

By: Representatives Henderson, Maples,
Hamilton, Martinson, Stringer, Warren,
Weathersby

To: Appropriations

HOUSE BILL NO. 1785
(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 2003.

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 hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the support and
8 maintenance of the State Forestry Commission for the fiscal year
9 beginning July 1, 2002, and ending June 30, 2003.....
10 \$ 18,870,596.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in the special
13 fund in the State Treasury to the credit of the State Forestry
14 Commission which is comprised of special source funds collected by
15 or otherwise available to the commission, for the support and
16 maintenance of the commission for the fiscal year beginning
17 July 1, 2002, and ending June 30, 2003.....
18 \$ 11,085,486.00.

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 Sections 1 and 2, not more than the amounts set forth below shall
 34 be expended for the respective major objects or purposes of
 35 expenditure:

36 MAJOR OBJECTS OF EXPENDITURE:

37 Personal Services:

38	Salaries, Wages and Fringe Benefits..	\$	20,474,706.00
39	Travel and Subsistence.....		60,000.00
40	Contractual Services.....		2,242,495.00
41	Commodities.....		2,248,881.00
42	Capital Outlay:		
43	Other Than Equipment.....		230,000.00
44	Equipment.....		1,200,000.00
45	Subsidies, Loans and Grants.....		<u>3,500,000.00</u>
46	Total.....	\$	29,956,082.00

47 FUNDING:

48	General Funds.....	\$	18,870,596.00
49	Special Funds.....		<u>11,085,486.00</u>
50	Total.....	\$	29,956,082.00

51 AUTHORIZED POSITIONS:

52	Permanent:	Full Time.....	653
53		Part Time.....	58
54	Time-Limited:	Full Time.....	0
55		Part Time.....	0

56 Funds are provided herein to adjust the Variable Compensation
 57 Plan to ensure that all full-time employees receive a pay increase
 58 equal to fifty percent (50%) of the realignment component of the
 59 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
 60 whichever is greater, beginning on January 1, 2003.



61 With the funds herein appropriated, it is the intention of
62 the Legislature that it shall be the agency's responsibility to
63 make certain that funds required to be appropriated for "Personal
64 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
65 funds appropriated for that purpose, unless programs, positions or
66 pay increases are added to the agency's budget by the Mississippi
67 Legislature. Based on data provided by the Legislative Budget
68 Office, the State Personnel Board shall, on July 1, 2002, publish
69 separate annual projection reports, based on July 1, 2002, data,
70 for the period of July 1, 2002, through December 31, 2002, and
71 January 1, 2003, through June 30, 2003, that project the annual
72 cost to fully fund all appropriated positions in compliance with
73 the provisions of this act. It shall be the responsibility of the
74 agency head to ensure that no single personnel action increases
75 this projected cost and/or the Fiscal Year 2003 appropriation for
76 "Personal Services," as annualized on a semiannual basis in
77 accordance with the provisions of this act. If, at the end of any
78 calendar month, the State Personnel Board determines that the
79 agency has taken action(s) which would cause the agency to exceed
80 this projected annual cost or the Fiscal Year 2003 "Personal
81 Services" appropriated level, when annualized in compliance with
82 the provisions of this act, then only those actions which reduce
83 the projected annual cost and/or the appropriation requirement
84 will be processed by the State Personnel Board until such time as
85 the requirements of this provision are met.

86 Any transfers or escalations shall be made in accordance with
87 the terms, conditions and procedures established by law.

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

92 **SECTION 4.** It is the intention of the Legislature that the
93 State Forestry Commission be allowed to escalate its budget in the



94 Capital Outlay: Equipment major object of expenditure, with funds
 95 generated from the Forest Acreage Tax, and with funds generated
 96 from the sale of old equipment and lease of tower sites an amount
 97 not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00).
 98 It is further the intention of the Legislature that the State
 99 Forestry Commission be allowed to escalate its budget in the
 100 Subsidies, Loans and Grants major object of expenditure, with
 101 funds generated from the Severance Tax to fund the Forest Resource
 102 Development Program in an amount not to exceed Five Hundred
 103 Thousand Dollars (\$500,000.00). The receipt of these funds is
 104 hereby authorized and approved, provided such receipts and
 105 expenditures are reported and otherwise accounted for in
 106 accordance with Section 27-103-101 et seq. and Section 27-104-1 et
 107 seq., Mississippi Code of 1972.

