

By: Representatives Livingston, Green
(96th), Broomfield, Foster, Nettles, Vince

To: Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1635

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR
3 THE FISCAL YEAR 2000.

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 Department of Wildlife, Fisheries and Parks for
9 the fiscal year beginning July 1, 1999, and ending June 30, 2000.
10 \$ 15,643,937.00.

11 SECTION 2. The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in any special
13 fund in the State Treasury to the credit of the Department of
14 Wildlife, Fisheries and Parks which is comprised of special source
15 funds collected by or otherwise available to the department for
16 the support and maintenance of the department, for the fiscal year
17 beginning July 1, 1999, and ending June 30, 2000.....
18 \$ 43,209,922.00.

19 The following sum, which is included in the sum appropriated
20 above in this section, is hereby appropriated out of the state
21 excise taxes upon gasoline, oil and other petroleum products to
22 the Fisheries and Wildlife Fund for the fiscal year beginning
23 July 1, 1999, and ending June 30, 2000..... \$6,000,000.00.

24 The State Tax Commission is hereby directed to set aside the
25 amount of this appropriation or any part thereof at any time it
26 sees fit, out of any collections of taxes upon gasoline, oil and
27 other petroleum products, and to deduct the amounts so set aside

28 from such funds before making distribution thereof. However,
29 provisions shall first be made for the Highway Bonds Sinking Fund,
30 as required under the provisions of Chapter 130, Laws of 1938, and
31 any amendments thereto, and Section 27-5-101, Mississippi Code of
32 1972.

33 Any funds available in the Wildlife Heritage Fund may be
34 expended by the Commission on Wildlife, Fisheries and Parks as
35 authorized by law during Fiscal Year 2000.

36 SECTION 3. Of the funds appropriated under the provisions of
37 Section 2 and allocated in Section 5 to the Bureau of Wildlife and
38 Fisheries, funds in the amount of One Hundred Twenty-five Thousand
39 Three Hundred Thirty-five Dollars (\$125,335.00) shall be derived
40 from the Education Enhancement Fund deposited pursuant to Sections
41 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose
42 of defraying the expenses of Project WILD for Fiscal Year 2000.

43 SECTION 4. It is the intention of the Legislature that the
44 Department of Wildlife, Fisheries and Parks shall have the
45 authority to receive, budget and expend funds from the Gulf and
46 Wildlife Protection Fund, not to exceed Three Hundred Fifty
47 Thousand Dollars (\$350,000.00) for the purpose of preservation,
48 protection, conservation, and acquisition of waters, land and
49 wildlife of this state.

50 SECTION 5. Of the funds appropriated under the provisions of
51 Sections 1 and 2, not more than the amounts set forth below shall
52 be expended for the respective major objects of such divisions:

53	DIVISION OF WILDLIFE AND FISHERIES	
54	BUREAU OF WILDLIFE AND FISHERIES	
55	MAJOR OBJECTS OF EXPENDITURE:	
56	Personal Services:	
57	Salaries, Wages and Fringe Benefits.. \$	21,763,382.00
58	Travel and Subsistence.....	249,569.00
59	Contractual Services.....	5,561,971.00
60	Commodities.....	3,239,570.00
61	Capital Outlay:	
62	Other Than Equipment.....	1,030,900.00
63	Equipment.....	2,349,820.00
64	Subsidies, Loans and Grants.....	<u>816,140.00</u>
65	Total..... \$	35,011,352.00

66	FUNDING:		
67	General Funds.....	\$	3,999,606.00
68	Special Funds.....		<u>31,011,746.00</u>
69	Total.....	\$	35,011,352.00

70 AUTHORIZED POSITIONS:

71	Permanent:	Full Time.	508
72		Part Time.	26
73	Time-Limited:	Full Time.	37
74		Part Time.	0

75 BUREAU OF WILDLIFE AND FISHERIES

76 MOTOR VEHICLE SECTION

77 MAJOR OBJECTS OF EXPENDITURE:

78	Personal Services:		
79	Salaries, Wages and Fringe Benefits..	\$	0.00
80	Travel and Subsistence.....		0.00
81	Contractual Services.....		0.00
82	Commodities.....		0.00
83	Capital Outlay:		
84	Other Than Equipment.....		0.00
85	Equipment.....		1,521,500.00
86	Subsidies, Loans and Grants.....		<u>0.00</u>
87	Total.....	\$	1,521,500.00

