

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

To: Appropriations

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1550

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 2004.

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, 2003, and ending June 30, 2004  
10 ..... \$ 10,322,239.00.

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, 2003, and ending June 30, 2004.....  
18 ..... \$ 47,012,927.00.

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, 2003, and ending June 30, 2004..... \$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.. \$	20,032,764.00
58	Travel and Subsistence.....	130,000.00
59	Contractual Services.....	6,037,011.00
60	Commodities.....	3,170,088.00



61	Capital Outlay:		
62	Other Than Equipment.....		625,322.00
63	Equipment.....		1,786,111.00
64	Subsidies, Loans and Grants.....		<u>1,404,015.00</u>
65	Total.....	\$	33,185,311.00

66	FUNDING:		
67	General Funds.....	\$	2,264,170.00
68	Special Funds.....		<u>30,921,141.00</u>
69	Total.....	\$	33,185,311.00

70	AUTHORIZED POSITIONS:		
71	Permanent:    Full Time.....	490	
72	Part Time.....	28	
73	Time-Limited: Full Time.....	44	
74	Part Time.....	2	

**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.....		1,421,100.00
86	Subsidies, Loans and Grants.....		<u>0.00</u>
87	Total.....	\$	1,421,100.00

88	FUNDING:		
89	General Funds.....	\$	0.00
90	Special Funds.....		<u>1,421,100.00</u>
91	Total.....	\$	1,421,100.00



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..	\$	7,293,259.00
103	Travel and Subsistence.....		45,000.00
104	Contractual Services.....		4,921,533.00
105	Commodities.....		1,313,058.00
106	Capital Outlay:		
107	Other Than Equipment.....		0.00
108	Equipment.....		596,006.00
109	Subsidies, Loans and Grants.....		<u>953,042.00</u>
110	Total.....	\$	15,121,898.00

111 FUNDING:

112	General Funds.....	\$	5,960,307.00
113	Special Funds.....		<u>9,161,591.00</u>
114	Total.....	\$	15,121,898.00

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 Five Hundred  
122 Thousand Dollars (\$1,500,000.00) shall be expended by the Bureau  
123 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..	\$	1,393,944.00
135	Travel and Subsistence.....		14,252.00
136	Contractual Services.....		1,367,222.00
137	Commodities.....		335,039.00
138	Capital Outlay:		
139	Other Than Equipment.....		150,000.00
140	Equipment.....		47,900.00
141	Subsidies, Loans and Grants.....		<u>148,500.00</u>
142	Total.....	\$	3,456,857.00

143 FUNDING:

144	General Funds.....	\$	2,097,762.00
145	Special Funds.....		<u>1,359,095.00</u>
146	Total.....	\$	3,456,857.00

147 AUTHORIZED POSITIONS:

148	Permanent:	Full Time.....	28
149		Part Time.....	1
150	Time-Limited:	Full Time.....	8
151		Part Time.....	0

152 With the funds appropriated herein, the Mississippi  
153 Commission on Wildlife, Fisheries and Parks shall adopt rules and  
154 regulations to permit the building, equipment and facilities of  
155 the Mississippi Museum of Natural Science, or any portion thereof,  
156 to be used by individuals, organizations, associations or other



157 groups or entities for special events, occasions or activities.  
 158 Such rules and regulations may authorize the commission to  
 159 establish and collect reasonable fees and charges for the use of  
 160 such building, equipment and facilities, shall authorize such  
 161 building, equipment and facilities to be used for such purposes  
 162 during the regular operating hours of the museum as well as after  
 163 regular operating hours or at other times when such use will not  
 164 unreasonably interfere with access to the museum by the general  
 165 public, may require users to provide security in the form of cash  
 166 deposits, bond and/or insurance for the care and safekeeping of  
 167 the building, equipment and facilities, may require users to enter  
 168 into indemnity agreements to protect the state, its agencies and  
 169 its officers and employees from liability and may authorize the  
 170 commission to establish such other terms, conditions, restrictions  
 171 and limitations from time to time as the commission deems  
 172 advisable with regard to the use of the museum and its building,  
 173 equipment and facilities.

