

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

House Bill NO. 1793

By Senator(s) Committee

**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 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 \$ 44,449,337.00.

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.. \$	19,922,103.00
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.....	\$	31,514,670.00

66	FUNDING:		
67	General Funds.....	\$	2,816,369.00
68	Special Funds.....		<u>28,698,301.00</u>
69	Total.....	\$	31,514,670.00

70	AUTHORIZED POSITIONS:		
71	Permanent: Full Time.....	489	
72	Part Time.....	28	
73	Time-Limited: Full Time.....	42	
74	Part Time.....	0	

BUREAU OF WILDLIFE AND FISHERIES

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.

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..... 145,000.00

142 Total..... \$ 3,516,828.00

143 FUNDING:

144 General Funds..... \$ 2,547,522.00

145 Special Funds..... 969,306.00

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 SPECIAL PROJECTS

153 MAJOR OBJECTS OF EXPENDITURE:

154 Personal Services:

155 Salaries, Wages and Fringe Benefits.. \$ 0.00

156 Travel and Subsistence..... 6,250.00

157 Contractual Services..... 400,000.00

158 Commodities..... 193,750.00

159 Capital Outlay:

160 Other Than Equipment..... 2,500,000.00

161 Equipment..... 262,500.00

162 Subsidies, Loans and Grants..... 787,500.00

163 Total..... \$ 4,150,000.00

164 FUNDING:

165	General Funds.....	\$	0.00
166	Special Funds.....		<u>4,150,000.00</u>
167	Total.....	\$	4,150,000.00

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

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

198 It is the intention of the Legislature that the Executive
199 Director of the Department of Wildlife, Fisheries and Parks may

200 transfer between the various divisions authorized herein both
201 funds and positions not to exceed five percent (5%) of the
202 authorized budgets in the aggregate. The Executive Director of
203 the Department of Wildlife, Fisheries and Parks shall submit
204 written justification for the transfer to the Legislative Budget
205 Office and the Department of Finance and Administration on or
206 before the fifteenth of the month prior to the effective date of
207 the transfer.

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

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

214 **SECTION 6.** Of the funds appropriated in Section 2, and
215 allocated to the Special Projects budget in Section 5, the
216 following amounts shall come from:

217 Department of Wildlife, Fisheries and Parks Special Duck
218 Stamp Fund No. 3470, for the purpose of protecting and propagating
219 migratory waterfowl in accordance with Section 49-7-167,
220 Mississippi Code of 1972.....\$ 500,000.00

221 Department of Wildlife, Fisheries and Parks Special Timber
222 Fund No. 3469, for the purpose of acquiring real estate for the
223 State of Mississippi which will be used to provide hunting and/or
224 fishing activities.....\$2,000,000.00

225 Department of Wildlife, Fisheries and Parks Special Emergency
226 and Renovation Fund No. 346F, for the purpose of emergency repair
227 or renovation activities on state lakes or fish hatcheries.....
228\$ 1,000,000.00

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

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

235 **SECTION 7.** The board of supervisors of any county or any
236 group or combination of counties are hereby authorized and
237 empowered to enter into cooperative agreements with each other and
238 with the Commission on Wildlife, Fisheries and Parks for the
239 purpose of creating, improving or restoring parks, public game and
240 fish habitat lying or to be situated wholly or partially within
241 such county or in an adjoining county; and each county is
242 empowered and authorized, in its discretion, to expend a sum not
243 exceeding One Hundred Thousand Dollars (\$100,000.00) from the
244 general county fund for such purposes from which fund they shall
245 reimburse to the Commission on Wildlife, Fisheries and Parks the
246 actual cost of all surveying and engineering projects incurred by
247 the Department of Wildlife, Fisheries and Parks incidental
248 thereto. Such boards of supervisors are further authorized and
249 empowered, in their discretion, to enter into agreements necessary
250 to carry out the purposes of this act with any other county, the
251 United States Forest Service or any other agency if same should be
252 necessary for the acquisition of land by lease or otherwise for
253 such purposes.