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

	FY2003
<u>Performance Measures</u>	<u>Target</u>
117 Fire Control	
118 Number of Fires per Year (Events)	4,027
119 Average Size of Fire (Acres)	11.95
120 Private Lands Management	
121 Land Reforested (Acres)	150,000
122 Landowners Assisted (Persons)	20,000
123 Public Lands Management	
124 Value of Timber Sold (Dollars)	30,000,000
125 Insect & Disease Control	
126 Acres Surveyed (Millions)	17,400,000



127	Forest Resource Development	
128	Acres Regenerated (Acres)	50,000
129	Federal Excess Property	
130	Number of Vehicles Acquired (Vehicles)	115
131	Regeneration	
132	Genetically Improved Seedlings (In Millions)	50,000,000

133 A reporting of the degree to which the performance targets
134 set above have been or are being achieved shall be provided in the
135 agency's budget request submitted to the Joint Legislative Budget
136 Committee for Fiscal Year 2004.

137 **SECTION 6.** It is the intention of the Legislature that the
138 State Forestry Commission be allowed to escalate part-time
139 positions up to one hundred (100) and expend funds not to exceed
140 Five Hundred Thousand Dollars (\$500,000.00) from any source of
141 funds that become available to the commission. This escalation
142 shall be in accordance with rules and regulations of the
143 Department of Finance and Administration in a manner consistent
144 with the escalation of federal funds. These positions may be used
145 to protect life and property during extended periods of extreme
146 wildfire occurrences of a minimum of fifty (50) fires per day.
147 The escalation of positions and the expenditure of these funds
148 shall be at the discretion of the State Forester, with written
149 notification to the State Personnel Board and the State Fiscal
150 Officer.

151 **SECTION 7.** It is the intention of the State Legislature that
152 as soon as funds come available that the Forestry Commission
153 Career Ladder be implemented.

154 **SECTION 8.** The Forestry Commission has the authority to
155 purchase from the "General Services Administration" Fire Fighter
156 Catalog.

157 **SECTION 9.** There is hereby created in the State Treasury a
158 fund designated as the Volunteer Fire Department Equipment
159 Conversion Revolving Fund to be used by the State Forestry



160 Commission to assist in the conversion of vehicles acquired by the
161 State Forestry Commission through the Federal Excess Personal
162 Property Program or by Volunteer Fire Departments through other
163 means to adapt them for use in the suppression of wildland fires.
164 This assistance shall be in the form of fabrication of water tanks
165 or other accessories necessary for the operation of fire
166 suppression units, installation of piping and valves, painting or
167 other similar or associated component work necessary to place fire
168 suppression equipment into service. It is not for general vehicle
169 maintenance or repair.

170 The Volunteer Fire Department Equipment Conversion Revolving
171 Fund shall be funded by monies received from charges for work and
172 services performed for Volunteer Fire Departments by the State
173 Forestry Commission. Monies collected from such charges shall be
174 deposited into the Volunteer Fire Department Equipment Conversion
175 Revolving Fund. The State Treasurer shall make disbursements
176 therefrom for payment of materials, supplies and labor upon
177 requisition of the Forestry Commission and upon the issuance of
178 warrants therefor by the Department of Finance and Administration.

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

186 **SECTION 10.** Of the funds appropriated under the provisions
187 of Section 2, Two Hundred Twenty-four Three Hundred Thirty-seven
188 Dollars (\$224,337.00) shall be derived from the Budget Contingency
189 Fund created in Section 27-103-301, Mississippi Code of 1972.

190 **SECTION 11.** 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 12.** This act shall take effect and be in force from
197 and after July 1, 2002.

