

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

To: Appropriations

HOUSE BILL NO. 1635  
(As Sent to Governor)

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 ..... \$ 15,673,937.00.

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 ..... \$ 44,359,922.00.

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 July  
23 1, 1999, and ending June 30, 2000..... \$5,750,000.00.

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.....	2,599,820.00
64	Subsidies, Loans and Grants.....	<u>816,140.00</u>
65	Total..... \$	35,261,352.00

66	FUNDING:		
67	General Funds.....	\$	3,999,606.00
68	Special Funds.....		<u>31,261,746.00</u>
69	Total.....	\$	35,261,352.00

70 AUTHORIZED POSITIONS:

71	Permanent:	Full Time. . . . .	514
72		Part Time. . . . .	28
73	Time-Limited:	Full Time. . . . .	41
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.....		2,130,000.00
108	Equipment.....		1,077,717.00
109	Subsidies, Loans and Grants.....		<u>1,214,419.00</u>
110	Total.....	\$	20,176,591.00

111 FUNDING:

112	General Funds.....	\$	9,530,642.00
113	Special Funds.....		<u>10,645,949.00</u>
114	Total.....	\$	20,176,591.00

115 AUTHORIZED POSITIONS:

116	Permanent:	Full Time. . . . .	303
117		Part Time. . . . .	250
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

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

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

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

235 The Department of Finance and Administration is authorized to

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. It is the intention of the Legislature that the  
257 Department of Wildlife, Fisheries and Parks shall have the  
258 authority to receive, budget and expend funds from any source, not  
259 to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) that  
260 may become available to the department. Any funds received and  
261 budgeted pursuant to this section shall be used to implement the  
262 Scenic Rivers Stewardship Programs including Forty-one Thousand  
263 Dollars (\$41,000.00) for a coordinator to administer the program  
264 with the authority to establish one full-time, time-limited  
265 position.

266 SECTION 12. In compliance with the "Mississippi Performance  
267 Budget and Strategic Planning Act of 1994," it is the intent of  
268 the Legislature that the funds provided herein shall be utilized  
269 in the most efficient and effective manner possible to achieve the



270 intended mission of this agency. Based on the funding authorized,  
271 this agency shall make every effort to attain the targeted  
272 performance measures provided below:

273		FY00
274	<u>Performance Measures</u>	<u>Target</u>
275	Bureau of Wildlife and Fisheries--Support	
276	Hunting and fishing licenses (licenses)	520,000
277	Registration of boats (boats)	80,000
278	Freshwater Fisheries Management	
279	Fish stock for public water (fish)	3,200,000
280	Users of DWFP lakes (man days)	70,000
281	Game Management	
282	DMAP Cooperators	950
283	DWFP management for hunters (man days)	185,000
284	Law Enforcement	
285	Hunter and boater education (persons)	20,000
286	Motor Vehicle Fund	
287	Vehicles purchased (vehicles)	74
288	Used vehicle sales (vehicles)	62
289	Parks and Recreation	
290	Overnight accommodations (persons)	672,313
291	Water related services (persons)	95,169
292	Day use services (persons)	3,391,061
293	Facilities repair projects (projects)	3,911
294	Historical and nature services (persons)	88,911
295	Museum of Natural Science	
296	Information provided (participants)	260,000
297	Participants in museum projects (persons)	200,000
298	A reporting of the degree to which the performance targets	
299	set above have been or are being achieved shall be provided in the	
300	agency's budget request submitted to the Joint Legislative Budget	
301	Committee for Fiscal Year 2001.	

302 SECTION 13. In order to be in compliance with Sections  
303 63-1-74 through 63-1-79, funds are herein provided and may be

304 expended by the Department of Wildlife, Fisheries and Parks to pay  
305 the costs of commercial driver's licenses for specific employees  
306 and/or to reimburse such costs for specific employees who, in the  
307 course of their duties and responsibilities, are required to hold  
308 a valid Mississippi Commercial Driver's License.

