HOUSE BILL NO. 1624
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR
THE FISCAL YEAR 2002.

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 hereby appropriated out of any money in the State
General Fund not otherwise appropriated, for the support and
maintenance of the Department of Wildlife, Fisheries and Parks for
the fiscal year beginning July 1, 2001, and ending June 30, 2002

.............................................. $    13,344,767.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in any special
fund in the State Treasury to the credit of the Department of
Wildlife, Fisheries and Parks which is comprised of special source
funds collected by or otherwise available to the department for
the support and maintenance of the department, for the fiscal year
beginning July 1, 2001, and ending June 30, 2002............

.............................................. $    40,990,490.00.

The following sum, which is included in the sum appropriated
above in this section, is hereby appropriated out of the state
excise taxes upon gasoline, oil and other petroleum products to
the Fisheries and Wildlife Fund for the fiscal year beginning
July 1, 2001, and ending June 30, 2002............ $5,750,000.00.

The State Tax Commission is hereby directed to set aside the
amount of this appropriation or any part thereof at any time it
sees fit, out of any collections of taxes upon gasoline, oil and
other petroleum products, and to deduct the amounts so set aside
from such funds before making distribution thereof. However, 28 provisions shall first be made for the Highway Bonds Sinking Fund, 29 as required under the provisions of Chapter 130, Laws of 1938, and 30 any amendments thereto, and Section 27-5-101, Mississippi Code of 31 1972.

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 2002.

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 2002.

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.

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:

**DIVISION OF WILDLIFE AND FISHERIES**

**BUREAU OF WILDLIFE AND FISHERIES**

**MAJOR OBJECTS OF EXPENDITURE:**

**Personal Services:**

- Salaries, Wages and Fringe Benefits... $19,486,932.00
- Travel and Subsistence.................. 156,275.00
- Contractual Services.................... 4,629,090.00
- Commodities............................ 3,332,986.00
<table>
<thead>
<tr>
<th>Major Object of Expenditure</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Outlay:</td>
<td></td>
</tr>
<tr>
<td>Other Than Equipment</td>
<td>716,222.00</td>
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<tr>
<td>Equipment</td>
<td>1,377,738.00</td>
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<tr>
<td>Subsidies, Loans and Grants</td>
<td>647,015.00</td>
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<tr>
<td>Total</td>
<td>$30,346,258.00</td>
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<table>
<thead>
<tr>
<th>Funding:</th>
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<tbody>
<tr>
<td>General Funds</td>
<td>$3,447,283.00</td>
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<tr>
<td>Special Funds</td>
<td>26,898,975.00</td>
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<tr>
<td>Total</td>
<td>$30,346,258.00</td>
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<table>
<thead>
<tr>
<th>Authorized Positions:</th>
<th></th>
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<tbody>
<tr>
<td>Permanent: Full Time</td>
<td>489</td>
</tr>
<tr>
<td>Part Time</td>
<td>28</td>
</tr>
<tr>
<td>Time-Limited: Full Time</td>
<td>42</td>
</tr>
<tr>
<td>Part Time</td>
<td>0</td>
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</tbody>
</table>

**Bureau of Wildlife and Fisheries**

**Motor Vehicle Section**

<table>
<thead>
<tr>
<th>Major Object of Expenditure</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services:</td>
<td></td>
</tr>
<tr>
<td>Salaries, Wages and Fringe Benefits</td>
<td>0.00</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>0.00</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>0.00</td>
</tr>
<tr>
<td>Commodities</td>
<td>0.00</td>
</tr>
<tr>
<td>Capital Outlay:</td>
<td></td>
</tr>
<tr>
<td>Other Than Equipment</td>
<td>0.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,631,169.00</td>
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<tr>
<td>Subsidies, Loans and Grants</td>
<td>0.00</td>
</tr>
<tr>
<td>Total</td>
<td>$1,631,169.00</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Funding:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>0.00</td>
</tr>
<tr>
<td>Special Funds</td>
<td>1,631,169.00</td>
</tr>
<tr>
<td>Total</td>
<td>$1,631,169.00</td>
</tr>
</tbody>
</table>
Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Four Hundred Fifty Dollars ($450.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

DIVISION OF PARKS AND RECREATION

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits.. $ 8,534,985.00
Travel and Subsistence................ 37,000.00
Contractual Services.................... 4,602,008.00
Commodities............................ 1,342,622.00

Capital Outlay:

Other Than Equipment.................... 100,000.00
Equipment............................. 569,042.00
Subsidies, Loans and Grants.......... 913,420.00

Total........................................ $ 16,099,077.00

FUNDING:

General Funds........................... $ 7,155,270.00
Special Funds............................ 8,943,807.00

Total........................................ $ 16,099,077.00

AUTHORIZED POSITIONS:

Permanent:   Full Time............. 303
             Part Time............. 250
Time-Limited: Full Time............ 0
             Part Time............ 0

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

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

MUSEUM OF NATURAL SCIENCE

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

- Salaries, Wages and Fringe Benefits... $1,359,420.00
- Travel and Subsistence................ $16,500.00
- Contractual Services.................... $1,678,594.00
- Commodities............................. $335,339.00

Capital Outlay:

- Other Than Equipment................... $50,000.00
- Equipment............................... $23,900.00
- Subsidies, Loans and Grants............. $145,000.00

Total........................................ $3,608,753.00

FUNDING:

- General Funds............................ $2,742,214.00
- Special Funds............................ $866,539.00

Total........................................ $3,608,753.00

AUTHORIZED POSITIONS:

Permanent:  
- Full Time............... 28
- Part Time............... 1

Time-Limited:  
- Full Time............... 4
- Part Time............... 0

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2003 do not exceed Fiscal Year 2002 funds appropriated for that purpose, unless programs or positions
are added to the agency's Fiscal Year 2003 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 insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2002 appropriation for "Personal Services" when annualized. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2002 "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.