88	FUNDING:		
89	General Funds.....	\$	0.00
90	Special Funds.....		<u>1,521,500.00</u>
91	Total.....	\$	1,521,500.00

92 Each conservation officer and supervisor shall be furnished

93 an allowance for uniforms not to exceed Four Hundred Fifty Dollars

94 (\$450.00) per annum.

95 Provided further, when any personnel of the Bureau of

96 Wildlife and Fisheries are transferred from one county to another

97 on a permanent assignment, the expense monies now paid on

98 out-of-county duty shall not be applicable.

99 DIVISION OF PARKS AND RECREATION

100	MAJOR OBJECTS OF EXPENDITURE:		
101	Personal Services:		
102	Salaries, Wages and Fringe Benefits..	\$	9,572,193.00
103	Travel and Subsistence.....		99,466.00
104	Contractual Services.....		4,848,633.00
105	Commodities.....		1,234,163.00
106	Capital Outlay:		
107	Other Than Equipment.....		1,200,000.00
108	Equipment.....		1,077,717.00
109	Subsidies, Loans and Grants.....		<u>1,214,419.00</u>
110	Total.....	\$	19,246,591.00

111	FUNDING:		
112	General Funds.....	\$	9,500,642.00
113	Special Funds.....		<u>9,745,949.00</u>
114	Total.....	\$	19,246,591.00

115	AUTHORIZED POSITIONS:		
116	Permanent: Full Time.		291
117	Part Time.		242
118	Time-Limited: Full Time.		0
119	Part Time.		0

120 Of the funds authorized to be expended by the Bureau of
121 Fisheries and Wildlife, not more than One Million Three Hundred
122 Fifteen Thousand Dollars (\$1,315,000.00) shall be expended by the
123 Bureau of Fisheries and Wildlife to defray the costs of the
124 Division of Parks and Recreation of the Department of Wildlife,
125 Fisheries and Parks.

126 It is the intention of the Legislature that a reasonable
127 number of Conservation Officers, Conservation Officer Supervisors,
128 District Managers, Area Managers, and Lake Managers shall be
129 employed and/or detailed to both temporary and permanent job
130 assignments in areas other than their county of residence.

131 MUSEUM OF NATURAL SCIENCE

132	MAJOR OBJECTS OF EXPENDITURE:		
133	Personal Services:		

134	Salaries, Wages and Fringe Benefits..	\$	1,187,316.00
135	Travel and Subsistence.....		32,700.00
136	Contractual Services.....		1,162,470.00
137	Commodities.....		297,650.00
138	Capital Outlay:		
139	Other Than Equipment.....		0.00
140	Equipment.....		294,280.00
141	Subsidies, Loans and Grants.....		<u>100,000.00</u>
142	Total.....	\$	3,074,416.00
143	FUNDING:		
144	General Funds.....	\$	2,143,689.00
145	Special Funds.....		<u>930,727.00</u>
146	Total.....	\$	3,074,416.00
147	AUTHORIZED POSITIONS:		
148	Permanent: Full Time.		28
149	Part Time.		1
150	Time-Limited: Full Time.		4
151	Part Time.		0
152	From the funds provided in the budget category "Personal		
153	Services: Salaries, Wages and Fringe Benefits," funds may be		
154	expended for the following purposes, in compliance with the		
155	policies established by the State Personnel Board and any		
156	conditions placed on such expenditures:		
157	(a) The components of the Variable Compensation Plan		
158	shall be maintained within the constraints of the funds		
159	appropriated herein.		
160	(b) Funds are provided to adjust the Variable		
161	Compensation Plan, including realignment, to ensure that all		
162	full-time employees with at least six (6) months of continuous		
163	current service, as of June 30, 1999, receive an increase of One		
164	Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to		
165	adjust critical job classes up to an additional One Thousand		
166	Dollars (\$1,000.00).		
167	(c) If an employee is currently at or above the end		

168 salary for his or her job classification, then the increase shall
169 be built into the employee's base salary. To be eligible for any
170 increase authorized in this section, employees may not have a
171 current performance rating below "meets expectations" as of the
172 effective date of the increase. Employees who subsequently
173 receive a performance rating of "meets expectations" or above
174 during Fiscal Year 2000 shall receive the salary increase
175 effective the date of the rating.

