

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

To: Appropriations

HOUSE BILL NO. 1616
(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 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\$ 15,383,889.00.

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 HEADCOUNT:

35 Permanent: 343

36 Time-Limited: 7

37 With the funds herein appropriated, it shall be the agency's
38 responsibility to make certain that funds required for Personal
39 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds
40 appropriated for that purpose unless programs or positions are
41 added to the agency's Fiscal Year 2023 budget by the Mississippi
42 Legislature. The Legislature shall determine the agency's
43 personal services appropriation, which shall be published by the



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

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

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65 act and which are withdrawn and no longer available.

66 None of the funds herein appropriated shall be used in
67 violation of Internal Revenue Service's Publication 15-A relating



68 to the reporting of income paid to contract employees, as
69 interpreted by the Office of the State Auditor.

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

76 **SECTION 4.** It is the intention of the Legislature that the
77 State Forestry Commission shall maintain complete accounting and
78 personnel records related to the expenditure of all funds
79 appropriated under this act and that such records shall be in the
80 same format and level of detail as maintained for Fiscal Year
81 2022. It is further the intention of the Legislature that the
82 agency's budget request for Fiscal Year 2024 shall be submitted to
83 the Joint Legislative Budget Committee in a format and level of
84 detail comparable to the format and level of detail provided
85 during the Fiscal Year 2023 budget request process.

86 **SECTION 5.** In compliance with the "Mississippi Performance
87 Budget and Strategic Planning Act of 1994," it is the intent of
88 the Legislature that the funds provided herein shall be utilized
89 in the most efficient and effective manner possible to achieve the
90 intended mission of this agency. Based on the funding authorized,
91 this agency shall make every effort to attain the targeted
92 performance measures provided below:



93		FY2023
94	<u>Performance Measures</u>	<u>Target</u>
95	Forest Protection & Information	
96	Average Suppression Time (Hrs from	
97	Detection to Control)	1.00
98	Number of Acres Burned Under a	
99	Prescribed Burn Program	17,750.00
100	Percent of Fires Suppressed at 100 Acres	
101	or Less	95.00
102	Forest Management	
103	Forest Resource Development Program	
104	Acres Regenerated or Improved	35,000.00
105	Acres Monitored for Insect, Storm or Disease	19,800,000.00
106	Re-Inventory 20% of State's Forest Lands	
107	(% of Regions)	20.00
108	Percent Increase of Re-Inventory of	
109	State Forest Land	20.00

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

114 **SECTION 6.** There is created in the State Treasury a fund
115 designated as the Volunteer Fire Department Equipment Conversion
116 Revolving Fund to be used by the State Forestry Commission to
117 assist in the conversion of vehicles acquired by the State



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

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

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



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

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

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

164 **SECTION 8.** Of the funds appropriated in Section 2, it is the
165 intention of the Legislature that Two Hundred Thousand Dollars
166 (\$200,000.00) shall be transferred to the Department of



167 Agriculture and Commerce for the Beaver Control or Eradication
168 Program during the Fiscal Year 2023.

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

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

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

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

190 **SECTION 13.** The money herein appropriated shall be paid by
191 the State Treasurer out of any money in the State Treasury to the



192 credit of the proper fund or funds as set forth in this act, upon
193 warrants issued by the State Fiscal Officer; and the State Fiscal
194 Officer shall issue his warrants upon requisitions signed by the
195 proper person, officer or officers, in the manner provided by law.

196 **SECTION 14.** This act shall take effect and be in force from
197 and after July 1, 2022.

