MISSISSIPPI LEGISLATURE
REGULAR SESSION 2002

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

HOUSE BILL NO. 1793
(As Sent to Governor)


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, 2002, and ending June 30, 2003

.............................................. $ 12,059,057.00.

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, 2002, and ending June 30, 2003

.............................................. $ 44,554,337.00.

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, 2002, and ending June 30, 2003

.............................................. $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, provisions shall first be made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law during Fiscal Year 2003.

SECTION 3. Of the funds appropriated under the provisions of Section 2 and allocated in Section 5 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars ($125,335.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2003.

SECTION 4. 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 Gulf and Wildlife Protection Fund, not to exceed Three Hundred Fifty Thousand Dollars ($350,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 5. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall 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... $ 19,922,103.00

Travel and Subsistence................. 130,000.00

Contractual Services.................... 5,537,011.00

Commodities......................... 3,170,088.00
Capital Outlay:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Than Equipment</td>
<td>625,322.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>740,111.00</td>
</tr>
<tr>
<td>Subsidies, Loans and Grants</td>
<td>1,247,015.00</td>
</tr>
<tr>
<td>Total</td>
<td>$31,371,650.00</td>
</tr>
</tbody>
</table>

FUNDING:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>$2,673,349.00</td>
</tr>
<tr>
<td>Special Funds</td>
<td>28,698,301.00</td>
</tr>
<tr>
<td>Total</td>
<td>$31,371,650.00</td>
</tr>
</tbody>
</table>

AUTHORIZED POSITIONS:

<table>
<thead>
<tr>
<th>Type</th>
<th>Full Time</th>
<th>Part Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent</td>
<td>489</td>
<td>28</td>
</tr>
<tr>
<td>Time-Limited</td>
<td>42</td>
<td>0</td>
</tr>
</tbody>
</table>

BUREAU OF WILDLIFE AND FISHERIES

MAJOR OBJECTS OF EXPENDITURE:

<table>
<thead>
<tr>
<th>Description</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>
</tr>
<tr>
<td>Subsidies, Loans and Grants</td>
<td>0.00</td>
</tr>
<tr>
<td>Total</td>
<td>$1,631,169.00</td>
</tr>
</tbody>
</table>

FUNDING:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</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.. $ 8,728,596.00
- Travel and Subsistence ................ $ 45,000.00
- Contractual Services ....................... $ 4,426,533.00
- Commodities............................... $ 1,313,058.00

Capital Outlay:
- Other Than Equipment .................. $ 86,512.00
- Equipment............................. $ 331,006.00
- Subsidies, Loans and Grants............... $ 913,042.00
- Total.................................. $ 15,843,747.00

FUNDING:
- General Funds............................. $ 6,838,186.00
- Special Funds.............................. $ 9,005,561.00
- Total.................................. $ 15,843,747.00

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
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.

### MAJOR OBJECTS OF EXPENDITURE:

**Personal Services:**
- Salaries, Wages and Fringe Benefits.. $1,369,580.00
- Travel and Subsistence............ 14,252.00
- Contractual Services.................. 1,579,057.00
- Commodities.......................... 335,039.00

**Capital Outlay:**
- Other Than Equipment.............. 150,000.00
- Equipment.......................... 23,900.00
- Subsidies, Loans and Grants........ 145,000.00

**Total**................................ $3,616,828.00

### FUNDING:
- General Funds.......................... $2,547,522.00
- Special Funds.......................... 1,069,306.00

**Total**................................ $3,616,828.00

### AUTHORIZED POSITIONS:

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

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

With the funds appropriated herein, the Mississippi Commission on Wildlife, Fisheries and Parks shall adopt rules and regulations to permit the building, equipment and facilities of the Mississippi Museum of Natural Science, or any portion thereof, to be used by individuals, organizations, associations or other
groups or entities for special events, occasions or activities. Such rules and regulations may authorize the commission to establish and collect reasonable fees and charges for the use of such building, equipment and facilities, shall authorize such building, equipment and facilities to be used for such purposes during the regular operating hours of the museum as well as after regular operating hours or at other times when such use will not unreasonably interfere with access to the museum by the general public, may require users to provide security in the form of cash deposits, bond and/or insurance for the care and safekeeping of the building, equipment and facilities, may require users to enter into indemnity agreements to protect the state, its agencies and its officers and employees from liability and may authorize the commission to establish such other terms, conditions, restrictions and limitations from time to time as the commission deems advisable with regard to the use of the museum and its building, equipment and facilities.