176 It is the agency's responsibility to make certain that funds
177 required to be appropriated for "Personal Services" for Fiscal
178 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for
179 that purpose unless programs or positions are added to the
180 agency's budget by the Mississippi Legislature.

181 It is the intention of the Legislature that the Executive
182 Director of the Department of Wildlife, Fisheries and Parks may
183 transfer between the various divisions authorized herein both
184 funds and positions not to exceed five percent (5%) of the
185 authorized budgets in the aggregate. The Executive Director of
186 the Department of Wildlife, Fisheries and Parks shall submit
187 written justification for the transfer to the Legislative Budget
188 Office and the Department of Finance and Administration on or
189 before the fifteenth of the month prior to the effective date of
190 the transfer.

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

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

197 SECTION 6. The board of supervisors of any county or any
198 group or combination of counties are hereby authorized and
199 empowered to enter into cooperative agreements with each other and
200 with the Commission on Wildlife, Fisheries and Parks for the
201 purpose of creating, improving or restoring public game and fish

habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend a sum not exceeding One Hundred Thousand Dollars (\$100,000.00) from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county, the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes. The Department of Wildlife, Fisheries and Parks is authorized to lease all woodlands now existing on the O'Keefe Division of the Department of Corrections for use of a game preserve and refuge, upon such terms and conditions as may be mutually agreed upon by the Department of Wildlife, Fisheries and Parks and the Department of Corrections.

SECTION 7. The Department of Wildlife, Fisheries and Parks is hereby directed to keep an exact accounting of the funds received during each fiscal year by fund and source and an exact accounting of how these funds were expended by fund and program/division. Such information shall be provided to the House and Senate Appropriations Chairmen, Chairman of the House Game and Fish Committee and Chairmen of the Senate Wildlife and Fisheries and Senate Ports and Marine Resources Committee no later than October 1 following the end of the fiscal year.

SECTION 8. The Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with the Pearl River Valley Water Supply District to provide for financial support of an additional conservation officer on and around the Ross Barnett Reservoir.

The Department of Finance and Administration is authorized to

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236 escalate the budget of the Department of Wildlife, Fisheries and
237 Parks for this purpose.

238 SECTION 9. It shall be unlawful for any officer, employee or
239 other person whatsoever to use or permit or authorize the use of
240 any automobile or any other motor vehicle owned by the State of
241 Mississippi or any department, agency or institution thereof for
242 any purpose other than upon the official business of the State of
243 Mississippi or any agency, department or institution thereof.

244 It is the intent of the Legislature that motor vehicles
245 authorized to be owned and operated by this agency shall comply
246 with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

247 SECTION 10. It is the intention of the Legislature that the
248 Department of Wildlife, Fisheries and Parks shall have the
249 authority to receive, budget and expend funds from any source, not
250 to exceed Five Hundred Thousand Dollars (\$500,000.00), that may
251 become available to the department in accordance with the rules
252 and regulations of the Department of Finance and Administration.
253 None of the funds authorized in this section shall be used to
254 increase the major object of expenditure "Salaries, Wages and
255 Fringe Benefits."

