

By: Livingston, Green, Denny, Gadd, McBride, To: Appropriations
Read, Watson

HOUSE BILL NO. 1633
(As Passed the House)

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 2001.

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, 2000, and ending June 30, 2001
10\$ 15,412,930.00.

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, 2000, and ending June 30, 2001.....
18\$ 42,026,654.00.

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, 2000, and ending June 30, 2001.....\$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 2001.

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 2001.

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...	\$ 19,090,898.00
58	Travel and Subsistence.....	227,750.00
59	Contractual Services.....	5,455,971.00
60	Commodities.....	3,091,570.00
61	Capital Outlay:	
62	Other Than Equipment.....	823,000.00
63	Equipment.....	2,260,470.00

64 Subsidies, Loans and Grants..... 2,816,145.00
 65 Total.....\$ 33,765,804.00

66 FUNDING:

67 General Funds.....\$ 3,957,290.00
 68 Special Funds..... 29,808,514.00
 69 Total.....\$ 33,765,804.00

70 AUTHORIZED POSITIONS:

71 Permanent: Full Time..... 461
 72 Part Time..... 18
 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..... 1,631,169.00
 86 Subsidies, Loans and Grants..... 0.00

87 Total.....\$ 1,631,169.00

88 FUNDING:

89 General Funds.....\$ 0.00
 90 Special Funds..... 1,631,169.00
 91 Total.....\$ 1,631,169.00

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...\$	9,098,241.00
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.....	369,212.00
108	Equipment.....	1,077,717.00
109	Subsidies, Loans and Grants.....	<u>689,569.00</u>
110	Total.....\$	17,417,001.00

111 FUNDING:

112	General Funds.....\$	7,892,522.00
113	Special Funds.....	<u>9,524,479.00</u>
114	Total.....\$	17,417,001.00

115 AUTHORIZED POSITIONS:

116	Permanent: Full Time.....	287
117	Part Time.....	237
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...\$	1,326,016.00
135	Travel and Subsistence.....	38,400.00
136	Contractual Services.....	1,716,694.00
137	Commodities.....	275,700.00
138	Capital Outlay:	
139	Other Than Equipment.....	810,000.00
140	Equipment.....	313,800.00
141	Subsidies, Loans and Grants.....	<u>145,000.00</u>
142	Total.....\$	4,625,610.00

143 FUNDING:

144	General Funds.....\$	3,563,118.00
145	Special Funds.....	<u>1,062,492.00</u>
146	Total.....\$	4,625,610.00

147 AUTHORIZED POSITIONS:

148	Permanent: Full Time.....	28
149	Part Time.....	1
150	Time-Limited: Full Time.....	6
151	Part Time.....	0

152 With the funds herein appropriated, it is the intention of
153 the Legislature that it shall be the agency's responsibility to
154 make certain that funds required to be appropriated for "Personal
155 Services" for Fiscal Year 2002 do not exceed Fiscal Year 2001
156 funds appropriated for that purpose, unless programs or positions
157 are added to the agency's Fiscal Year 2002 budget by the
158 Mississippi Legislature. Based on data provided by the
159 Legislative Budget Office, the State Personnel Board shall
160 determine and publish the projected annual cost to fully fund all
161 appropriated positions in compliance with the provisions of this
162 act. It shall be the responsibility of the agency head to insure

163 that no single personnel action increases this projected annual
164 cost and/or the Fiscal Year 2001 appropriation for "Personal
165 Services" when annualized. If, at the end of any calendar month,
166 the State Personnel Board determines that the agency has taken
167 action(s) which would cause the agency to exceed this projected
168 annual cost or the Fiscal Year 2001 "Personal Services"
169 appropriated level, when annualized, then only those actions which
170 reduce the projected annual cost and/or the appropriation
171 requirement will be processed by the State Personnel Board until
172 such time as the requirements of this provision are met.

173 It is the intention of the Legislature that the Executive
174 Director of the Department of Wildlife, Fisheries and Parks may
175 transfer between the various divisions authorized herein both
176 funds and positions not to exceed five percent (5%) of the
177 authorized budgets in the aggregate. The Executive Director of
178 the Department of Wildlife, Fisheries and Parks shall submit
179 written justification for the transfer to the Legislative Budget
180 Office and the Department of Finance and Administration on or
181 before the fifteenth of the month prior to the effective date of
182 the transfer.

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

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

189 SECTION 6. The board of supervisors of any county or any
190 group or combination of counties are hereby authorized and
191 empowered to enter into cooperative agreements with each other and
192 with the Commission on Wildlife, Fisheries and Parks for the
193 purpose of creating, improving or restoring public game and fish
194 habitat lying or to be situated wholly or partially within such
195 county or in an adjoining county; and each county is empowered and

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

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

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

227 The Department of Finance and Administration is authorized to
228 escalate the budget of the Department of Wildlife, Fisheries and

229 Parks for this purpose.

230 SECTION 9. It shall be unlawful for any officer, employee or
231 other person whatsoever to use or permit or authorize the use of
232 any automobile or any other motor vehicle owned by the State of
233 Mississippi or any department, agency or institution thereof for
234 any purpose other than upon the official business of the State of
235 Mississippi or any agency, department or institution thereof.

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

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

248 SECTION 11. Of the funds appropriated under the provisions
249 of Section 2 and allocated in Section 5 to the Museum of Natural
250 Science, funds in the amount of Four Hundred Fifty Thousand
251 Dollars (\$450,000.00) shall be derived from the Education
252 Enhancement Fund deposited pursuant to Sections 27-65-75 and
253 27-67-31, Mississippi Code of 1972, for the purpose of defraying
254 the expenses of the Mississippi Museum of Natural Science for
255 Fiscal Year 2001.

