

**Senate Amendments to House Bill No. 1657**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**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, 2005, and ending June 30, 2006  
10 ..... \$           8,703,714.00.

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, 2005, and ending June 30, 2006.....  
18 ..... \$           36,209,037.00.

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, 2005, and ending June 30, 2006..... \$           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. The department shall make a detailed report to  
36 the Legislature regarding the spending of the Wildlife Heritage  
37 funds by September 1 for the preceding fiscal year.

38 **SECTION 3.** Of the funds appropriated under the provisions of  
39 Section 2 to the Bureau of Wildlife and Fisheries, funds in the  
40 amount of One Hundred Twenty-five Thousand Three Hundred  
41 Thirty-five Dollars (\$125,335.00) shall be derived from the  
42 Education Enhancement Fund deposited pursuant to Sections 27-65-75  
43 and 27-67-31, Mississippi Code of 1972, for the purpose of  
44 defraying the expenses of Project WILD for Fiscal Year 2006.

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

52 **SECTION 5.** Of the funds appropriated under the provisions of  
53 Sections 1 and 2, not more than the amounts set forth below shall  
54 be expended for the respective major objects of such divisions:

55 DIVISION OF WILDLIFE AND FISHERIES

56 BUREAU OF WILDLIFE AND FISHERIES

57 MAJOR OBJECTS OF EXPENDITURE:

58 Personal Services:

59	Salaries, Wages and Fringe Benefits...	\$ 18,624,613.00
60	Travel and Subsistence.....	70,000.00
61	Contractual Services.....	5,165,610.00
62	Commodities.....	1,808,503.00
63	Capital Outlay:	
64	Other Than Equipment.....	417,359.00
65	Equipment.....	20,000.00

66	Subsidies, Loans and Grants.....		<u>902,495.00</u>
67	Total.....	\$	27,008,580.00

68 FUNDING:

69	General Funds.....	\$	0.00
70	Special Funds.....		<u>27,008,580.00</u>
71	Total.....	\$	27,008,580.00

72 AUTHORIZED POSITIONS:

73	Permanent: Full Time.....	422
74	Part Time.....	9
75	Time-Limited: Full Time.....	34
76	Part Time.....	0

77 BUREAU OF WILDLIFE AND FISHERIES

78 MOTOR VEHICLE SECTION

79 MAJOR OBJECTS OF EXPENDITURE:

80	Personal Services:		
81	Salaries, Wages and Fringe Benefits...	\$	0.00
82	Travel and Subsistence.....		0.00
83	Contractual Services.....		0.00
84	Commodities.....		0.00
85	Capital Outlay:		
86	Other Than Equipment.....		0.00
87	Equipment.....		250,000.00
88	Subsidies, Loans and Grants.....		<u>0.00</u>
89	Total.....	\$	250,000.00

90 FUNDING:

91	General Funds.....	\$	0.00
92	Special Funds.....		<u>250,000.00</u>
93	Total.....	\$	250,000.00

94 AUTHORIZED POSITIONS:

95	Permanent: Full Time.....	0
96	Part Time.....	0
97	Time-Limited: Full Time.....	0
98	Part Time.....	0

99 Each conservation officer and supervisor shall be furnished  
 100 an allowance for uniforms not to exceed Five Hundred Fifty Dollars  
 101 (\$550.00) per annum.

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

106 DIVISION OF PARKS AND RECREATION

107 MAJOR OBJECTS OF EXPENDITURE:

108 Personal Services:

109	Salaries, Wages and Fringe Benefits...	\$	8,037,385.00
110	Travel and Subsistence.....		65,000.00
111	Contractual Services.....		4,062,490.00
112	Commodities.....		767,400.00
113	Capital Outlay:		
114	Other Than Equipment.....		58,678.00
115	Equipment.....		0.00
116	Subsidies, Loans and Grants.....		<u>1,441,549.00</u>
117	Total.....	\$	6,698,788.00

118 FUNDING:

119	General Funds.....	\$	7,733,714.00
120	Special Funds.....		<u>6,698,788.00</u>
121	Total.....	\$	14,432,502.00

122 AUTHORIZED POSITIONS:

123	Permanent: Full Time.....	272
124	Part Time.....	161
125	Time-Limited: Full Time.....	0
126	Part Time.....	0

127 MUSEUM OF NATURAL SCIENCE

128 MAJOR OBJECTS OF EXPENDITURE:

129 Personal Services:

130	Salaries, Wages and Fringe Benefits...	\$	1,337,970.00
131	Travel and Subsistence.....		5,616.00
132	Contractual Services.....		1,089,870.00
133	Commodities.....		158,533.00

134	Capital Outlay:		
135	Other Than Equipment.....		14,000.00
136	Equipment.....		0.00
137	Subsidies, Loans and Grants.....		<u>199,680.00</u>
138	Total.....	\$	2,805,669.00

