HOUSE BILL NO. 1550
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR

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, 2003, and ending June 30, 2004

.............................................. $ 10,360,779.00.

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, 2003, and ending June 30, 2004

.............................................. $ 50,050,841.00.

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, 2003, and ending June 30, 2004

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

SECTION 3. Of the funds appropriated under the provisions of Section 2 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 2004.

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. With the funds appropriated under the provisions of Sections 1 and 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent: Full Time............ 823
         Part Time............ 279

Time-Limited: Full Time............ 51
             Part Time............ 2
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.

SECTION 6. With the funds appropriated herein, 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.

SECTION 7. 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.

SECTION 8. 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 2005 do not exceed Fiscal Year 2004 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2005 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected 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 insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2004 appropriation for "Personal Services" when annualized. 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 2004 "Personal Services" appropriated level, when annualized, 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.

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 9. Of the funds appropriated in Section 2, the following amount shall come from the 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 10. 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 11. 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 Chairman, 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 12. 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 13.** 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

**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 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.

**SECTION 15.** 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 16.** 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 17. 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 18. It is the intention of the Legislature that PIN 8102 shall be converted from time-limited full time to permanent full time status.

SECTION 19. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2003. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2005 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2004 budget request process.

SECTION 20. It is the intention of the Legislature that a DWFP-Conservation Officer I position be established and filled to be assigned to manage the Mason Creek Game Management Area. Furthermore, it is the intention of the Legislature that a Statewide Coordinator for the Recruitment and Retention of Hunting and Fishing be established and filled to be assigned to the Central Office.

SECTION 21. Of the funds in Section 2, the department shall implement a One Thousand Dollar ($1,000.00) realignment to the
following job classes: DWFP-Conservation Officer I, DWFP-Conservation Officer II, DWFP-Conservation Officer III, DWFP-Conservation Officer IV, DWFP-Conservation Manager, DWFP-Conservation Supervisor, DWFP-Special Operations Agent I, DWFP-Special Operations Agent II, and DWFP-Special Operations Agent III.

SECTION 22. Of the funds in Section 2, the Department shall be authorized to purchase and implement a satellite communications system in an amount not to exceed Two Million Two Hundred Thousand Dollars ($2,200,000.00).

SECTION 23. 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 24. This act shall take effect and be in force from and after July 1, 2003.