

Senate Amendments to House Bill No. 1716

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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\$ 13,545,519.00.

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\$ 12,501,500.00.

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.....	301
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,
43 unless programs or positions are added to the agency's Fiscal Year
44 2021 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 2021
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 2021 "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 2020. It is further the intention of the Legislature that the
84 agency's budget request for Fiscal Year 2022 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 2021 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:

	FY2021
<u>Performance Measures</u>	<u>Target</u>
97 Forest Protection & Information	
98 Average Suppression Time (Hrs from	
99 Detection to Control)	3

100	Acres Burned under a Prescribed Burn	
101	Program (Number of)	14,500
102	Fires Suppressed at 100 Acres or less (%)	90.00
103	Forest Management	
104	Forest Resource Development Program	
105	Acres Regenerated or Improved	35,000
106	Acres monitored for Insect, Storm or Disease	19,800,000
107	Re-inventory 20% of State's Forest Lands	
108	(% of Regions)	20.00

109 A reporting of the degree to which the performance targets
110 set above have been or are being achieved shall be provided in the
111 agency's budget request submitted to the Joint Legislative Budget
112 Committee for Fiscal Year 2022.

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

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

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

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

149 The Camden State Forest Revolving Fund shall be funded by
150 monies received from timber sales, leases, and any other source.
151 Monies collected from these income sources shall be deposited into

152 the Camden State Forest Revolving Fund. The State Treasurer shall
153 make disbursements therefrom for payments of materials, supplies
154 and labor upon requisition of the State Forestry Commission and
155 upon the issuance of warrants therefor by the Department of
156 Finance and Administration.

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

163 **SECTION 8.** Of the funds appropriated in Section 2, it is the
164 intention of the Legislature that Two Hundred Thousand Dollars
165 (\$200,000.00) shall be transferred to the Department of
166 Agriculture and Commerce for the Beaver Control or Eradication
167 Program during the Fiscal Year 2021.

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

171 **SECTION 10.** It is the intention of the Legislature that
172 whenever two (2) or more bids are received by this agency for the
173 purchase of commodities or equipment, and whenever all things
174 stated in such received bids are equal with respect to price,
175 quality and service, the Mississippi Industries for the Blind
176 shall be given preference. A similar preference shall be given to

177 the Mississippi Industries for the Blind whenever purchases are
178 made without competitive bids.

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

182 **SECTION 12.** It is the intention of the Legislature that the
183 funds herein appropriated shall be expended in compliance with
184 Section 27-104-25, Mississippi Code of 1972, that no state agency
185 shall incur obligations or indebtedness in excess of their
186 appropriation and that the responsible officers, either personally
187 or upon their official bonds, shall be held responsible for
188 actions contrary to this provision.

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

195 **SECTION 14.** This act shall take effect and be in force from
196 and after July 1, 2020, and shall stand repealed June 30, 2020.

SS05\HB1716A.J

Eugene S. Clarke
Secretary of the Senate