

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MADAM PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1785: Appropriation; State Forestry Commission.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
- 2. That the House and Senate adopt the following amendment:

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 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 semi-annual 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:

|     |                                                                    |               |
|-----|--------------------------------------------------------------------|---------------|
| 115 |                                                                    | FY2003        |
| 116 | <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 |               |

agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2004.

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

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

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

**SECTION 9.** There is hereby created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by Volunteer Fire Departments through other means to adapt them for use in the suppression of wildland fires.

This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving

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

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

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

**SECTION 11.** The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

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

CONFEREES FOR THE HOUSE

**X** \_\_\_\_\_  
Charlie Capps, Jr.

**X** \_\_\_\_\_  
Clayton P. Henderson

**X** \_\_\_\_\_  
Percy L. Maples

CONFEREES FOR THE SENATE

**X** \_\_\_\_\_  
Jack Gordon

**X** \_\_\_\_\_  
E. Glenn Hamilton

**X** \_\_\_\_\_  
Sampson Jackson II