139 FUNDING:

140	General Funds.....	\$	970,000.00
141	Special Funds.....		<u>1,835,669.00</u>
142	Total.....	\$	2,805,669.00

143 AUTHORIZED POSITIONS:

144	Permanent:	Full Time.....	26
145		Part Time.....	0
146	Time-Limited:	Full Time.....	7
147		Part Time.....	0

148 SPECIAL PROJECTS

149 MAJOR OBJECTS OF EXPENDITURE:

150 Personal Services:

151	Salaries, Wages and Fringe Benefits...	\$	0.00
152	Travel and Subsistence.....		1,000.00
153	Contractual Services.....		90,000.00
154	Commodities.....		30,000.00
155	Capital Outlay:		
156	Other Than Equipment.....		80,000.00
157	Equipment.....		0.00
158	Subsidies, Loans and Grants.....		<u>215,000.00</u>
159	Total.....	\$	416,000.00

160 FUNDING:

161	General Funds.....	\$	0.00
162	Special Funds.....		<u>416,000.00</u>
163	Total.....	\$	416,000.00

164 AUTHORIZED POSITIONS:

165	Permanent:	Full Time.....	0
166		Part Time.....	0
167	Time-Limited:	Full Time.....	0
168		Part Time.....	0

169           With the funds herein appropriated, it is the intention of  
170 the Legislature that it shall be the agency's responsibility to  
171 make certain that funds required to be appropriated for "Personal  
172 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006  
173 funds appropriated for that purpose, unless programs or positions  
174 are added to the agency's Fiscal Year 2007 budget by the  
175 Mississippi Legislature. Based on data provided by the  
176 Legislative Budget Office, the State Personnel Board shall  
177 determine and publish the projected annual cost to fully fund all  
178 appropriated positions in compliance with the provisions of this  
179 act. It shall be the responsibility of the agency head to insure  
180 that no single personnel action increases this projected annual  
181 cost and/or the Fiscal Year 2006 appropriation for "Personal  
182 Services" when annualized, with the exception of escalated funds.  
183 If, at the time the agency takes any action to change "Personal  
184 Services," the State Personnel Board determines that the agency  
185 has taken an action which would cause the agency to exceed this  
186 projected annual cost or the Fiscal Year 2006 "Personal Services"  
187 appropriated level, when annualized, then only those actions which  
188 reduce the projected annual cost and/or the appropriation  
189 requirement will be processed by the State Personnel Board until  
190 such time as the requirements of this provision are met.

191           Any transfers or escalations shall be made in accordance with  
192 the terms, conditions and procedures established by law or  
193 allowable under the terms set forth within this act. The State  
194 Personnel Board shall not escalate positions without written  
195 approval from the Department of Finance and Administration. The  
196 Department of Finance and Administration shall not provide written  
197 approval to escalate any funds for salaries and/or positions  
198 without proof of availability of new or additional funds above the  
199 appropriated level.

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

204           **SECTION 6.** It is the intention of the Legislature that the  
 205 Department of Wildlife, Fisheries and Parks shall maintain  
 206 complete accounting and personnel records related to the  
 207 expenditure of all funds appropriated under this act and that such  
 208 records shall be in the same format and level of detail as  
 209 maintained for Fiscal Year 2005. It is further the intention of  
 210 the Legislature that the agency's budget request for Fiscal Year  
 211 2007 shall be submitted to the Joint Legislative Budget Committee  
 212 in a format and level of detail comparable to the format and level  
 213 of detail provided during the Fiscal Year 2006 budget request  
 214 process.

215           **SECTION 7.** In compliance with the "Mississippi Performance  
 216 Budget and Strategic Planning Act of 1994," it is the intent of  
 217 the Legislature that the funds provided herein shall be utilized  
 218 in the most efficient and effective manner possible to achieve the  
 219 intended mission of this agency. Based on the funding authorized,  
 220 this agency shall make every effort to attain the targeted  
 221 performance measures provided below:

	FY2006
<u>Performance Measures</u>	<u>Target</u>
224 Support Services	
225       Hunting & Fishing Licenses	
226           Sold (Licenses)	526,000
227       Registration of Boats (Boats)	245,000
228 Freshwater Fisheries Mgmt	
229       Fish Stock for Public Water (Fish)	3,650,000
230       Users of DWFP Lakes (Man-days)	65,000
231 Game Management	
232       DMAP Cooperators	720
233       DWFP Management for Hunters (Man-days)	175,650
234 Law Enforcement	
235       Hunter Education (Persons)	18,673
236 Motor Vehicle	
237       Vehicles Purchased (Vehicles)	25
238       Used Vehicle Sales (Vehicles)	50

239	Parks & Recreation	
240	Overnight Accommodations (Persons)	674,280
241	Water Related Services (Persons)	66,000
242	Day Use Services (Persons)	2,500,000
243	Facilities Repair Projects (Projects)	29
244	Historical & Nature Services (Persons)	86,220
245	Museum Of Natural Science	
246	Information Provided (Participants)	240,000
247	Participants in Museum Prjs (Persons)	430,000

248       A reporting of the degree to which the performance targets  
249 set above have been or are being achieved shall be provided in the  
250 agency's budget request submitted to the Joint Legislative Budget  
251 Committee for Fiscal Year 2007.

