

By: Representatives Green, McBride, Denny,
Ellzey, Gadd, Read, Watson

To: Appropriations

HOUSE BILL NO. 1624
(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 2002.

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, 2001, and ending June 30, 2002
10 \$ 13,344,767.00.

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, 2001, and ending June 30, 2002.....
18 \$ 40,990,490.00.

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, 2001, and ending June 30, 2002..... \$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 2002.

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 2002.

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.. \$	19,486,932.00
58	Travel and Subsistence.....	156,275.00
59	Contractual Services.....	4,629,090.00
60	Commodities.....	3,332,986.00

61	Capital Outlay:		
62	Other Than Equipment.....		716,222.00
63	Equipment.....		1,377,738.00
64	Subsidies, Loans and Grants.....		<u>647,015.00</u>
65	Total.....	\$	30,346,258.00
66	FUNDING:		
67	General Funds.....	\$	3,447,283.00
68	Special Funds.....		<u>26,898,975.00</u>
69	Total.....	\$	30,346,258.00
70	AUTHORIZED POSITIONS:		
71	Permanent: Full Time.....	489	
72	Part Time.....	28	
73	Time-Limited: Full Time.....	42	
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.....		<u>0.00</u>
87	Total.....	\$	1,631,169.00
88	FUNDING:		
89	General Funds.....	\$	0.00
90	Special Funds.....		<u>1,631,169.00</u>
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..	\$	8,534,985.00
103	Travel and Subsistence.....		37,000.00
104	Contractual Services.....		4,602,008.00
105	Commodities.....		1,342,622.00
106	Capital Outlay:		
107	Other Than Equipment.....		100,000.00
108	Equipment.....		569,042.00
109	Subsidies, Loans and Grants.....		<u>913,420.00</u>
110	Total.....	\$	16,099,077.00

111 FUNDING:

112	General Funds.....	\$	7,155,270.00
113	Special Funds.....		<u>8,943,807.00</u>
114	Total.....	\$	16,099,077.00

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..	\$	1,359,420.00
135	Travel and Subsistence.....		16,500.00
136	Contractual Services.....		1,678,594.00
137	Commodities.....		335,339.00
138	Capital Outlay:		
139	Other Than Equipment.....		50,000.00
140	Equipment.....		23,900.00
141	Subsidies, Loans and Grants.....		<u>145,000.00</u>
142	Total.....	\$	3,608,753.00

143 FUNDING:

144	General Funds.....	\$	2,742,214.00
145	Special Funds.....		<u>866,539.00</u>
146	Total.....	\$	3,608,753.00

147 AUTHORIZED POSITIONS:

148	Permanent:	Full Time.....	28
149		Part Time.....	1
150	Time-Limited:	Full Time.....	4
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 2003 do not exceed Fiscal Year 2002
156 funds appropriated for that purpose, unless programs or positions

157 are added to the agency's Fiscal Year 2003 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 2002 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 2002 "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 Chairman of the Senate Wildlife and Fisheries
220 Committee no later than October 1 following the end of the fiscal
221 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. In compliance with the "Mississippi Performance
249 Budget and Strategic Planning Act of 1994," it is the intent of
250 the Legislature that the funds provided herein shall be utilized
251 in the most efficient and effective manner possible to achieve the
252 intended mission of this agency. Based on the funding authorized,
253 this agency shall make every effort to attain the targeted
254 performance measures provided below:

255		FY02
256	<u>Performance Measures</u>	<u>Target</u>
257	Support Services	
258	Hunting and Fishing Licenses Sold (Licenses)	530,000
259	Registration of Boats (Boats)	295,500
260	Freshwater Fisheries Management	
261	Fish Stock for Public Water (Fish)	3,000,000
262	Users of DWFP Lakes (Man-days)	60,000
263	Game Management	
264	DMAP Cooperators	725
265	DWFP Management for Hunters (Man-days)	185,000
266	Law Enforcement	
267	Hunter and Boater Education (Persons)	22,573
268	Motor Vehicle	
269	Vehicles Purchased (Vehicles)	79
270	Used Vehicle Sales (Vehicles)	63
271	Parks & Recreation	
272	Overnight Accommodations (Persons)	674,280
273	Water Related Services (Persons)	94,866
274	Day Use Services (Persons)	3,620,515
275	Facilities Repair Projects (Projects)	3,980
276	Historical and Nature Services (Persons)	86,220
277	Museum Of Natural Science	
278	Information Provided (Participants)	250,000
279	Participants in Museum Projects (Persons)	200,000
280	A reporting of the degree to which the performance targets	
281	set above have been or are being achieved shall be provided in the	
282	agency's budget request submitted to the Joint Legislative Budget	
283	Committee for Fiscal Year 2003.	
284	SECTION 12. In order to be in compliance with Sections	
285	63-1-74 through 63-1-79, funds are herein provided and may be	
286	expended by the Department of Wildlife, Fisheries and Parks to pay	
287	the costs of commercial driver's licenses for specific employees	

288 and/or to reimburse such costs for specific employees who, in the
289 course of their duties and responsibilities, are required to hold
290 a valid Mississippi Commercial Driver's License.

291 SECTION 13. It is the intention of the Legislature that the
292 Department of Wildlife, Fisheries and Parks shall have the
293 authority to receive, budget and expend funds from the Mississippi
294 Department of Economic and Community Development in the amount of
295 Four Million Dollars (\$4,000,000.00) as authorized in Section
296 57-61-32 (1), Mississippi Code of 1972. Such funds are to be used
297 to defray the cost of constructing a North Mississippi Fish
298 Hatchery.

299 SECTION 14. Of the funds appropriated in Section 2, the
300 following amounts shall come from:

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

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

309 Department of Wildlife, Fisheries and Parks Special Emergency
310 and Renovation Fund No. 346F, for the purpose of emergency repair
311 or renovation activities on state lakes or fish hatcheries.....
312\$ 500,000.00

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

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

319 SECTION 15. Of the funds provided herein, One Hundred Fifty
320 Thousand Dollars (\$150,000.00) is provided to the Department of

321 Wildlife, Fisheries and Parks for the enhancement of marketing of
322 state parks.

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

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

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

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

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

343	Walmart.....	\$ 1,557.42
344	Ericsson, Inc.....	\$ 5,830.18
345	University of Florida.....	\$ 45,000.00

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

350 SECTION 21. The money herein appropriated shall be paid by
351 the State Treasurer out of any money in the State Treasury to the
352 credit of the proper fund or funds as set forth in this act, upon
353 warrants issued by the State Fiscal Officer; and the State Fiscal

354 Officer shall issue his warrants upon requisitions signed by the
355 proper person, officer or officers, in the manner provided by law.

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