

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MADAM PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1550: Appropriation; Department of Wildlife, Fisheries and Parks.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.
  
- 2. That the House and Senate adopt the following amendment:

**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, 2003, and ending June 30, 2004  
10 ..... \$       10,360,779.00.

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 ..... \$       50,050,841.00.

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 to the Bureau of Wildlife and Fisheries, funds in the  
41 amount of One Hundred Twenty-five Thousand Three Hundred  
42 Thirty-five Dollars (\$125,335.00) shall be derived from the  
43 Education Enhancement Fund deposited pursuant to Sections 27-65-75  
44 and 27-67-31, Mississippi Code of 1972, for the purpose of  
45 defraying the expenses of Project WILD for Fiscal Year 2004.

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

55 AUTHORIZED POSITIONS:

56	Permanent:	Full Time	823
57		Part Time	279
58	Time-Limited:	Full Time	51
59		Part Time	2

60 Each conservation officer and supervisor shall be furnished  
61 an allowance for uniforms not to exceed Four Hundred Fifty Dollars  
62 (\$450.00) per annum.

63            Provided further, when any personnel of the Bureau of  
64 Wildlife and Fisheries are transferred from one county to another  
65 on a permanent assignment, the expense monies now paid on  
66 out-of-county duty shall not be applicable.

67            **SECTION 6.** Of the funds authorized to be expended by the  
68 Bureau of Fisheries and Wildlife, not more than One Million Five  
69 Hundred Thousand Dollars (\$1,500,000.00) shall be expended by the  
70 Bureau of Fisheries and Wildlife to defray the costs of the  
71 Division of Parks and Recreation of the Department of Wildlife,  
72 Fisheries and Parks.

73            **SECTION 7.** With the funds appropriated herein, it is the  
74 intention of the Legislature that a reasonable number of  
75 Conservation Officers, Conservation Officer Supervisors, District  
76 Managers, Area Managers, and Lake Managers shall be employed  
77 and/or detailed to both temporary and permanent job assignments in  
78 areas other than their county of residence.

79            **SECTION 8.** With the funds appropriated herein, the  
80 Mississippi Commission on Wildlife, Fisheries and Parks shall  
81 adopt rules and regulations to permit the building, equipment and  
82 facilities of the Mississippi Museum of Natural Science, or any  
83 portion thereof, to be used by individuals, organizations,  
84 associations or other groups or entities for special events,  
85 occasions or activities. Such rules and regulations may authorize  
86 the commission to establish and collect reasonable fees and  
87 charges for the use of such building, equipment and facilities,  
88 shall authorize such building, equipment and facilities to be used  
89 for such purposes during the regular operating hours of the museum  
90 as well as after regular operating hours or at other times when  
91 such use will not unreasonably interfere with access to the museum  
92 by the general public, may require users to provide security in  
93 the form of cash deposits, bond and/or insurance for the care and  
94 safekeeping of the building, equipment and facilities, may require  
95 users to enter into indemnity agreements to protect the state, its  
96 agencies and its officers and employees from liability and may  
97 authorize the commission to establish such other terms,  
98 conditions, restrictions and limitations from time to time as the

99 commission deems advisable with regard to the use of the museum  
100 and its building, equipment and facilities.

101       **SECTION 9.** With the funds herein appropriated, it is the  
102 intention of the Legislature that it shall be the agency's  
103 responsibility to make certain that funds required to be  
104 appropriated for "Personal Services" for Fiscal Year 2005 do not  
105 exceed Fiscal Year 2004 funds appropriated for that purpose,  
106 unless programs or positions are added to the agency's Fiscal Year  
107 2005 budget by the Mississippi Legislature. Based on data  
108 provided by the Legislative Budget Office, the State Personnel  
109 Board shall determine and publish the projected annual cost to  
110 fully fund all appropriated positions in compliance with the  
111 provisions of this act. It shall be the responsibility of the  
112 agency head to insure that no single personnel action increases  
113 this projected annual cost and/or the Fiscal Year 2004  
114 appropriation for "Personal Services" when annualized. If, at the  
115 end of any calendar month, the State Personnel Board determines  
116 that the agency has taken action(s) which would cause the agency  
117 to exceed this projected annual cost or the Fiscal Year 2004  
118 "Personal Services" appropriated level, when annualized, then only  
119 those actions which reduce the projected annual cost and/or the  
120 appropriation requirement will be processed by the State Personnel  
121 Board until such time as the requirements of this provision are  
122 met.

