same format and level of detail as maintained for Fiscal Year
83 2018. It is further the intention of the Legislature that the
84 agency's budget request for Fiscal Year 2020 shall be submitted to
85 the Joint Legislative Budget Committee in a format and level of
86 detail comparable to the format and level of detail provided
87 during the Fiscal Year 2019 budget request process.

88 **SECTION 5.** In compliance with the "Mississippi Performance
89 Budget and Strategic Planning Act of 1994," it is the intent of
90 the Legislature that the funds provided herein shall be utilized
91 in the most efficient and effective manner possible to achieve the
92 intended mission of this agency. Based on the funding authorized,



93 this agency shall make every effort to attain the targeted
94 performance measures provided below:

95 FY2019
96 Performance Measures Target

97 Forest Protection & Information

98 Average Suppresssion Time (Hours from
99 Detection to Control) 3

100 Number of Acres Enrolled in Prescribed
101 Burn Program 20,391

102 Percentage of Fires Suppressed at 100
103 Acres or Less 97.00

104 Number of Arson Cases Investigated &
105 Present 0

106 Forest Management

107 Forest Acres Regenerated or Improved 35,000

108 Acres Monitored for Insect, Storm or Disease 19,800,000

109 Re-inventory State Forest Lands (% of
110 Regions) 20.00

111 Increase Percentage of Re-inventory of
112 State Forest Land (%) 20.00

113 A reporting of the degree to which the performance targets
114 set above have been or are being achieved shall be provided in the
115 agency's budget request submitted to the Joint Legislative Budget
116 Committee for Fiscal Year 2020.



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

130 The Volunteer Fire Department Equipment Conversion Revolving
131 Fund shall be funded by monies received from charges for work and
132 services performed for volunteer fire departments by the State
133 Forestry Commission. Monies collected from such charges shall be
134 deposited into the Volunteer Fire Department Equipment Conversion
135 Revolving Fund. The State Treasurer shall make disbursements
136 therefrom for payment of materials, supplies and labor upon
137 requisition of the Forestry Commission and upon the issuance of
138 warrants therefor by the Department of Finance and Administration.

139 The amount of monies deposited into the Volunteer Fire
140 Department Equipment Conversion Fund through this work shall not
141 exceed Fifty Thousand Dollars (\$50,000.00). Funds in excess of



142 Fifty Thousand Dollars (\$50,000.00) shall be placed in the State
143 Forestry Commission's regular appropriated special funds. Monies
144 in this revolving fund are to be considered special funds and
145 shall be carried forward from one fiscal year to the next.

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

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

161 It is the intention of the Legislature that any revolving
162 funds in excess of the budgeted amount needed for the necessary
163 operation and maintenance of all properties under the direct
164 supervision and management of the State Forestry Commission shall
165 remain in the Camden State Forest Revolving Fund for use in future
166 years.



167 **SECTION 8.** Of the funds appropriated in Section 2, it is the
168 intention of the Legislature that Two Hundred Thousand Dollars
169 (\$200,000.00) shall be transferred to the Department of
170 Agriculture and Commerce for the Beaver Control or Eradication
171 Program during the Fiscal Year 2019.

172 **SECTION 9.** Any funds in the Salary, Wages and Fringe
173 Benefits major object of expenditure may be used to purchase
174 accumulated compensatory time within the funds available.

175 **SECTION 10.** It is the intention of the Legislature that
176 whenever two (2) or more bids are received by this agency for the
177 purchase of commodities or equipment, and whenever all things
178 stated in such received bids are equal with respect to price,
179 quality and service, the Mississippi Industries for the Blind
180 shall be given preference. A similar preference shall be given to
181 the Mississippi Industries for the Blind whenever purchases are
182 made without competitive bids.

183 **SECTION 11.** Any person who was an employee of the Forestry
184 Commission who was laid off during Fiscal Year 2006 shall be given
185 first priority in any new employment by the commission.

186 **SECTION 12.** It is the intention of the Legislature that the
187 funds herein appropriated shall be expended in compliance with
188 Section 27-104-25, Mississippi Code of 1972, that no state agency
189 shall incur obligations or indebtedness in excess of their
190 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 13.** 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 14.** This act shall take effect and be in force from
200 and after July 1, 2018.