256 SECTION 11. In compliance with the "Mississippi Performance
257 Budget and Strategic Planning Act of 1994," it is the intent of
258 the Legislature that the funds provided herein shall be utilized
259 in the most efficient and effective manner possible to achieve the
260 intended mission of this agency. Based on the funding authorized,
261 this agency shall make every effort to attain the targeted
262 performance measures provided below:

263		FY00
264	<u>Performance Measures</u>	<u>Target</u>
265	Bureau of Wildlife and Fisheries--Support	
266	Hunting and fishing licenses (licenses)	520,000
267	Registration of boats (boats)	80,000
268	Freshwater Fisheries Management	
269	Fish stock for public water (fish)	3,200,000

270	Users of DWFP lakes (man days)	70,000
271	Game Management	
272	DMAP Cooperators	950
273	DWFP management for hunters (man days)	185,000
274	Law Enforcement	
275	Hunter and boater education (persons)	20,000
276	Beaver Control	
277	Damage prevented (dollars)	2,000,000
278	Motor Vehicle Fund	
279	Vehicles purchased (vehicles)	74
280	Used vehicle sales (vehicles)	62
281	Parks and Recreation	
282	Overnight accommodations (persons)	672,313
283	Water related services (persons)	95,169
284	Day use services (persons)	3,391,061
285	Facilities repair projects (projects)	3,911
286	Historical and nature services (persons)	88,911
287	Museum of Natural Science	
288	Information provided (participants)	260,000
289	Participants in museum projects (persons)	200,000
290	A reporting of the degree to which the performance targets	
291	set above have been or are being achieved shall be provided in the	
292	agency's budget request submitted to the Joint Legislative Budget	
293	Committee for Fiscal Year 2001.	
294	SECTION 12. In order to be in compliance with Sections	
295	63-1-74 through 63-1-79, funds are herein provided and may be	
296	expended by the Department of Wildlife, Fisheries and Parks to pay	
297	the costs of commercial driver's licenses for specific employees	
298	and/or to reimburse such costs for specific employees who, in the	
299	course of their duties and responsibilities, are required to hold	
300	a valid Mississippi Commercial Driver's License.	
301	SECTION 13. It is the intention of the Legislature that the	
302	Department of Wildlife, Fisheries and Parks shall have the	
303	authority to receive, budget and expend funds from the Mississippi	

Department of Economic and Community Development in the amount of Four Million Dollars (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi Code of 1972. Such funds are to be used to defray the cost of constructing a North Mississippi Fish Hatchery.

SECTION 14. Of the funds provided herein, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided to the Department of Wildlife, Fisheries and Parks above the FY99 level to be expended on Wildlife Management Areas, with Fifty Thousand Dollars (\$50,000.00) of this amount for Caney Creek Wildlife Management Area equipment building and pavilion and Fifty Thousand Dollars (\$50,000.00) for Hell's Creek Wildlife Management Area creek crossing on the field trail courses, and Twenty-five Thousand Dollars (\$25,000.00) for Black Prairie Wildlife Management Area creek crossings on the field trail courses.

SECTION 15. Of the funds provided herein, One Million Fifty Thousand Dollars (\$1,050,000.00) is provided to the Department of Wildlife, Fisheries and Parks for infrastructure at state parks, with Two Hundred Thousand (\$200,000.00) of this amount for repairs and renovations to Carver's Point Lodge at Hugh White State Park.

SECTION 16. Of the funds provided herein, One Hundred Fifty Thousand Dollars (\$150,000.00) is provided to the Department of Wildlife, Fisheries and Parks for the enhancement of marketing of state parks.

SECTION 17. Of the funds provided herein, Sixty Thousand Dollars (\$60,000.00) is provided to the Department of Wildlife, Fisheries and Parks for a facilities coordinator at Roosevelt State Park.

SECTION 18. Of the funds provided herein, Two Hundred Thousand Dollars (\$200,000.00) is provided to the Department of Wildlife, Fisheries and parks for transfer to the Mississippi Authority for Educational Television for a mobile digital production vehicle.

SECTION 19. The money herein appropriated shall be paid by

338 the State Treasurer out of any money in the State Treasury to the
339 credit of the proper fund or funds as set forth in this act, upon
340 warrants issued by the State Fiscal Officer; and the State Fiscal
341 Officer shall issue his warrants upon requisitions signed by the
342 proper person, officer or officers, in the manner provided by law.

343 SECTION 20. This act shall take effect and be in force from
344 and after July 1, 1999.