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

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

129       **SECTION 10.** Of the funds appropriated in Section 2, the  
130 following amount shall come from the Department of Wildlife,  
131 Fisheries and Parks Special Pearl River Timber Fund No. 3465, for  
132 the purpose of making improvements to the Pearl River Wildlife  
133 Management Area..... \$ 150,000.00.

134       **SECTION 11.** The board of supervisors of any county or any

135 group or combination of counties are hereby authorized and  
136 empowered to enter into cooperative agreements with each other and  
137 with the Commission on Wildlife, Fisheries and Parks for the  
138 purpose of creating, improving or restoring parks, public game and  
139 fish habitat lying or to be situated wholly or partially within  
140 such county or in an adjoining county; and each county is  
141 empowered and authorized, in its discretion, to expend a sum not  
142 exceeding One Hundred Thousand Dollars (\$100,000.00) from the  
143 general county fund for such purposes from which fund they shall  
144 reimburse to the Commission on Wildlife, Fisheries and Parks the  
145 actual cost of all surveying and engineering projects incurred by  
146 the Department of Wildlife, Fisheries and Parks incidental  
147 thereto. Such boards of supervisors are further authorized and  
148 empowered, in their discretion, to enter into agreements necessary  
149 to carry out the purposes of this act with any other county, the  
150 United States Forest Service or any other agency if same should be  
151 necessary for the acquisition of land by lease or otherwise for  
152 such purposes.

153       **SECTION 12.** The Department of Wildlife, Fisheries and Parks  
154 is hereby directed to keep an exact accounting of the funds  
155 received during each fiscal year by fund and source and an exact  
156 accounting of how these funds were expended by fund and  
157 program/division. Such information shall be provided to the House  
158 and Senate Appropriations Chairmen, Chairman of the House Game and  
159 Fish Committee and Chairman of the Senate Wildlife and Fisheries  
160 Committee no later than October 1 following the end of the fiscal  
161 year.

162       **SECTION 13.** The Department of Wildlife, Fisheries and Parks  
163 is authorized to enter into an agreement with the Pearl River  
164 Valley Water Supply District to provide for financial support of  
165 an additional conservation officer on and around the Ross Barnett  
166 Reservoir.

167       The Department of Finance and Administration is authorized to  
168 escalate the budget of the Department of Wildlife, Fisheries and  
169 Parks for this purpose.

170       **SECTION 14.** It shall be unlawful for any officer, employee

171 or other person whatsoever to use or permit or authorize the use  
172 of any automobile or any other motor vehicle owned by the State of  
173 Mississippi or any department, agency or institution thereof for  
174 any purpose other than upon the official business of the State of  
175 Mississippi or any agency, department or institution thereof.

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

179 **SECTION 15.** It is the intention of the Legislature that the  
180 Department of Wildlife, Fisheries and Parks shall have the  
181 authority to receive, budget and expend funds from any source, not  
182 to exceed Five Hundred Thousand Dollars (\$500,000.00), that may  
183 become available to the department in accordance with the rules  
184 and regulations of the Department of Finance and Administration.

185 **SECTION 16.** In order to be in compliance with Sections  
186 63-1-74 through 63-1-79, funds are herein provided and may be  
187 expended by the Department of Wildlife, Fisheries and Parks to pay  
188 the costs of commercial driver's licenses for specific employees  
189 and/or to reimburse such costs for specific employees who, in the  
190 course of their duties and responsibilities, are required to hold  
191 a valid Mississippi Commercial Driver's License.