254 **SECTION 8.** The Department of Wildlife, Fisheries and Parks
255 is hereby directed to keep an exact accounting of the funds
256 received during each fiscal year by fund and source and an exact
257 accounting of how these funds were expended by fund and
258 program/division. Such information shall be provided to the House
259 and Senate Appropriations Chairmen, Chairman of the House Game and
260 Fish Committee and Chairman of the Senate Wildlife and Fisheries
261 Committee no later than October 1 following the end of the fiscal
262 year.

263 **SECTION 9.** The Department of Wildlife, Fisheries and Parks
264 is authorized to enter into an agreement with the Pearl River
265 Valley Water Supply District to provide for financial support of
266 an additional conservation officer on and around the Ross Barnett
267 Reservoir.

268 The Department of Finance and Administration is authorized to
269 escalate the budget of the Department of Wildlife, Fisheries and

270 Parks for this purpose.

271 **SECTION 10.** It shall be unlawful for any officer, employee
272 or other person whatsoever to use or permit or authorize the use
273 of any automobile or any other motor vehicle owned by the State of
274 Mississippi or any department, agency or institution thereof for
275 any purpose other than upon the official business of the State of
276 Mississippi or any agency, department or institution thereof.

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

280 **SECTION 11.** It is the intention of the Legislature that the
281 Department of Wildlife, Fisheries and Parks shall have the
282 authority to receive, budget and expend funds from any source, not
283 to exceed Five Hundred Thousand Dollars (\$500,000.00), that may
284 become available to the department in accordance with the rules
285 and regulations of the Department of Finance and Administration.
286 None of the funds authorized in this section shall be used to
287 increase the major object of expenditure "Salaries, Wages and
288 Fringe Benefits."

289 **SECTION 12.** In compliance with the "Mississippi Performance
290 Budget and Strategic Planning Act of 1994," it is the intent of
291 the Legislature that the funds provided herein shall be utilized
292 in the most efficient and effective manner possible to achieve the
293 intended mission of this agency. Based on the funding authorized,
294 this agency shall make every effort to attain the targeted
295 performance measures provided below:

	FY2003
<u>Performance Measures</u>	<u>Target</u>
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	

305	DMAP Cooperators	725
306	DWFP Management for Hunters (Man-days)	180,000
307	Law Enforcement	
308	Hunter and Boater Education (Persons)	19,400
309	Motor Vehicle	
310	Vehicles Purchased (Vehicles)	79
311	Used Vehicle Sales (Vehicles)	63
312	Parks & Recreation	
313	Overnight Accommodations (Persons)	674,280
314	Water Related Services (Persons)	93,280
315	Day Use Services (Persons)	3,486,060
316	Facilities Repair Projects (Projects)	3,980
317	Historical and Nature Services (Persons)	86,220
318	Museum Of Natural Science	
319	Information Provided (Participants)	250,000
320	Participants in Museum Projects (Persons)	230,000

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

325 **SECTION 13.** In order to be in compliance with Sections
326 63-1-74 through 63-1-79, funds are herein provided and may be
327 expended by the Department of Wildlife, Fisheries and Parks to pay
328 the costs of commercial driver's licenses for specific employees
329 and/or to reimburse such costs for specific employees who, in the
330 course of their duties and responsibilities, are required to hold
331 a valid Mississippi Commercial Driver's License.

332 **SECTION 14.** It is the intention of the Legislature that the
333 Department of Wildlife, Fisheries and Parks shall have the
334 authority to receive, budget and expend funds from the Mississippi
335 Development Authority in the amount of Four Million Dollars
336 (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi
337 Code of 1972. Such funds are to be used to defray the cost of
338 constructing a North Mississippi Fish Hatchery.

339 **SECTION 15.** Of the funds provided herein, One Hundred Fifty

340 Thousand Dollars (\$150,000.00) is provided to the Department of
341 Wildlife, Fisheries and Parks for the enhancement of marketing of
342 state parks.

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

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

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

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