SPECIAL PROJECTS

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages and Fringe Benefits</td>
<td>$0.00</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>$6,250.00</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>$400,000.00</td>
</tr>
<tr>
<td>Commodities</td>
<td>$193,750.00</td>
</tr>
</tbody>
</table>

Capital Outlay:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Than Equipment</td>
<td>$2,500,000.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>$262,500.00</td>
</tr>
<tr>
<td>Subsidies, Loans and Grants</td>
<td>$787,500.00</td>
</tr>
</tbody>
</table>

Total.................................. $4,150,000.00

FUNDING:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Funds</td>
<td>$0.00</td>
</tr>
<tr>
<td>Special Funds</td>
<td>$4,150,000.00</td>
</tr>
</tbody>
</table>

Total.................................. $4,150,000.00
Funds are provided herein to adjust the Variable Compensation Plan to ensure that all full-time employees receive a pay increase equal to fifty percent (50%) of the realignment component of the Variable Compensation Plan or Six Hundred Dollars ($600.00), whichever is greater, beginning on January 1, 2003.

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 2004 do not exceed Fiscal Year 2003 funds appropriated for that purpose, unless programs, positions or pay increases are added to the agency's budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall, on July 1, 2002, publish separate annual projection reports, based on July 1, 2002, data, for the period of July 1, 2002, through December 31, 2002, and January 1, 2003, through June 30, 2003, that project the 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 ensure that no single personnel action increases this projected cost and/or the Fiscal Year 2003 appropriation for "Personal Services," as annualized on a semiannual basis in accordance with the provisions of this act. 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 2003 "Personal Services" appropriated level, when annualized in compliance with the provisions of this act, 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. Of the funds appropriated in Section 2, and
allocated to the Special Projects budget in Section 5, 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.........................$ 500,000.00

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

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.....
................................................$ 1,000,000.00

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
SECTION 7. 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 parks, 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.

SECTION 8. 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 9. 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 10. 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 11. 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 12. 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:

<table>
<thead>
<tr>
<th>FY2003</th>
<th>Performance Measures</th>
<th>Target</th>
</tr>
</thead>
</table>

H. B. No. 1793
02/HR03/A473SG
PAGE 10 (RM/LH)
Support Services

Hunting and Fishing Licenses Sold (Licenses) 520,000
Registration of Boats (Boats) 215,500

Freshwater Fisheries Management

Fish Stock for Public Water (Fish) 3,000,000
Users of DWFP Lakes (Man-days) 64,000

Game Management

DMAP Cooperators 725
DWFP Management for Hunters (Man-days) 180,000

Law Enforcement

Hunter and Boater Education (Persons) 19,400

Motor Vehicle

Vehicles Purchased (Vehicles) 79
Used Vehicle Sales (Vehicles) 63

Parks & Recreation

Overnight Accommodations (Persons) 674,280
Water Related Services (Persons) 93,280
Day Use Services (Persons) 3,486,060
Facilities Repair Projects (Projects) 3,980
Historical and Nature Services (Persons) 86,220

Museum Of Natural Science

Information Provided (Participants) 250,000
Participants in Museum Projects (Persons) 230,000

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 2004.

SECTION 13. 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 14. 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 Development Authority 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 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 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 17. The Department of Wildlife, Fisheries and Parks is authorized to maintain the following job classes as non-state service: DWFP - Enforcement Trainee (Cadet), Special Operations Agent I, Special Operations Agent II and Special Operations Agent III.

SECTION 18. Of the funds appropriated under the provisions of Sections 1 and 2, so much as necessary shall be used to create a DWFP Assistant Hatchery Manager at the Lyman Hatchery using existing positions in the Wildlife and Fisheries budget.

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

Mississippi State Department of Health........$1,400.00

SECTION 20. Of the funds appropriated under the provisions of Section 2, Budget Contingency Funds in the amount of Five Thousand Dollars ($5,000.00) are provided for the purpose of purchasing and erecting a memorial sign to be located in Front Street Park in Durant honoring the Mississippians killed in the September 11, 2001, terrorist attacks upon the United States of America.

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, 2002.