192 **SECTION 17.** It is the intention of the Legislature that the  
193 Department of Wildlife, Fisheries and Parks shall have the  
194 authority to receive, budget and expend funds from the Mississippi  
195 Development Authority in the amount of Four Million Dollars  
196 (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi  
197 Code of 1972. Such funds are to be used to defray the cost of  
198 constructing a North Mississippi Fish Hatchery.

199 **SECTION 18.** The Mississippi Department of Wildlife,  
200 Fisheries and Parks is authorized to provide financial support of  
201 One Hundred Fifty Thousand Dollars (\$150,000.00) and to enter into  
202 an agreement with the Mississippi Cooperative Extension Service  
203 for a biology specialist and related supportive cost.

204 The Department of Finance and Administration is authorized to  
205 escalate the budget of the Department of Wildlife, Fisheries and  
206 Parks for this purpose.

207           **SECTION 19.** It is the intention of the Legislature that PIN  
208 8102 shall be converted from time-limited full time to permanent  
209 full time status.

210           **SECTION 20.** It is the intention of the Legislature that the  
211 Department of Wildlife, Fisheries and Parks shall maintain  
212 complete accounting and personnel records related to the  
213 expenditure of all funds appropriated under this act and that such  
214 records shall be in the same format and level of detail as  
215 maintained for Fiscal Year 2003. It is further the intention of  
216 the Legislature that the agency's budget request for Fiscal Year  
217 2005 shall be submitted to the Joint Legislative Budget Committee  
218 in a format and level of detail comparable to the format and level  
219 of detail provided during the Fiscal Year 2004 budget request  
220 process.

221           **SECTION 21.** It is the intention of the Legislature that a  
222 DWFP-Conservation Officer I position be established and filled to  
223 be assigned to manage the Mason Creek Game Management Area.  
224 Furthermore, it is the intention of the Legislature that a  
225 Statewide Coordinator for the Recruitment and Retention of Hunting  
226 and Fishing be established and filled to be assigned to the  
227 Central Office.

228           **SECTION 22.** Of the funds in Section 2, the department shall  
229 implement a One Thousand Dollar (\$1,000.00) realignment to the  
230 following job classes: DWFP-Conservation Officer I,  
231 DWFP-Conservation Officer II, DWFP-Conservation Officer III,  
232 DWFP-Conservation Officer IV, DWFP-Conservation Manager,  
233 DWFP-Conservation Supervisor, DWFP-Special Operations Agent I,  
234 DWFP-Special Operations Agent II, and DWFP-Special Operations  
235 Agent III.

236           **SECTION 23.** Of the funds in Section 2, the Department shall  
237 be authorized to purchase and implement a satellite communications  
238 system in an amount not to exceed Two Million Two Hundred Thousand  
239 Dollars (\$2,200,000.00).

240           **SECTION 24.** The money herein appropriated shall be paid by  
241 the State Treasurer out of any money in the State Treasury to the  
242 credit of the proper fund or funds as set forth in this act, upon

243 warrants issued by the State Fiscal Officer; and the State Fiscal  
244 Officer shall issue his warrants upon requisitions signed by the  
245 proper person, officer or officers, in the manner provided by law.

246       **SECTION 25.** This act shall take effect and be in force from  
247 and after July 1, 2003.

CONFEREES FOR THE HOUSE

**X** \_\_\_\_\_

Charlie Capps, Jr.

**X** \_\_\_\_\_

David L. Green

**X** \_\_\_\_\_

Warner F. McBride

CONFEREES FOR THE SENATE

**X** \_\_\_\_\_

Jack Gordon

**X** \_\_\_\_\_

Robert G. Huggins

**X** \_\_\_\_\_

Lynn Posey