

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MADAM PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1624: Appropriation; Department of Wildlife, Fisheries and Parks.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
  
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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  
9 for the fiscal year beginning July 1, 2001, and ending  
10 June 30, 2002  
11 ..... \$       13,344,767.00.

12           SECTION 2. The following sum, or so much thereof as may be

13 necessary, is hereby appropriated out of any money in any special  
14 fund in the State Treasury to the credit of the Department of  
15 Wildlife, Fisheries and Parks which is comprised of special  
16 source funds collected by or otherwise available to the  
17 department for the support and maintenance of the department, for  
18 the fiscal year beginning July 1, 2001, and ending June 30, 2002  
19 ..... \$ 40,990,490.00.

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

25 The State Tax Commission is hereby directed to set aside the  
26 amount of this appropriation or any part thereof at any time it  
27 sees fit, out of any collections of taxes upon gasoline, oil and  
28 other petroleum products, and to deduct the amounts so set aside  
29 from such funds before making distribution thereof. However,  
30 provisions shall first be made for the Highway Bonds Sinking  
31 Fund, as required under the provisions of Chapter 130, Laws of  
32 1938, and any amendments thereto, and Section 27-5-101,  
33 Mississippi Code of 1972.

34 Any funds available in the Wildlife Heritage Fund may be

35 expended by the Commission on Wildlife, Fisheries and Parks as  
36 authorized by law during Fiscal Year 2002.

37 SECTION 3. Of the funds appropriated under the provisions  
38 of Section 2 and allocated in Section 5 to the Bureau of Wildlife  
39 and Fisheries, funds in the amount of One Hundred Twenty-five  
40 Thousand Three Hundred Thirty-five Dollars (\$125,335.00) shall be  
41 derived from the Education Enhancement Fund deposited pursuant to  
42 Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the  
43 purpose of defraying the expenses of Project WILD for Fiscal Year  
44 2002.

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

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

56 DIVISION OF WILDLIFE AND FISHERIES

57 BUREAU OF WILDLIFE AND FISHERIES

58 MAJOR OBJECTS OF EXPENDITURE:

59 Personal Services:

60	Salaries, Wages and Fringe Benefits . \$	19,486,932.00
61	Travel and Subsistence.....	156,275.00
62	Contractual Services.....	4,629,090.00
63	Commodities.....	3,332,986.00
64	Capital Outlay:	
65	Other Than Equipment.....	716,222.00
66	Equipment.....	1,377,738.00
67	Subsidies, Loans and Grants.....	<u>647,015.00</u>
68	Total..... \$	30,346,258.00

69 FUNDING:

70	General Funds..... \$	3,447,283.00
71	Special Funds.....	<u>26,898,975.00</u>
72	Total..... \$	30,346,258.00

73 AUTHORIZED POSITIONS:

74	Permanent:	Full Time	489
75		Part Time	28
76	Time-Limited:	Full Time	42
77		Part Time	0

78 BUREAU OF WILDLIFE AND FISHERIES

79 MOTOR VEHICLE SECTION

80 MAJOR OBJECTS OF EXPENDITURE:

81 Personal Services:

82	Salaries, Wages and Fringe Benefits . \$	0.00
83	Travel and Subsistence.....	0.00
84	Contractual Services.....	0.00
85	Commodities.....	0.00
86	Capital Outlay:	
87	Other Than Equipment.....	0.00
88	Equipment.....	1,631,169.00
89	Subsidies, Loans and Grants.....	<u>0.00</u>
90	Total..... \$	1,631,169.00

91 FUNDING:

92	General Funds..... \$	0.00
93	Special Funds.....	<u>1,631,169.00</u>
94	Total..... \$	1,631,169.00

95 Each conservation officer and supervisor shall be furnished  
96 an allowance for uniforms not to exceed Four Hundred Fifty  
97 Dollars (\$450.00) per annum.

