

By: Representatives Read, Pigott, Arnold,  
Bounds, Boyd, Huddleston, Mangold

To: Appropriations

HOUSE BILL NO. 1716  
(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 2021.

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, 2020, and ending June 30, 2021.....  
10 .....\$ 13,762,827.00.

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, 2020, and ending June 30, 2021.....  
18 .....\$ 13,352,510.00.



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.....	363
36	Part Time.....	0
37       Time-Limited:	Full Time.....	7
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 2022 do not  
42   exceed Fiscal Year 2021 funds appropriated for that purpose unless  
43   programs or positions are added to the agency's Fiscal Year 2021



44 budget by the Mississippi Legislature. Based on data provided by  
45 the Legislative Budget Office, the State Personnel Board shall  
46 determine and publish the projected annual cost to fully fund all  
47 appropriated positions in compliance with the provisions of this  
48 act. Absent a special situation or circumstance approved by the  
49 State Personnel Board, or unless otherwise authorized by this act,  
50 no state agency shall take any action to promote or otherwise  
51 award salary increases through reallocation, reclassification, or  
52 realignment. If the State Personnel Board determines a special  
53 situation or circumstance exists and approves an action, then the  
54 agency and the State Personnel Board shall provide a monthly  
55 report of each action approved by the State Personnel Board to the  
56 chairmen of the Accountability, Efficiency and Transparency  
57 Committees of the Senate and House of Representatives and the  
58 chairmen of the Appropriations Committees of the Senate and House  
59 of Representatives. It shall be the responsibility of the agency  
60 head to ensure that no single personnel action increases this  
61 projected annual cost and/or the Fiscal Year 2021 appropriations  
62 for "Personal Services" when annualized, with the exception of  
63 escalated funds and the award of benchmarks. If, at the time the  
64 agency takes any action to change "Personal Services," the State  
65 Personnel Board determines that the agency has taken an action  
66 which would cause the agency to exceed this projected annual cost  
67 or the Fiscal Year 2021 "Personal Services" appropriated level,  
68 when annualized, then only those actions which reduce the



69 projected annual cost and/or the appropriation requirement will be  
70 processed by the State Personnel Board until such time as the  
71 requirements of this provision are met.

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

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

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

89 **SECTION 4.** It is the intention of the Legislature that the  
90 State Forestry Commission shall maintain complete accounting and  
91 personnel records related to the expenditure of all funds  
92 appropriated under this act and that such records shall be in the  
93 same format and level of detail as maintained for Fiscal Year



2020. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2022 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2021 budget request process.

**SECTION 5.** In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized 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:

	FY2021
<u>Performance Measures</u>	<u>Target</u>
Forest Protection & Information	
Average Suppression Time (Hrs from	
Detection to Control)	3
Acres Burned under a Prescribed Burn	
Program (Number of)	14,500
Fires Suppressed at 100 Acres or less (%)	90.00
Forest Management	
Forest Resource Development Program	
Acres Regenerated or Improved	35,000
Acres monitored for Insect, Storm or Disease	19,800,000
Re-inventory 20% of State's Forest Lands	



119 (% of Regions) 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 2022.

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 2021.

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

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

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





193           **SECTION 12.** It is the intention of the Legislature that the  
194 funds herein appropriated shall be expended in compliance with  
195 Section 27-104-25, Mississippi Code of 1972, that no state agency  
196 shall incur obligations or indebtedness in excess of their  
197 appropriation and that the responsible officers, either personally  
198 or upon their official bonds, shall be held responsible for  
199 actions contrary to this provision.

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

206           **SECTION 14.** This act shall take effect and be in force from  
207 and after July 1, 2020.