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

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

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.
SECTION 6. The board of supervisors of any county or any group or combination of counties are hereby authorized and empowered to enter into cooperative agreements with each other and with the Commission on Wildlife, Fisheries and Parks for the 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 Chairman of the Senate Wildlife and Fisheries 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 escalate the budget of the Department of Wildlife, Fisheries and Parks for this purpose.

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

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

SECTION 10. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from any source, not to exceed Five Hundred Thousand Dollars ($500,000.00), that may become available to the department in accordance with the rules and regulations of the Department of Finance and Administration.

None of the funds authorized in this section shall be used to increase the major object of expenditure "Salaries, Wages and Fringe Benefits."

SECTION 11. 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

<table>
<thead>
<tr>
<th>Service Area</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Support Services</strong></td>
<td></td>
</tr>
<tr>
<td>Hunting and Fishing Licenses Sold</td>
<td>530,000</td>
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<tr>
<td>Registration of Boats</td>
<td>295,500</td>
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<tr>
<td><strong>Freshwater Fisheries Management</strong></td>
<td></td>
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<tr>
<td>Fish Stock for Public Water</td>
<td>3,000,000</td>
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<tr>
<td>Users of DWFP Lakes</td>
<td>60,000</td>
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<tr>
<td><strong>Game Management</strong></td>
<td></td>
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<tr>
<td>DMAP Cooperators</td>
<td>725</td>
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<tr>
<td>DWFP Management for Hunters</td>
<td>185,000</td>
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<tr>
<td><strong>Law Enforcement</strong></td>
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<tr>
<td>Hunter and Boater Education</td>
<td>22,573</td>
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<tr>
<td><strong>Motor Vehicle</strong></td>
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<tr>
<td>Vehicles Purchased</td>
<td>79</td>
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<tr>
<td>Used Vehicle Sales</td>
<td>63</td>
</tr>
<tr>
<td><strong>Parks &amp; Recreation</strong></td>
<td></td>
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<tr>
<td>Overnight Accommodations</td>
<td>674,280</td>
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<tr>
<td>Water Related Services</td>
<td>94,866</td>
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<tr>
<td>Day Use Services</td>
<td>3,620,515</td>
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<tr>
<td>Facilities Repair Projects</td>
<td>3,980</td>
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<tr>
<td>Historical and Nature Services</td>
<td>86,220</td>
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<tr>
<td><strong>Museum Of Natural Science</strong></td>
<td></td>
</tr>
<tr>
<td>Information Provided</td>
<td>250,000</td>
</tr>
<tr>
<td>Participants in Museum Projects</td>
<td>200,000</td>
</tr>
</tbody>
</table>

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 2003.

SECTION 12. In order to be in compliance with Sections 63-1-74 through 63-1-79, funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees.
and/or to reimburse such costs for specific employees who, in the
course of their duties and responsibilities, are required to hold
a valid Mississippi Commercial Driver's License.

SECTION 13. It is the intention of the Legislature that the
Department of Wildlife, Fisheries and Parks shall have the
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 appropriated in Section 2, the
following amounts shall come from:

Department of Wildlife, Fisheries and Parks Special Duck
Stamp Fund No. 3470, for the purpose of protecting and propagating
migratory waterfowl in accordance with Section 49-7-167,
Mississippi Code of 1972.........................$ 400,000.00

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

Department of Wildlife, Fisheries and Parks Special Emergency
and Renovation Fund No. 346F, for the purpose of emergency repair
or renovation activities on state lakes or fish hatcheries.....
..............................$  500,000.00

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

Department of Wildlife, Fisheries and Parks Special Timber
Fund No. 3467, for the purpose of making improvements to
parks...........................................$  100,000.00

SECTION 15. 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 16. The Department of Wildlife, Fisheries and Parks is authorized to establish new DWFP - Enforcement Trainee (Cadet), Special Operations Agent I, II, and III job titles and such job titles shall be classified as nonstate service.

SECTION 17. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Fifty Thousand Dollars ($150,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a biology specialist and related supportive cost.

The Department of Finance and Administration is authorized to escalate the budget of the Department of Wildlife, Fisheries and Parks for this purpose.

SECTION 18. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks establish a new wildlife management area on the Greene County portion of the existing Chickasawhay WMA. This new WMA shall be known as the Mason Creek Wildlife Management Area.

SECTION 19. With the funds appropriated herein, the Department of Wildlife, Fisheries and Parks is authorized to make payment for invoices from previous fiscal years as follows:

Walmart....................$  1,557.42
Ericsson, Inc..............$  5,830.18
University of Florida......$  45,000.00

SECTION 20. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks receive, escalate and expend any funds made available to the Department as a result of storm damage occurring in 2001.

SECTION 21. 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 22. This act shall take effect and be in force from and after July 1, 2001.