

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

To: Appropriations

HOUSE BILL NO. 1403  
(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 2022.

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, 2021, and ending June 30, 2022.....  
10 ..... \$ 14,058,192.00.

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, 2021, and ending June 30, 2022.....  
18 ..... \$ 11,996,306.00.



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 .....	352
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 2023 do not  
 42 exceed Fiscal Year 2022 funds appropriated for that purpose unless  
 43 programs or positions are added to the agency's Fiscal Year 2022



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 or realignment. If  
52 the State Personnel Board determines a special situation or  
53 circumstance exists and approves an action, then the agency and  
54 the State Personnel Board shall provide a monthly report of each  
55 action approved by the State Personnel Board to the chairmen of  
56 the Accountability, Efficiency and Transparency Committees of the  
57 Senate and House of Representatives and the chairmen of the  
58 Appropriations Committees of the Senate and House of  
59 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 2022 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 2022 "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 Funds have been appropriated herein for the purpose of  
90 implementation and funding Project SEC2 of the Colonel Guy Groff  
91 State Variable Compensation Plan beginning January 1, 2022, and  
92 ending June 30, 2022. It shall be the agency's responsibility to  
93 make certain that each person, excluding executive directors,



94 agency heads, and elected judges, shall receive no more than a 3%  
95 annual increase in salary which shall not exceed the market rate  
96 established by the State Personnel Board pursuant to the Colonel  
97 Guy Groff State Variable Compensation Plan for each  
98 classification.

99 **SECTION 4.** It is the intention of the Legislature that the  
100 State Forestry Commission shall maintain complete accounting and  
101 personnel records related to the expenditure of all funds  
102 appropriated under this act and that such records shall be in the  
103 same format and level of detail as maintained for Fiscal Year  
104 2021. It is further the intention of the Legislature that the  
105 agency's budget request for Fiscal Year 2023 shall be submitted to  
106 the Joint Legislative Budget Committee in a format and level of  
107 detail comparable to the format and level of detail provided  
108 during the Fiscal Year 2022 budget request process.

109 **SECTION 5.** In compliance with the "Mississippi Performance  
110 Budget and Strategic Planning Act of 1994," it is the intent of  
111 the Legislature that the funds provided herein shall be utilized  
112 in the most efficient and effective manner possible to achieve the  
113 intended mission of this agency. Based on the funding authorized,  
114 this agency shall make every effort to attain the targeted  
115 performance measures provided below:

116		FY2022
117	<u>Performance Measures</u>	<u>Target</u>
118	Forest Protection & Information	



119	Average Suppression Time (Hrs from	
120	Detection to Control)	3.00
121	Acres Burned under a Prescribed Burn	
122	Program (Number of)	14,500
123	Fires Suppressed at 100 Acres or less (%)	90.00
124	Forest Management	
125	Forest Resource Development Program	
126	Acres Regenerated or Improved	35,000.00
127	Acres monitored for Insect, Storm or Disease	19,800,000.00
128	Re-inventory 20% of State's Forest Lands	
129	(% of Regions)	20.00

130 A reporting of the degree to which the performance targets  
131 set above have been or are being achieved shall be provided in the  
132 agency's budget request submitted to the Joint Legislative Budget  
133 Committee for Fiscal Year 2023.

134 **SECTION 6.** There is created in the State Treasury a fund  
135 designated as the Volunteer Fire Department Equipment Conversion  
136 Revolving Fund to be used by the State Forestry Commission to  
137 assist in the conversion of vehicles acquired by the State  
138 Forestry Commission through the Federal Excess Personal Property  
139 Program or by volunteer fire departments through other means to  
140 adapt them for use in the suppression of wildland fires. This  
141 assistance shall be in the form of fabrication of water tanks or  
142 other accessories necessary for the operation of fire suppression  
143 units, installation of piping and valves, painting or other



144 similar or associated component work necessary to place fire  
145 suppression equipment into service. It is not for general vehicle  
146 maintenance or repair.

147 The Volunteer Fire Department Equipment Conversion Revolving  
148 Fund shall be funded by monies received from charges for work and  
149 services performed for volunteer fire departments by the State  
150 Forestry Commission. Monies collected from such charges shall be  
151 deposited into the Volunteer Fire Department Equipment Conversion  
152 Revolving Fund. The State Treasurer shall make disbursements  
153 therefrom for payment of materials, supplies and labor upon  
154 requisition of the Forestry Commission and upon the issuance of  
155 warrants therefor by the Department of Finance and Administration.

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

163 **SECTION 7.** There is created in the State Treasury a fund  
164 designated as the Camden State Forest Revolving Fund to be used by  
165 the State Forestry Commission to direct forest management  
166 activities on the Camden State Forest in Madison County,  
167 Mississippi. The forest management activities will include, but



168 not be limited to, maintenance of property, timber sale activities  
169 and regeneration work.

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

178 It is the intention of the Legislature that any revolving  
179 funds in excess of the budgeted amount needed for the necessary  
180 operation and maintenance of all properties under the direct  
181 supervision and management of the State Forestry Commission shall  
182 remain in the Camden State Forest Revolving Fund for use in future  
183 years.

184 **SECTION 8.** Of the funds appropriated in Section 2, it is the  
185 intention of the Legislature that Two Hundred Thousand Dollars  
186 (\$200,000.00) shall be transferred to the Department of  
187 Agriculture and Commerce for the Beaver Control or Eradication  
188 Program during the Fiscal Year 2022.

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





192           **SECTION 10.** It is the intention of the Legislature that  
193 whenever two (2) or more bids are received by this agency for the  
194 purchase of commodities or equipment, and whenever all things  
195 stated in such received bids are equal with respect to price,  
196 quality and service, the Mississippi Industries for the Blind  
197 shall be given preference. A similar preference shall be given to  
198 the Mississippi Industries for the Blind whenever purchases are  
199 made without competitive bids.

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

203           **SECTION 12.** It is the intention of the Legislature that the  
204 funds herein appropriated shall be expended in compliance with  
205 Section 27-104-25, Mississippi Code of 1972, that no state agency  
206 shall incur obligations or indebtedness in excess of their  
207 appropriation and that the responsible officers, either personally  
208 or upon their official bonds, shall be held responsible for  
209 actions contrary to this provision.

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



216           **SECTION 14.** This act shall take effect and be in force from  
217 and after July 1, 2021.

