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Chapter No. 102
19/HR43/A451SG
CST / FF

HOUSE BILL NO. 1653

Originated in House _____ Clerk

HOUSE BILL NO. 1653

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2020.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2019, and ending June 30, 2020 ..... $ 14,613,837.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2019, and ending June 30, 2020 ..... $ 14,519,197.00.

Of the funds specified in this section, Two Hundred Fifty Thousand Dollars ($250,000.00) shall be deposited in a fund created in the State Treasury called the "Forest Improvement Revolving Fund." Money in this fund shall be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities. Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

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

AUTHORIZED POSITIONS:

Permanent:	Full Time	450
	Part Time	2
Time-Limited:	Full Time	11
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2021 do not exceed Fiscal Year 2020 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year

2020 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2020 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2020 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Funds are provided herein for all full-time employees to receive up to a Three Percent (3%) pay increase to the realignment component of the Variable Compensation Plan, excluding head of agencies, board members and commission members.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written

approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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

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

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2019. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2021 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2020 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of

the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2020 Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	3
Acres Enrolled in Prescribed Burn Program (Number of)	13,500
Fires Suppressed at 100 Acres or less (%)	90.00
Forest Management	
Forest Acres Regenerated or Improved	35,000
Acres monitored for Insect, Storm or Disease	19,800,000
Re-inventory 20% of State's Forest Lands (% of Regions)	20.00
Increase Percentage of Re-inventory of State Forest Land (%)	20.00

A reporting of the degree to which the performance targets 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 2021.

SECTION 6. There is 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 7. There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

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

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

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars ($200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2020.

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

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

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

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally

or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. 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 14. This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 27, 2019.

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 28, 2019

Tate Reeves

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

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