

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

To: Appropriations

HOUSE BILL NO. 1550
(As Passed the House)

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. The department shall
36 make a detailed report to the Legislature regarding the spending
37 of the Wildlife Heritage funds by September 1 for the preceding
38 Fiscal Year 2003.

39 **SECTION 3.** Of the funds appropriated under the provisions of
40 Section 2 and allocated in Section 5 to the Bureau of Wildlife and
41 Fisheries, funds in the amount of One Hundred Twenty-five Thousand
42 Three Hundred Thirty-five Dollars (\$125,335.00) shall be derived
43 from the Education Enhancement Fund deposited pursuant to Sections
44 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose
45 of defraying the expenses of Project WILD for Fiscal Year 2003.

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

53 **SECTION 5.** Of the funds appropriated under the provisions of
54 Sections 1 and 2, not more than the amounts set forth below shall
55 be expended for the respective major objects of such 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.. \$ 20,032,764.00



61	Travel and Subsistence.....	130,000.00
62	Contractual Services.....	6,037,011.00
63	Commodities.....	3,170,088.00
64	Capital Outlay:	
65	Other Than Equipment.....	625,322.00
66	Equipment.....	1,786,111.00
67	Subsidies, Loans and Grants.....	<u>1,404,015.00</u>
68	Total.....	\$ 33,185,311.00

69 FUNDING:

70	General Funds.....	\$ 2,264,170.00
71	Special Funds.....	<u>30,921,141.00</u>
72	Total.....	\$ 33,185,311.00

73 AUTHORIZED POSITIONS:

74	Permanent: Full Time.....	490
75	Part Time.....	28
76	Time-Limited: Full Time.....	44
77	Part Time.....	2

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.....	1,421,100.00
89	Subsidies, Loans and Grants.....	<u>0.00</u>
90	Total.....	\$ 1,421,100.00

91 FUNDING:

92	General Funds.....	\$ 0.00
93	Special Funds.....	<u>1,421,100.00</u>



94 Total..... \$ 1,421,100.00

95 Each conservation officer and supervisor shall be furnished
96 an allowance for uniforms not to exceed Four Hundred Fifty Dollars
97 (\$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.. \$ 7,293,259.00

106 Travel and Subsistence..... 45,000.00

107 Contractual Services..... 4,921,533.00

108 Commodities..... 1,313,058.00

109 Capital Outlay:

110 Other Than Equipment..... 0.00

111 Equipment..... 596,006.00

112 Subsidies, Loans and Grants..... 953,042.00

113 Total..... \$ 15,121,898.00

114 FUNDING:

115 General Funds..... \$ 5,960,307.00

116 Special Funds..... 9,161,591.00

117 Total..... \$ 15,121,898.00

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



127 Parks and Recreation of the Department of Wildlife, Fisheries and
128 Parks.

129 It is the intention of the Legislature that a reasonable
130 number of Conservation Officers, Conservation Officer Supervisors,
131 District Managers, Area Managers, and Lake Managers shall be
132 employed and/or detailed to both temporary and permanent job
133 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..	\$	1,393,944.00
138	Travel and Subsistence.....		14,252.00
139	Contractual Services.....		1,367,222.00
140	Commodities.....		335,039.00
141	Capital Outlay:		
142	Other Than Equipment.....		150,000.00
143	Equipment.....		47,900.00
144	Subsidies, Loans and Grants.....		<u>148,500.00</u>
145	Total.....	\$	3,456,857.00

146 FUNDING:

147	General Funds.....	\$	2,097,762.00
148	Special Funds.....		<u>1,359,095.00</u>
149	Total.....	\$	3,456,857.00

150 AUTHORIZED POSITIONS:

151	Permanent:	Full Time.....	28
152		Part Time.....	1
153	Time-Limited:	Full Time.....	8
154		Part Time.....	0

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



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

177 **SPECIAL PROJECTS**

178 MAJOR OBJECTS OF EXPENDITURE:

179 Personal Services:

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

189 FUNDING:

190	General Funds..... \$	0.00
191	Special Funds.....	<u>4,150,000.00</u>
192	Total..... \$	4,150,000.00



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

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

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



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

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

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

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

241 Department of Wildlife, Fisheries and Parks Special Emergency
242 and Renovation Fund No. 346F, for the purpose of emergency repair
243 or renovation activities on state lakes or fish hatcheries.....
244\$ 1,000,000.00.

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

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

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



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

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

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

284 The Department of Finance and Administration is authorized to
285 escalate the budget of the Department of Wildlife, Fisheries and
286 Parks for this purpose.

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



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

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

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

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

312 **SECTION 13.** It is the intention of the Legislature that the
313 Department of Wildlife, Fisheries and Parks shall have the
314 authority to receive, budget and expend funds from the Mississippi
315 Development Authority in the amount of Four Million Dollars
316 (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi
317 Code of 1972. Such funds are to be used to defray the cost of
318 constructing a North Mississippi Fish Hatchery.

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



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

328 The Department of Finance and Administration is authorized to
329 escalate the budget of the Department of Wildlife, Fisheries and
330 Parks for this purpose.

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

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

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

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

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