174 **SPECIAL PROJECTS**

175 MAJOR OBJECTS OF EXPENDITURE:

176 Personal Services:

177	Salaries, Wages and Fringe Benefits.. \$	0.00
178	Travel and Subsistence.....	6,250.00
179	Contractual Services.....	400,000.00
180	Commodities.....	193,750.00
181	Capital Outlay:	
182	Other Than Equipment.....	2,500,000.00
183	Equipment.....	262,500.00
184	Subsidies, Loans and Grants.....	<u>787,500.00</u>
185	Total..... \$	4,150,000.00

186 FUNDING:

187	General Funds..... \$	0.00
188	Special Funds.....	<u>4,150,000.00</u>
189	Total..... \$	4,150,000.00



190 With the funds herein appropriated, it is the intention of  
191 the Legislature that it shall be the agency's responsibility to  
192 make certain that funds required to be appropriated for "Personal  
193 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
194 funds appropriated for that purpose, unless programs or positions  
195 are added to the agency's Fiscal Year 2005 budget by the  
196 Mississippi Legislature. Based on data provided by the  
197 Legislative Budget Office, the State Personnel Board shall  
198 determine and publish the projected annual cost to fully fund all  
199 appropriated positions in compliance with the provisions of this  
200 act. It shall be the responsibility of the agency head to insure  
201 that no single personnel action increases this projected annual  
202 cost and/or the Fiscal Year 2004 appropriation for "Personal  
203 Services" when annualized. If, at the end of any calendar month,  
204 the State Personnel Board determines that the agency has taken  
205 action(s) which would cause the agency to exceed this projected  
206 annual cost or the Fiscal Year 2004 "Personal Services"  
207 appropriated level, when annualized, then only those actions which  
208 reduce the projected annual cost and/or the appropriation  
209 requirement will be processed by the State Personnel Board until  
210 such time as the requirements of this provision are met.

211 It is the intention of the Legislature that the Executive  
212 Director of the Department of Wildlife, Fisheries and Parks may  
213 transfer between the various divisions authorized herein both  
214 funds and positions not to exceed five percent (5%) of the  
215 authorized budgets in the aggregate. The Executive Director of  
216 the Department of Wildlife, Fisheries and Parks shall submit  
217 written justification for the transfer to the Legislative Budget  
218 Office and the Department of Finance and Administration on or  
219 before the fifteenth of the month prior to the effective date of  
220 the transfer.

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



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

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

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

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

238 Department of Wildlife, Fisheries and Parks Special Emergency  
239 and Renovation Fund No. 346F, for the purpose of emergency repair  
240 or renovation activities on state lakes or fish hatcheries.....  
241 .....\$ 1,000,000.00.

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

245 Department of Wildlife, Fisheries and Parks Special Timber  
246 Fund No. 346P, for the purpose of making improvements to  
247 parks.....\$ 500,000.00.

248 **SECTION 7.** The board of supervisors of any county or any  
249 group or combination of counties are hereby authorized and  
250 empowered to enter into cooperative agreements with each other and  
251 with the Commission on Wildlife, Fisheries and Parks for the  
252 purpose of creating, improving or restoring parks, public game and  
253 fish habitat lying or to be situated wholly or partially within  
254 such county or in an adjoining county; and each county is  
255 empowered and authorized, in its discretion, to expend a sum not





256 exceeding One Hundred Thousand Dollars (\$100,000.00) from the  
257 general county fund for such purposes from which fund they shall  
258 reimburse to the Commission on Wildlife, Fisheries and Parks the  
259 actual cost of all surveying and engineering projects incurred by  
260 the Department of Wildlife, Fisheries and Parks incidental  
261 thereto. Such boards of supervisors are further authorized and  
262 empowered, in their discretion, to enter into agreements necessary  
263 to carry out the purposes of this act with any other county, the  
264 United States Forest Service or any other agency if same should be  
265 necessary for the acquisition of land by lease or otherwise for  
266 such purposes.

267       **SECTION 8.** The Department of Wildlife, Fisheries and Parks  
268 is hereby directed to keep an exact accounting of the funds  
269 received during each fiscal year by fund and source and an exact  
270 accounting of how these funds were expended by fund and  
271 program/division. Such information shall be provided to the House  
272 and Senate Appropriations Chairmen, Chairman of the House Game and  
273 Fish Committee and Chairman of the Senate Wildlife and Fisheries  
274 Committee no later than October 1 following the end of the fiscal  
275 year.

