

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1403**

**BY: Committee**

**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, 2021, and ending June 30, 2022.....  
10 ..... \$     13,717,193.00.

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 ..... \$ 11,990,644.00.

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 .....	285
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           **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  
 94 2021. It is further the intention of the Legislature that the  
 95 agency's budget request for Fiscal Year 2023 shall be submitted to  
 96 the Joint Legislative Budget Committee in a format and level of  
 97 detail comparable to the format and level of detail provided  
 98 during the Fiscal Year 2022 budget request process.

99           **SECTION 5.** In compliance with the "Mississippi Performance  
 100 Budget and Strategic Planning Act of 1994," it is the intent of  
 101 the Legislature that the funds provided herein shall be utilized  
 102 in the most efficient and effective manner possible to achieve the  
 103 intended mission of this agency. Based on the funding authorized,  
 104 this agency shall make every effort to attain the targeted  
 105 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
108 Forest Protection & Information	
109       Average Suppression Time (Hrs from	
110               Detection to Control)	3.00
111       Acres Burned under a Prescribed Burn	
112               Program (Number of)	14,500.00
113       Fires Suppressed at 100 Acres or less (%)	90.00



114	Forest Management	
115	Forest Resource Development Program	
116	Acres Regenerated or Improved	35,000.00
117	Acres monitored for Insect, Storm or Disease	19,800,000.00
118	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 2023.

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  
144 requisition of the Forestry Commission and upon the issuance of  
145 warrants therefor by the Department of Finance and Administration.

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

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

160 The Camden State Forest Revolving Fund shall be funded by  
161 monies received from timber sales, leases, and any other source.  
162 Monies collected from these income sources shall be deposited into  
163 the Camden State Forest Revolving Fund. The State Treasurer shall



164 make disbursements therefrom for payments of materials, supplies  
165 and labor upon requisition of the State Forestry Commission and  
166 upon the issuance of warrants therefor by the Department of  
167 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 2022.

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, 2021, and shall stand repealed June 29, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR  
3 2022.

