

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

To: Appropriations

HOUSE BILL NO. 1793

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 2003.

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, 2002, and ending June 30, 2003
10 \$ 12,202,077.00.

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, 2002, and ending June 30, 2003.....
18 \$ 44,122,402.00.

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, 2002, and ending June 30, 2003..... \$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 2003.

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 2003.

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.. \$	19,595,168.00
58	Travel and Subsistence.....	130,000.00
59	Contractual Services.....	5,680,031.00
60	Commodities.....	3,170,088.00

61	Capital Outlay:		
62	Other Than Equipment.....		625,322.00
63	Equipment.....		740,111.00
64	Subsidies, Loans and Grants.....		<u>1,247,015.00</u>
65	Total.....	\$	31,187,735.00
66	FUNDING:		
67	General Funds.....	\$	2,816,369.00
68	Special Funds.....		<u>28,371,366.00</u>
69	Total.....	\$	31,187,735.00
70	AUTHORIZED POSITIONS:		
71	Permanent: Full Time.....	445	
72	Part Time.....	14	
73	Time-Limited: Full Time.....	38	
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

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..	\$	8,728,596.00
Travel and Subsistence.....		45,000.00
Contractual Services.....		4,421,533.00
Commodities.....		1,313,058.00

Capital Outlay:

Other Than Equipment.....		86,512.00
Equipment.....		331,006.00
Subsidies, Loans and Grants.....		<u>913,042.00</u>
Total.....	\$	15,838,747.00

FUNDING:

General Funds.....	\$	6,838,186.00
Special Funds.....		<u>9,000,561.00</u>
Total.....	\$	15,838,747.00

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 Five Hundred Thousand Dollars (\$1,500,000.00) shall be expended by the Bureau of Fisheries and Wildlife to defray the costs of the Division of



124 Parks and Recreation of the Department of Wildlife, Fisheries and
125 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.. \$	1,369,580.00
135	Travel and Subsistence.....	14,252.00
136	Contractual Services.....	1,579,057.00
137	Commodities.....	335,039.00

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..... \$	3,516,828.00

143 FUNDING:

144	General Funds..... \$	2,547,522.00
145	Special Funds.....	<u>969,306.00</u>
146	Total..... \$	3,516,828.00

147 AUTHORIZED POSITIONS:

148	Permanent: Full Time.....	28
149	Part Time.....	1
150	Time-Limited: Full Time.....	4
151	Part Time.....	0

152 Funds are provided herein to adjust the Variable Compensation
153 Plan to ensure that all full-time employees receive a pay increase
154 equal to fifty percent (50%) of the realignment component of the
155 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
156 whichever is greater, beginning on January 1, 2003.



157 With the funds herein appropriated, it is the intention of
158 the Legislature that it shall be the agency's responsibility to
159 make certain that funds required to be appropriated for "Personal
160 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
161 funds appropriated for that purpose, unless programs, positions or
162 pay increases are added to the agency's budget by the Mississippi
163 Legislature. Based on data provided by the Legislative Budget
164 Office, the State Personnel Board shall, on July 1, 2002, publish
165 separate annual projection reports, based on July 1, 2002 data,
166 for the period of July 1, 2002 through December 31, 2002, and
167 January 1, 2003 through June 30, 2003, that project the annual
168 cost to fully fund all appropriated positions in compliance with
169 the provisions of this act. It shall be the responsibility of the
170 agency head to ensure that no single personnel action increases
171 this projected cost and/or the Fiscal Year 2003 appropriation for
172 "Personal Services," as annualized on a semi-annual basis in
173 accordance with the provisions of this act. If, at the end of any
174 calendar month, the State Personnel Board determines that the
175 agency has taken action(s) which would cause the agency to exceed
176 this projected annual cost or the Fiscal Year 2003 "Personal
177 Services" appropriated level, when annualized in compliance with
178 the provisions of this act, then only those actions which reduce
179 the projected annual cost and/or the appropriation requirement
180 will be processed by the State Personnel Board until such time as
181 the requirements of this provision are met.

182 It is the intention of the Legislature that the Executive
183 Director of the Department of Wildlife, Fisheries and Parks may
184 transfer between the various divisions authorized herein both
185 funds and positions not to exceed five percent (5%) of the
186 authorized budgets in the aggregate. The Executive Director of
187 the Department of Wildlife, Fisheries and Parks shall submit
188 written justification for the transfer to the Legislative Budget
189 Office and the Department of Finance and Administration on or



190 before the fifteenth of the month prior to the effective date of
191 the transfer.