309 SECTION 14. It is the intention of the Legislature that the  
310 Department of Wildlife, Fisheries and Parks shall have the  
311 authority to receive, budget and expend funds from the Mississippi  
312 Department of Economic and Community Development in the amount of  
313 Four Million Dollars (\$4,000,000.00) as authorized in Section  
314 57-61-32 (1), Mississippi Code of 1972. Such funds are to be used  
315 to defray the cost of constructing a North Mississippi Fish  
316 Hatchery.

317 SECTION 15. Of the funds provided herein, Two Hundred Fifty  
318 Thousand Dollars (\$250,000.00) is provided to the Department of  
319 Wildlife, Fisheries and Parks above the FY99 level to be expended  
320 on Wildlife Management Areas, with Fifty Thousand Dollars  
321 (\$50,000.00) of this amount for Caney Creek Wildlife Management  
322 Area equipment building and pavilion and Fifty Thousand Dollars  
323 (\$50,000.00) for Hell's Creek Wildlife Management Area creek  
324 crossing on the field trail courses, and Twenty-five Thousand  
325 Dollars (\$25,000.00) for Black Prairie Wildlife Management Area  
326 creek crossings on the field trail courses.

327 SECTION 16. Of the funds provided herein, One Million Fifty  
328 Thousand Dollars (\$1,050,000.00) is provided to the Department of  
329 Wildlife, Fisheries and Parks for infrastructure at state parks,  
330 with Two Hundred Thousand (\$200,000.00) of this amount for repairs  
331 and renovations to Carver's Point Lodge at Hugh White State Park.

332 SECTION 17. Of the funds provided herein, One Hundred Fifty  
333 Thousand Dollars (\$150,000.00) is provided to the Department of  
334 Wildlife, Fisheries and Parks for the enhancement of marketing of  
335 state parks.

336 SECTION 18. Of the funds provided herein, Sixty Thousand  
337 Dollars (\$60,000.00) is provided to the Department of Wildlife,

338 Fisheries and Parks for a facilities coordinator at Roosevelt  
339 State Park.

340 SECTION 19. Of the funds provided herein, Two Hundred  
341 Thousand Dollars (\$200,000.00) is provided to the Department of  
342 Wildlife, Fisheries and parks for transfer to the Mississippi  
343 Authority for Educational Television for a mobile digital  
344 production vehicle.

345 SECTION 20. Of the funds provided herein, no more than Seven  
346 Hundred Fifty Thousand Dollars (\$750,000.00) is provided to the  
347 Department of Wildlife, Fisheries and Parks for furnishing and  
348 equipping the new administrative office building for the  
349 department.

350 The Department of Wildlife, Fisheries and Parks is authorized  
351 to make whatever transfers necessary, not to exceed Seven Hundred  
352 Fifty Thousand Dollars (\$750,000.00), from "Capital Outlay -  
353 Equipment" to "Commodities" for the furnishing and equipping of  
354 the new administration office building for the department.

355 SECTION 21. Subject to the availability of funds, no more  
356 than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is  
357 provided to the Department of Wildlife, Fisheries and Parks for  
358 infrastructure, bathhouse and camper pad at Legion Lake State  
359 Park; no more than Three Hundred Thousand Dollars (\$300,000.00) is  
360 provided to the Department of Wildlife, Fisheries and Parks for  
361 renovations of campground facilities at Roosevelt State Park; and  
362 no more than Four Hundred Twenty-five Thousand Dollars  
363 (\$425,000.00) is provided to the Department of Wildlife, Fisheries  
364 and Parks for infrastructure, bathhouse and camper pads at J. P.  
365 Coleman State Park.