252       **SECTION 8.** With the funds appropriated herein, it is the  
253 intention of the Legislature that a reasonable number of  
254 Conservation Officers, Conservation Officer Supervisors, District  
255 Managers, Area Managers, and Lake Managers shall be employed  
256 and/or detailed to both temporary and permanent job assignments in  
257 areas other than their county of residence.

258       **SECTION 9.** Of the funds appropriated in Section 2, the  
259 following amount shall come from the Department of Wildlife,  
260 Fisheries and Parks Special Pearl River Timber Fund No. 3465, for  
261 the purpose of making improvements to the Pearl River Wildlife  
262 Management Area       \$ 150,000.00.

263       **SECTION 10.** The board of supervisors of any county or any  
264 group or combination of counties are hereby authorized and  
265 empowered to enter into cooperative agreements with each other and  
266 with the Commission on Wildlife, Fisheries and Parks for the  
267 purpose of creating, improving or restoring parks, public game and  
268 fish habitat lying or to be situated wholly or partially within  
269 such county or in an adjoining county; and each county is  
270 empowered and authorized, in its discretion, to expend a sum not  
271 exceeding One Hundred Thousand Dollars (\$100,000.00) from the  
272 general county fund for such purposes from which fund they shall  
273 reimburse to the Commission on Wildlife, Fisheries and Parks the



274 actual cost of all surveying and engineering projects incurred by  
275 the Department of Wildlife, Fisheries and Parks incidental  
276 thereto. Such boards of supervisors are further authorized and  
277 empowered, in their discretion, to enter into agreements necessary  
278 to carry out the purposes of this act with any other county, the  
279 United States Forest Service or any other agency if same should be  
280 necessary for the acquisition of land by lease or otherwise for  
281 such purposes.

282       **SECTION 11.** It shall be unlawful for any officer, employee  
283 or other person whatsoever to use or permit or authorize the use  
284 of any automobile or any other motor vehicle owned by the State of  
285 Mississippi or any department, agency or institution thereof for  
286 any purpose other than upon the official business of the State of  
287 Mississippi or any agency, department or institution thereof.

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

291       **SECTION 12.** It is the intention of the Legislature that the  
292 Department of Wildlife, Fisheries and Parks shall have the  
293 authority to receive, budget and expend funds from any source, not  
294 to exceed One Million Dollars (\$1,000,000.00), that may become  
295 available to the department in accordance with the rules and  
296 regulations of the Department of Finance and Administration.

297       **SECTION 13.** In order to be in compliance with Sections  
298 63-1-74 through 63-1-79, funds are herein provided and may be  
299 expended by the Department of Wildlife, Fisheries and Parks to pay  
300 the costs of commercial driver's licenses for specific employees  
301 and/or to reimburse such costs for specific employees who, in the  
302 course of their duties and responsibilities, are required to hold  
303 a valid Mississippi Commercial Driver's License.

304       **SECTION 14.** It is the intention of the Legislature that the  
305 Department of Wildlife, Fisheries and Parks shall have the  
306 authority to receive, budget and expend funds from the Mississippi  
307 Development Authority in the amount of Four Million Dollars  
308 (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi

309 Code of 1972. Such funds are to be used to defray the cost of  
310 constructing a North Mississippi Fish Hatchery.

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

316 The Department of Finance and Administration is authorized to  
317 escalate the budget of the Department of Wildlife, Fisheries and  
318 Parks for this purpose.

319 **SECTION 16.** It is the intention of the Legislature that the  
320 Commission of the Mississippi Wildlife, Fisheries and Parks shall  
321 have the authority to close, transfer, lease or sell properties  
322 under the department's jurisdiction.

323 **SECTION 17.** The department is authorized to spend up to  
324 twenty-five percent (25%) of revenue in the State Park Timber  
325 Endowment Fund, as needed, to operate and maintain the state  
326 parks.

327 **SECTION 18.** As funds become available to the department, an  
328 amount equal to One Million Five Hundred Thousand Dollars  
329 (\$1,500,000.00) may be used for completion of the North  
330 Mississippi Fish Hatchery and any repair of levies or dams as  
331 deemed necessary by the department.

332 **SECTION 19.** It is the intention of the Legislature that no  
333 more than Two Hundred Fifty Thousand Dollars (\$250,000.00) be  
334 spent from the Motor Vehicle Fund for the purchase of motor  
335 vehicles.

336 **SECTION 20.** The money herein appropriated shall be paid by  
337 the State Treasurer out of any money in the State Treasury to the  
338 credit of the proper fund or funds as set forth in this act, upon  
339 warrants issued by the State Fiscal Officer; and the State Fiscal  
340 Officer shall issue his warrants upon requisitions signed by the  
341 proper person, officer or officers, in the manner provided by law.

342 **SECTION 21.** This act shall take effect and be in force from  
343 and after July 1, 2005.

SS05\HB1657A.J

John O. Gilbert  
Secretary of the Senate