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

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

198 **SECTION 6.** The board of supervisors of any county or any
199 group or combination of counties are hereby authorized and
200 empowered to enter into cooperative agreements with each other and
201 with the Commission on Wildlife, Fisheries and Parks for the
202 purpose of creating, improving or restoring parks, public game and
203 fish habitat lying or to be situated wholly or partially within
204 such county or in an adjoining county; and each county is
205 empowered and authorized, in its discretion, to expend a sum not
206 exceeding One Hundred Thousand Dollars (\$100,000.00) from the
207 general county fund for such purposes from which fund they shall
208 reimburse to the Commission on Wildlife, Fisheries and Parks the
209 actual cost of all surveying and engineering projects incurred by
210 the Department of Wildlife, Fisheries and Parks incidental
211 thereto. Such boards of supervisors are further authorized and
212 empowered, in their discretion, to enter into agreements necessary
213 to carry out the purposes of this act with any other county, the
214 United States Forest Service or any other agency if same should be
215 necessary for the acquisition of land by lease or otherwise for
216 such purposes. The Department of Wildlife, Fisheries and Parks is
217 authorized to lease all woodlands now existing on the O'Keefe
218 Division of the Department of Corrections for use of a game
219 preserve and refuge, upon such terms and conditions as may be
220 mutually agreed upon by the Department of Wildlife, Fisheries and
221 Parks and the Department of Corrections.



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

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

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

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

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

248 **SECTION 10.** It is the intention of the Legislature that the
249 Department of Wildlife, Fisheries and Parks shall have the
250 authority to receive, budget and expend funds from any source, not
251 to exceed Five Hundred Thousand Dollars (\$500,000.00), that may
252 become available to the department in accordance with the rules
253 and regulations of the Department of Finance and Administration.
254 None of the funds authorized in this section shall be used to



255 increase the major object of expenditure "Salaries, Wages and
256 Fringe Benefits."

257 **SECTION 11.** In compliance with the "Mississippi Performance
258 Budget and Strategic Planning Act of 1994," it is the intent of
259 the Legislature that the funds provided herein shall be utilized
260 in the most efficient and effective manner possible to achieve the
261 intended mission of this agency. Based on the funding authorized,
262 this agency shall make every effort to attain the targeted
263 performance measures provided below:

264		FY03
265	<u>Performance Measures</u>	<u>Target</u>
266	Support Services	
267	Hunting and Fishing Licenses Sold (Licenses)	520,000
268	Registration of Boats (Boats)	215,500
269	Freshwater Fisheries Management	
270	Fish Stock for Public Water (Fish)	3,000,000
271	Users of DWFP Lakes (Man-days)	64,000
272	Game Management	
273	DMAP Cooperators	725
274	DWFP Management for Hunters (Man-days)	180,000
275	Law Enforcement	
276	Hunter and Boater Education (Persons)	19,400
277	Motor Vehicle	
278	Vehicles Purchased (Vehicles)	79
279	Used Vehicle Sales (Vehicles)	63
280	Parks & Recreation	
281	Overnight Accommodations (Persons)	674,280
282	Water Related Services (Persons)	93,280
283	Day Use Services (Persons)	3,486,060
284	Facilities Repair Projects (Projects)	3,980
285	Historical and Nature Services (Persons)	86,220
286	Museum Of Natural Science	
287	Information Provided (Participants)	250,000

288 Participants in Museum Projects (Persons) 230,000

289 A reporting of the degree to which the performance targets
290 set above have been or are being achieved shall be provided in the
291 agency's budget request submitted to the Joint Legislative Budget
292 Committee for Fiscal Year 2004.

293 **SECTION 12.** In order to be in compliance with Sections
294 63-1-74 through 63-1-79, funds are herein provided and may be
295 expended by the Department of Wildlife, Fisheries and Parks to pay
296 the costs of commercial driver's licenses for specific employees
297 and/or to reimburse such costs for specific employees who, in the
298 course of their duties and responsibilities, are required to hold
299 a valid Mississippi Commercial Driver's License.

300 **SECTION 13.** It is the intention of the Legislature that the
301 Department of Wildlife, Fisheries and Parks shall have the
302 authority to receive, budget and expend funds from the Mississippi
303 Development Authority in the amount of Four Million Dollars
304 (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi
305 Code of 1972. Such funds are to be used to defray the cost of
306 constructing a North Mississippi Fish Hatchery.

307 **SECTION 14.** Of the funds appropriated in Section 2, the
308 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.....\$ 500,000.00

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.....\$2,000,000.00

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 fish hatcheries.....
320\$ 1,000,000.00

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 Department of Wildlife, Fisheries and Parks Special Timber
325 Fund No. 3467, for the purpose of making improvements to
326 parks.....\$ 500,000.00

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

331 **SECTION 16.** The Mississippi Department of Wildlife,
332 Fisheries and Parks is authorized to provide financial support of
333 One Hundred Fifty Thousand Dollars (\$150,000.00) and to enter into
334 an agreement with the Mississippi Cooperative Extension Service
335 for a biology specialist and related supportive cost.

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

339 **SECTION 17.** The money herein appropriated shall be paid by
340 the State Treasurer out of any money in the State Treasury to the
341 credit of the proper fund or funds as set forth in this act, upon
342 warrants issued by the State Fiscal Officer; and the State Fiscal
343 Officer shall issue his warrants upon requisitions signed by the
344 proper person, officer or officers, in the manner provided by law.

345 **SECTION 18.** This act shall take effect and be in force from
346 and after July 1, 2002.