366 SECTION 22. The following sum, or so much thereof as may be  
367 necessary, is hereby appropriated out of any money in the State  
368 Treasury to the credit of the Department of Wildlife, Fisheries  
369 and Parks Special Duck Stamp Fund No. 3470 for the purpose of  
370 protecting and propagating migratory waterfowl in accordance with  
371 Section 49-7-167, Mississippi Code of 1972, for the fiscal year

372 beginning July 1, 1999, and ending June 30, 2000.....  
373 ..... \$ 200,000.00.

374 SECTION 23. The following sum, or so much thereof as may be  
375 necessary, is hereby appropriated out of any money in the State  
376 Treasury to the credit of the Department of Wildlife, Fisheries  
377 and Parks Special Timber Fund No. 3469 for the purpose of  
378 acquiring real estate for the State of Mississippi which will be  
379 used to provide hunting and/or fishing activities, for the fiscal  
380 year beginning July 1, 1999, and ending June 30, 2000.....  
381 ..... \$ 1,500,000.00.

382 SECTION 24. The following sum, or so much thereof as may be  
383 necessary, is hereby appropriated out of any money in the State  
384 Treasury to the credit of the Department of Wildlife, Fisheries  
385 and Parks Special Emergency and Renovation Fund No. 346F for the  
386 purpose of emergency repair or renovation activities on state  
387 lakes or wildlife management areas, for the fiscal year beginning  
388 July 1, 1999, and ending June 30, 2000..... \$ 150,000.00.

389 SECTION 25. The following sum, or so much thereof as may be  
390 necessary, is hereby appropriated out of any money in the State  
391 Treasury to the credit of the Department of Wildlife, Fisheries  
392 and Parks Special Pearl River Timber Fund No. 3465 for the purpose  
393 of making improvements to the Pearl River Wildlife Management  
394 area, for the fiscal year beginning July 1, 1999, and ending June  
395 30, 2000..... \$ 150,000.00.

396 SECTION 26. The following sum, or so much thereof as may be  
397 necessary, is hereby appropriated out of any money in the State  
398 Treasury to the credit of the Department of Wildlife, Fisheries  
399 and Parks Special Park Timber Fund No. 3467 for the purpose of  
400 making improvements at Lake Lowndes State Park, for the fiscal  
401 year beginning July 1, 1999, and ending June 30, 2000.....  
402 ..... \$ 100,000.00.

403 SECTION 27. With the funds provided in this act, the  
404 Department of Wildlife, Fisheries and Parks is authorized to pay  
405 the following expenses for real estate taxes incurred during

406 Fiscal Years 1992, 1993 and 1994:

407       2906 North State Corporation.....\$6,109.42

408       SECTION 28. With the funds provided in this act, the  
409 Department of Wildlife, Fisheries and Parks is authorized to pay  
410 the following expenses for tools purchased at Wal-Mart:

411       No. 0699, during Fiscal Year 1995.....\$ 114.83

412       SECTION 29. Of the funds provided herein, salary increases,  
413 not to exceed Five Thousand Dollars (\$5,000.00), may be awarded to  
414 Park Managers of state parks that operate golf courses.

415       SECTION 30. Of the funds provided herein, Thirty Thousand  
416 Dollars (\$30,000.00) is provided to the Department of Wildlife,  
417 Fisheries and Parks for construction of a pavilion at Claude  
418 Bennett Lake.

419       SECTION 31. Subject to the availability of funds and at the  
420 discretion of the Department of Wildlife, Fisheries and Parks, of  
421 the funds provided herein, One Hundred Thousand Dollars  
422 (\$100,000.00) is provided to Pat Harrison Waterway District for  
423 the purpose of repairing Archusa Water Park Dam.

424       SECTION 32. The money herein appropriated shall be paid by  
425 the State Treasurer out of any money in the State Treasury to the  
426 credit of the proper fund or funds as set forth in this act, upon  
427 warrants issued by the State Fiscal Officer; and the State Fiscal  
428 Officer shall issue his warrants upon requisitions signed by the  
429 proper person, officer or officers, in the manner provided by law.

430       SECTION 33. This act shall take effect and be in force from  
431 and after July 1, 1999.