98 Provided further, when any personnel of the Bureau of  
99 Wildlife and Fisheries are transferred from one county to another  
100 on a permanent assignment, the expense monies now paid on

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

102 DIVISION OF PARKS AND RECREATION

103 MAJOR OBJECTS OF EXPENDITURE:

104 Personal Services:

105	Salaries, Wages and Fringe Benefits . \$	8,534,985.00
106	Travel and Subsistence.....	37,000.00
107	Contractual Services.....	4,602,008.00
108	Commodities.....	1,342,622.00
109	Capital Outlay:	
110	Other Than Equipment.....	100,000.00
111	Equipment.....	569,042.00
112	Subsidies, Loans and Grants.....	<u>913,420.00</u>
113	Total..... \$	16,099,077.00

114 FUNDING:

115	General Funds..... \$	7,155,270.00
116	Special Funds.....	<u>8,943,807.00</u>
117	Total..... \$	16,099,077.00

118 AUTHORIZED POSITIONS:

119	Permanent:	Full Time	303
120		Part Time	250
121	Time-Limited:	Full Time	0
122		Part Time	0

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

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

134 MUSEUM OF NATURAL SCIENCE

135 MAJOR OBJECTS OF EXPENDITURE:

136 Personal Services:

137	Salaries, Wages and Fringe Benefits. \$	1,359,420.00
138	Travel and Subsistence.....	16,500.00
139	Contractual Services.....	1,678,594.00
140	Commodities.....	335,339.00
141	Capital Outlay:	
142	Other Than Equipment.....	50,000.00
143	Equipment.....	23,900.00
144	Subsidies, Loans and Grants.....	<u>145,000.00</u>

145 Total..... \$ 3,608,753.00

146 FUNDING:

147 General Funds..... \$ 2,742,214.00

148 Special Funds..... 866,539.00

149 Total..... \$ 3,608,753.00

150 AUTHORIZED POSITIONS:

151 Permanent: Full Time 28

152 Part Time 1

153 Time-Limited: Full Time 4

154



6 With the funds herein appropriated, it is the intention of the Legislature  
7 that it shall be the agency's responsibility to make certain that funds  
8 required to be appropriated for "Personal Services" for Fiscal Year 2003 do  
9 not exceed Fiscal Year 2002 funds appropriated for that purpose, unless  
10 programs or positions are added to the agency's Fiscal Year 2003 budget  
11 by the Mississippi Legislature. Based on data provided by the Legislative  
12 Budget Office, the State Personnel Board shall determine and publish the  
13 projected annual cost to fully fund all appropriated positions in compliance  
14 with the provisions of this act. It shall be the responsibility of the agency  
15 head to insure that no single personnel action increases this projected  
16 annual cost and/or the Fiscal Year 2002 appropriation for "Personal  
17 Services" when annualized. If, at the end of any calendar month, the State  
18 Personnel Board determines that the agency has taken action(s) which  
19 would cause the agency to exceed this projected annual cost or the Fiscal  
20 Year 2002 "Personal Services" appropriated level, when annualized, then  
21 only those actions which reduce the projected annual cost and/or the  
22 appropriation requirement will be processed by the State Personnel Board  
23 until such time as the requirements of this provision are met.

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

31 month prior to the effective date of the transfer.

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

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

38 SECTION 6. The board of supervisors of any county or any group or  
39 combination of counties are hereby authorized and empowered to enter into  
40 cooperative agreements with each other and with the Commission on  
41 Wildlife, Fisheries and Parks for the purpose of creating, improving or  
42 restoring public game and fish habitat lying or to be situated wholly or  
43 partially within such county or in an adjoining county; and each county is  
44 empowered and authorized, in its discretion, to expend a sum not exceeding  
45 One Hundred Thousand Dollars (\$100,000.00) from the general county fund  
46 for such purposes from which fund they shall reimburse to the Commission  
47 on Wildlife, Fisheries and Parks the actual cost of all surveying and  
48 engineering projects incurred by the Department of Wildlife, Fisheries and  
49 Parks incidental thereto. Such boards of supervisors are further authorized  
50 and empowered, in their discretion, to enter into agreements necessary to  
51 carry out the purposes of this act with any other county, the United States  
52 Forest Service or any other agency if same should be necessary for the  
53 acquisition of land by lease or otherwise for such purposes. The Department  
54 of Wildlife, Fisheries and Parks is authorized to lease all woodlands now  
55 existing on the O'Keefe Division of the Department of Corrections for use of  
56 a game preserve and refuge, upon such terms and conditions as may be  
57 mutually agreed upon by the Department of Wildlife, Fisheries and Parks

58 and the Department of Corrections.