276       **SECTION 9.** The Department of Wildlife, Fisheries and Parks  
277 is authorized to enter into an agreement with the Pearl River  
278 Valley Water Supply District to provide for financial support of  
279 an additional conservation officer on and around the Ross Barnett  
280 Reservoir.

281       The Department of Finance and Administration is authorized to  
282 escalate the budget of the Department of Wildlife, Fisheries and  
283 Parks for this purpose.

284       **SECTION 10.** It shall be unlawful for any officer, employee  
285 or other person whatsoever to use or permit or authorize the use  
286 of any automobile or any other motor vehicle owned by the State of  
287 Mississippi or any department, agency or institution thereof for



288 any purpose other than upon the official business of the State of  
289 Mississippi or any agency, department or institution thereof.

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

293 **SECTION 11.** It is the intention of the Legislature that the  
294 Department of Wildlife, Fisheries and Parks shall have the  
295 authority to receive, budget and expend funds from any source, not  
296 to exceed Five Hundred Thousand Dollars (\$500,000.00), that may  
297 become available to the department in accordance with the rules  
298 and regulations of the Department of Finance and Administration.  
299 None of the funds authorized in this section shall be used to  
300 increase the major object of expenditure "Salaries, Wages and  
301 Fringe Benefits."

302 **SECTION 12.** In order to be in compliance with Sections  
303 63-1-74 through 63-1-79, funds are herein provided and may be  
304 expended by the Department of Wildlife, Fisheries and Parks to pay  
305 the costs of commercial driver's licenses for specific employees  
306 and/or to reimburse such costs for specific employees who, in the  
307 course of their duties and responsibilities, are required to hold  
308 a valid Mississippi Commercial Driver's License.

309 **SECTION 13.** It is the intention of the Legislature that the  
310 Department of Wildlife, Fisheries and Parks shall have the  
311 authority to receive, budget and expend funds from the Mississippi  
312 Development Authority in the amount of Four Million Dollars  
313 (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi  
314 Code of 1972. Such funds are to be used to defray the cost of  
315 constructing a North Mississippi Fish Hatchery.

316 **SECTION 14.** Of the funds provided herein, One Hundred Fifty  
317 Thousand Dollars (\$150,000.00) is provided to the Department of  
318 Wildlife, Fisheries and Parks for the enhancement of marketing of  
319 state parks.



320           **SECTION 15.** The Mississippi Department of Wildlife,  
321 Fisheries and Parks is authorized to provide financial support of  
322 One Hundred Fifty Thousand Dollars (\$150,000.00) and to enter into  
323 an agreement with the Mississippi Cooperative Extension Service  
324 for a biology specialist and related supportive cost.

325           The Department of Finance and Administration is authorized to  
326 escalate the budget of the Department of Wildlife, Fisheries and  
327 Parks for this purpose.

328           **SECTION 16.** The Department of Wildlife, Fisheries and Parks  
329 is authorized to maintain the following job classes as non-state  
330 service: DWFP-Enforcement Trainee (Cadet), Special Operations  
331 Agent I, Special Operations Agent II and Special Operations Agent  
332 III.

333           **SECTION 17.** It is the intention of the Legislature that a  
334 DWFP-Conservation Officer I position be established and filled to  
335 be assigned to manage the Mason Creek Game Management Area.

336           **SECTION 18.** It is the intention of the Legislature that none  
337 of the funds appropriated by this act shall be expended for  
338 increased charges for State and School Employees' Health Insurance  
339 Plan premium rates assessed by the Department of Finance and  
340 Administration in excess of the Fiscal Year 2003 premium rates for  
341 the health insurance plan.

342           **SECTION 19.** The money herein appropriated shall be paid by  
343 the State Treasurer out of any money in the State Treasury to the  
344 credit of the proper fund or funds as set forth in this act, upon  
345 warrants issued by the State Fiscal Officer; and the State Fiscal  
346 Officer shall issue his warrants upon requisitions signed by the  
347 proper person, officer or officers, in the manner provided by law.

348           **SECTION 20.** This act shall take effect and be in force from  
349 and after July 1, 2003.

