

Senate Amendments to House Bill No. 1616

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, 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 funds
42 appropriated for that purpose unless programs or positions are
43 added to the agency's Fiscal Year 2023 budget by the Mississippi
44 Legislature. The Legislature shall determine the agency's
45 personal services appropriation, which shall be published by the
46 State Personnel Board. Additionally, the State Personnel Board
47 shall determine and publish the projected annualized payroll costs

48 based on current employees. It shall be the responsibility of the
49 agency head to ensure that actual personnel expenditures for
50 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:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
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 29, 2022.

**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 2023.

SS15\HB1616A.J

Eugene S. Clarke
Secretary of the Senate