

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

To: Appropriations

HOUSE BILL NO. 1616

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR  
3 2023.

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, 2022, and ending June 30, 2023.....  
10 .....\$ 14,289,905.00.

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, 2022, and ending June 30, 2023.....  
18 .....\$ 11,855,334.00.



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.....	289
36		Part Time.....	0
37	Time-Limited:	Full Time.....	6
38		Part Time.....	0

39           With the funds herein appropriated, it shall be the agency's  
 40 responsibility to make certain that funds required for "Personal  
 41 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023  
 42 funds appropriated for that purpose unless programs or positions  
 43 are added to the agency's Fiscal Year 2023 budget by the



44 Mississippi Legislature. The Legislature shall determine the  
45 agency's personal services appropriation, which shall be published  
46 by the State Personnel Board. Additionally, the State Personnel  
47 Board shall determine and publish the projected annualized payroll  
48 costs based on current employees. It shall be the responsibility  
49 of the agency head to ensure that actual personnel expenditures  
50 for Fiscal Year 2023 do not exceed the data provided by the  
51 Legislative Budget Office. If the agency's Fiscal Year 2023  
52 projected cost exceeds the annualized costs, no salary actions  
53 shall be processed by the State Personnel Board with the exception  
54 of new hires that are determined to be essential for the agency.

55 Any transfers or escalations shall be made in accordance with  
56 the terms, conditions and procedures established by law or  
57 allowable under the terms set forth within this act. The State  
58 Personnel Board shall not escalate positions without written  
59 approval from the Department of Finance and Administration. The  
60 Department of Finance and Administration shall not provide written  
61 approval to escalate any funds for salaries and/or positions  
62 without proof of availability of new or additional funds above the  
63 appropriated level.

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



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

72 Funds have been appropriated herein for the purpose of  
73 funding Project SEC2 minimum salaries for all employees covered  
74 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
75 Plan. It shall be the agency's responsibility to ensure that the  
76 funds are used to increase all employees' salaries up to the  
77 minimum level as determined by the State Personnel Board.

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 2022. It is further the intention of the Legislature that the  
84 agency's budget request for Fiscal Year 2024 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 2023 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 FY2023  
96 Performance Measures Target

97 Forest Protection & Information

98 Average Suppression Time (Hrs from  
99 Detection to Control) 1.00

100 Number of Acres Burned Under a  
101 Prescribed Burn Program 17,750.00

102 Percent of Fires Suppressed at 100 Acres  
103 or Less 95.00

104 Forest Management

105 Forest Resource Development Program  
106 Acres Regenerated or Improved 35,000.00

107 Acres Monitored for Insect, Storm or Disease 19,800,000.00  
108 Re-Inventory 20% of State's Forest Lands

109 (% of Regions) 20.00

110 Percent Increase of Re-Inventory of  
111 State Forest Land 20.00

112 A reporting of the degree to which the performance targets  
113 set above have been or are being achieved shall be provided in the  
114 agency's budget request submitted to the Joint Legislative Budget  
115 Committee for Fiscal Year 2024.

116 **SECTION 6.** There is created in the State Treasury a fund  
117 designated as the Volunteer Fire Department Equipment Conversion



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

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

138       The amount of monies deposited into the Volunteer Fire  
139 Department Equipment Conversion Fund through this work shall not  
140 exceed Fifty Thousand Dollars (\$50,000.00). Funds in excess of  
141 Fifty Thousand Dollars (\$50,000.00) shall be placed in the State  
142 Forestry Commission's regular appropriated special funds. Monies



143 in this revolving fund are to be considered special funds and  
144 shall be carried forward from one fiscal year to the next.

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

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

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

166       **SECTION 8.** Of the funds appropriated in Section 2, it is the  
167 intention of the Legislature that Two Hundred Thousand Dollars



168 (\$200,000.00) shall be transferred to the Department of  
169 Agriculture and Commerce for the Beaver Control or Eradication  
170 Program during the Fiscal Year 2023.

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

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

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

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





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

198           **SECTION 14.** This act shall take effect and be in force from  
199 and after July 1, 2022, and shall stand repealed June 30, 2022.

