

Senate Amendments to House Bill No. 1628

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, 2023, and ending June 30, 2024.....\$ 15,460,487.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is appropriated out of any money in the special fund in
12 the State Treasury to the credit of the State Forestry Commission
13 which is comprised of special source funds collected by or
14 otherwise available to the commission, for the support and
15 maintenance of the commission for the fiscal year beginning
16 July 1, 2023, and ending June 30, 2024.....\$ 11,776,802.00.

17 Of the funds specified in this section, Two Hundred Fifty
18 Thousand Dollars (\$250,000.00) shall be deposited in a fund
19 created in the State Treasury called the "Forest Improvement
20 Revolving Fund." Money in this fund shall be used by the State
21 Forestry Commission to assist in the reforestation and growth

22 improvement of the forests, woodlands, and publicly owned lands of
23 the state, including sixteenth section lands, Camp Shelby,
24 Columbia Training School and colleges and universities.
25 Landowners who contract with the commission for such work shall
26 pay to the commission its actual cost for conducting such work.
27 Money received for this work by the commission shall be paid into
28 the State Treasury, and the State Treasurer shall deposit such
29 money in the "Forest Improvement Revolving Fund."

30 **SECTION 3.** Of the funds appropriated under the provisions of
31 this act, the following positions are authorized:

32 AUTHORIZED HEADCOUNT:

33 Permanent:	343
34 Time-Limited:	7

35 With the funds herein appropriated, it shall be the agency's
36 responsibility to make certain that funds required for Personal
37 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
38 appropriated for that purpose unless programs or positions are
39 added to the agency's Fiscal Year 2024 budget by the Mississippi
40 Legislature. The Legislature shall determine the agency's
41 personal services appropriation, which shall be published by the
42 State Personnel Board. Additionally, the State Personnel Board
43 shall determine and publish the projected annualized payroll costs
44 based on current employees. It shall be the responsibility of the
45 agency head to ensure that actual personnel expenditures for
46 Fiscal Year 2024 do not exceed the data provided by the
47 Legislative Budget Office. If the agency's Fiscal Year 2024

48 projected cost exceeds the annualized costs, no salary actions
49 shall be processed by the State Personnel Board with the exception
50 of new hires that are determined to be essential for the agency.

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

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

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

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

74 **SECTION 4.** It is the intention of the Legislature that the
 75 State Forestry Commission shall maintain complete accounting and
 76 personnel records related to the expenditure of all funds
 77 appropriated under this act and that such records shall be in the
 78 same format and level of detail as maintained for Fiscal Year
 79 2023. It is further the intention of the Legislature that the
 80 agency's budget request for Fiscal Year 2025 shall be submitted to
 81 the Joint Legislative Budget Committee in a format and level of
 82 detail comparable to the format and level of detail provided
 83 during the Fiscal Year 2024 budget request process.

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

	FY2024
<u>Performance Measures</u>	<u>Target</u>
93 Forest Protection & Information	
94 Average Suppression Time (Hrs from	
95 Detection to Control)	1
96 Number of Acres Burned Under a	
97 Prescribed Burn Program	17,750
98 Percent of Fires Suppressed at 100 Acres	
99 or Less	95.00

100	Forest Management	
101	Forest Resource Development Program	
102	Acres Regenerated or Improved	35,000
103	Acres Monitored for Insect, Storm or Disease	19,800,000
104	Re-Inventory 20% of State's Forest Lands	
105	(% of Regions)	20.00
106	Percent Increase of Re-Inventory of	
107	State Forest Land	20.00

108 A reporting of the degree to which the performance targets
109 set above have been or are being achieved shall be provided in the
110 agency's budget request submitted to the Joint Legislative Budget
111 Committee for Fiscal Year 2025.

112 **SECTION 6.** There is created in the State Treasury a fund
113 designated as the Volunteer Fire Department Equipment Conversion
114 Revolving Fund to be used by the State Forestry Commission to
115 assist in the conversion of vehicles acquired by the State
116 Forestry Commission through the Federal Excess Personal Property
117 Program or by volunteer fire departments through other means to
118 adapt them for use in the suppression of wildland fires. This
119 assistance shall be in the form of fabrication of water tanks or
120 other accessories necessary for the operation of fire suppression
121 units, installation of piping and valves, painting or other
122 similar or associated component work necessary to place fire
123 suppression equipment into service. It is not for general vehicle
124 maintenance or repair.

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

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

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

148 The Camden State Forest Revolving Fund shall be funded by
149 monies received from timber sales, leases, and any other source.
150 Monies collected from these income sources shall be deposited into

151 the Camden State Forest Revolving Fund. The State Treasurer shall
152 make disbursements therefrom for payments of materials, supplies
153 and labor upon requisition of the State Forestry Commission and
154 upon the issuance of warrants therefor by the Department of
155 Finance and Administration.

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

162 **SECTION 8.** Of the funds appropriated in Section 2, it is the
163 intention of the Legislature that Two Hundred Thousand Dollars
164 (\$200,000.00) shall be transferred to the Department of
165 Agriculture and Commerce for the Beaver Control or Eradication
166 Program during the Fiscal Year 2024.

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

170 **SECTION 10.** It is the intention of the Legislature that
171 whenever two (2) or more bids are received by this agency for the
172 purchase of commodities or equipment, and whenever all things
173 stated in such received bids are equal with respect to price,
174 quality and service, the Mississippi Industries for the Blind
175 shall be given preference. A similar preference shall be given to

176 the Mississippi Industries for the Blind whenever purchases are
177 made without competitive bids.

178 **SECTION 11.** It is the intention of the Legislature that the
179 funds herein appropriated shall be expended in compliance with
180 Section 27-104-25, Mississippi Code of 1972, that no state agency
181 shall incur obligations or indebtedness in excess of their
182 appropriation and that the responsible officers, either personally
183 or upon their official bonds, shall be held responsible for
184 actions contrary to this provision.

185 **SECTION 12.** The money herein appropriated shall be paid by
186 the State Treasurer out of any money in the State Treasury to the
187 credit of the proper fund or funds as set forth in this act, upon
188 warrants issued by the State Fiscal Officer; and the State Fiscal
189 Officer shall issue his warrants upon requisitions signed by the
190 proper person, officer or officers, in the manner provided by law.

191 **SECTION 13.** This act shall take effect and be in force from
192 and after July 1, 2023, and shall stand repealed June 29, 2023.

**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 2024.

SS15\HB1628A.J

Eugene S. Clarke
Secretary of the Senate