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

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

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

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

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

83 SECTION 10. It is the intention of the Legislature that the Department  
84 of Wildlife, Fisheries and Parks shall have the authority to receive, budget

85 and expend funds from any source, not to exceed Five Hundred Thousand  
 86 Dollars (\$500,000.00), that may become available to the department in  
 87 accordance with the rules and regulations of the Department of Finance and  
 88 Administration. None of the funds authorized in this section shall be used to  
 89 increase the major object of expenditure "Salaries, Wages and Fringe  
 90 Benefits."

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

	FY02
<u>Performance Measures</u>	<u>Target</u>
99 Support Services	
100       Hunting and Fishing Licenses Sold (Licenses)	530,000
101       Registration of Boats (Boats)	295,500
102 Freshwater Fisheries Management	
103       Fish Stock for Public Water (Fish)	3,000,000
104       Users of DWFP Lakes (Man-days)	60,000
105 Game Management	
106       DMAP Cooperators	725
107       DWFP Management for Hunters (Man-days)	185,000
108 Law Enforcement	
109       Hunter and Boater Education (Persons)	22,573
110 Motor Vehicle	
111       Vehicles Purchased (Vehicles)	79

112	Used Vehicle Sales (Vehicles)	63
113	Parks & Recreation	
114	Overnight Accommodations (Persons)	674,280
115	Water Related Services (Persons)	94,866
116	Day Use Services (Persons)	3,620,515
117	Facilities Repair Projects (Projects)	3,980
118	Historical and Nature Services (Persons)	86,220
119	Museum Of Natural Science	
120	Information Provided (Participants)	250,000
121	Participants in Museum Projects (Persons)	200,000

122 A reporting of the degree to which the performance targets set above  
123 have been or are being achieved shall be provided in the agency's budget  
124 request submitted to the Joint Legislative Budget Committee for Fiscal Year  
125 2003.

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

132 SECTION 13. It is the intention of the Legislature that the Department  
133 of Wildlife, Fisheries and Parks shall have the authority to receive, budget  
134 and expend funds from the Mississippi Department of Economic and  
135 Community Development in the amount of Four Million Dollars  
136 (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi Code of  
137 1972. Such funds are to be used to defray the cost of constructing a North  
138 Mississippi Fish Hatchery.

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

141 Department of Wildlife, Fisheries and Parks Special Duck Stamp Fund  
142 No. 3470, for the purpose of protecting and propagating migratory waterfowl  
143 in accordance with Section 49-7-167, Mississippi Code of  
144 1972.....\$ 400,000.00

145 Department of Wildlife, Fisheries and Parks Special Timber Fund No.  
146 3469, for the purpose of acquiring real estate for the State of Mississippi  
147 which will be used to provide hunting and/or fishing  
148 activities.....\$1,500,000.00

149 Department of Wildlife, Fisheries and Parks Special Emergency and  
150 Renovation Fund No. 346F, for the purpose of emergency repair or  
151 renovation activities on state lakes or fish hatcheries.....  
152 .....\$ 500,000.00

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

156 Department of Wildlife, Fisheries and Parks Special Timber Fund No.  
157 3467, for the purpose of making improvements to  
158 parks.....\$ 100,000.00

159 SECTION 15. Of the funds provided herein, One Hundred Fifty  
160 Thousand Dollars (\$150,000.00) is provided to the Department of Wildlife,  
161 Fisheries and Parks for the enhancement of marketing of state parks.

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

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

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

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

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

181	Walmart.....	\$ 1,557.42
182	Ericsson, Inc.....	\$ 5,830.18
183	University of Florida.....	\$ 45,000.00

184 SECTION 20. It is the intention of the Legislature that the Department  
185 of Wildlife, Fisheries and Parks receive, escalate and expend any funds  
186 made available to the Department as a result of storm damage occurring in  
187 2001.

188 SECTION 21. The money herein appropriated shall be paid by the  
189 State Treasurer out of any money in the State Treasury to the credit of the  
190 proper fund or funds as set forth in this act, upon warrants issued by the  
191 State Fiscal Officer; and the State Fiscal Officer shall issue his warrants  
192 upon requisitions signed by the proper person, officer or officers, in the

193 manner provided by law.

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

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X \_\_\_\_\_

X \_\_\_\_\_

—

Charlie Capps, Jr.

Jack Gordon

X \_\_\_\_\_

X \_\_\_\_\_

—

David L. Green

Robert G. Huggins

X \_\_\_\_\_

\_\_\_\_\_

—

Warner F. McBride

Lynn Posey

—