256 SECTION 12. 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		FY01
264	<u>Performance Measures</u>	<u>Target</u>
265	Support Services	
266	Hunting & Fishing Licenses Sold (Licenses)	520,000
267	Registration of Boats (Boats)	87,500
268	Freshwater Fisheries Mgmt	
269	Fish Stock for Public Water (Fish)	3,000,000
270	Users of DWFP Lakes (Man-days)	74,000
271	Game Management	
272	DMAP Cooperators	725
273	DWFP Management for Hunters (Man-days)	180,000
274	Law Enforcement	
275	Hunter & Boater Education (Persons)	19,400
276	Motor Vehicle	
277	Vehicles Purchased (Vehicles)	79
278	Used Vehicle Sales (Vehicles)	63
279	Parks & Recreation	
280	Overnight Accommodations (Persons)	719,637
281	Water Related Services (Persons)	94,255
282	Day Use Services (Persons)	351,675
283	Facilities Repair Projects (Projects)	3,911
284	Historical & Nature Services (Persons)	83,265
285	Museum Of Natural Science	
286	Information Provided (Participants)	250,000
287	Participants in Museum Projects (Persons)	200,000

288 A reporting of the degree to which the performance targets
289 set above have been or are being achieved shall be provided in the
290 agency's budget request submitted to the Joint Legislative Budget
291 Committee for Fiscal Year 2002.

292 SECTION 13. In order to be in compliance with Sections
293 63-1-74 through 63-1-79, funds are herein provided and may be
294 expended by the Department of Wildlife, Fisheries and Parks to pay

295 the costs of commercial driver's licenses for specific employees
296 and/or to reimburse such costs for specific employees who, in the
297 course of their duties and responsibilities, are required to hold
298 a valid Mississippi Commercial Driver's License.

299 SECTION 14. It is the intention of the Legislature that the
300 Department of Wildlife, Fisheries and Parks shall have the
301 authority to receive, budget and expend funds from the Mississippi
302 Department of Economic and Community Development in the amount of
303 Four Million Dollars (\$4,000,000.00) as authorized in Section
304 57-61-32 (1), Mississippi Code of 1972. Such funds are to be used
305 to defray the cost of constructing a North Mississippi Fish
306 Hatchery.

307 SECTION 15. Of the funds appropriated in Section 2 and
308 allocated in Section 5, the following amounts shall come from:

309 Department of Wildlife, Fisheries and Parks Special Duck
310 Stamp Fund No. 3470, for the purpose of protecting and propagating
311 migratory waterfowl in accordance with Section 49-7-167,
312 Mississippi Code of 1972.....\$ 200,000.00

313 Department of Wildlife, Fisheries and Parks Special Timber
314 Fund No. 3469, for the purpose of acquiring real estate for the
315 State of Mississippi which will be used to provide hunting and/or
316 fishing activities.....\$1,500,000.00

317 Department of Wildlife, Fisheries and Parks Special Emergency
318 and Renovation Fund No. 346F, for the purpose of emergency repair
319 or renovation activities on state lakes or wildlife management
320 areas.....\$ 150,000.00

321 Department of Wildlife, Fisheries and Parks Special Pearl
322 River Timber Fund No. 3465, for the purpose of making improvements
323 to the Pearl River Wildlife Management area.....\$ 150,000.00

324 SECTION 16. Of the funds provided herein, the Department of
325 Wildlife, Fisheries and Parks is authorized to pay the following
326 expenses for publications for Fiscal Year 1996:

327 West Publishing.....\$ 874.16

328 SECTION 17. Of the funds provided herein, the Department of
329 Wildlife, Fisheries and Parks is authorized to pay the following
330 expenses for office supplies for Fiscal Years 1996 and 1997:

331 Bush Office Supply, Inc.....\$ 152.87

332 SECTION 18. Of the funds provided herein, the Department of
333 Wildlife, Fisheries and Parks is authorized to pay the following
334 expenses for hardware items for Fiscal Years 1996 and 1997:

335 Alexander's Hardware.....\$ 309.80

336 SECTION 19. Of the funds provided herein, the Department of
337 Wildlife, Fisheries and Parks is authorized to pay the following
338 expenses for construction of tennis courts at Percy Quinn State
339 Park for Fiscal Year 1999:

340 Cumberland Surety Insurance Company, Inc.....\$99,750.00

341 SECTION 20. Of the funds provided herein, the Department of
342 Wildlife, Fisheries and Parks is authorized to pay the following
343 expenses for construction at the Meridian Fish Hatchery for Fiscal
344 Year 1999:

345 Washington International Insurance Company...\$27,314.30

346 SECTION 21. Of the funds provided herein, One Hundred Fifty
347 Thousand Dollars (\$150,000.00) is provided to the Department of
348 Wildlife, Fisheries and Parks for the enhancement of marketing of
349 state parks.

350 SECTION 22. Of the funds provided herein, no more than One
351 Hundred Thousand Dollars (\$100,000.00) is provided to the
352 Department of Wildlife, Fisheries and Parks for furnishing and
353 equipping the new administrative office building for the
354 department.

355 SECTION 23. The money herein appropriated shall be paid by
356 the State Treasurer out of any money in the State Treasury to the
357 credit of the proper fund or funds as set forth in this act, upon
358 warrants issued by the State Fiscal Officer; and the State Fiscal
359 Officer shall issue his warrants upon requisitions signed by the
360 proper person, officer or officers, in the manner provided by law.

361 SECTION 24. This act shall take effect and be in force from
362 and after July 1, 2000.