

By: Representatives Broomfield, McBride,
Frierson, Gadd, Hudson, Middleton

To: Appropriations

HOUSE BILL NO. 1570

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 2007.

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, 2006, and ending June 30, 2007
10 \$ 8,777,083.00.

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, 2006, and ending June 30, 2007.....
18 \$ 40,447,355.00.

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, 2006, and ending June 30, 2007..... \$ 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 2007.

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.** With the funds appropriated under the provisions
53 of Sections 1 and 2, not more than the amounts set forth below
54 shall be expended for the respective major objects or purposes of
55 expenditure:

56 MAJOR OBJECTS OF EXPENDITURE:

57 Personal Services:

58	Salaries, Wages and Fringe Benefits.. \$	28,812,437.00
59	Travel and Subsistence.....	221,871.00
60	Contractual Services.....	11,173,874.00

61	Commodities.....	4,168,425.00
62	Capital Outlay:	
63	Other Than Equipment.....	1,424,880.00
64	Equipment.....	1,255,866.00
65	Subsidies, Loans and Grants.....	<u>2,167,085.00</u>
66	Total.....	\$ 49,224,438.00

67 AUTHORIZED POSITIONS:

68	Permanent: Full Time.....	688
69	Part Time.....	168
70	Time-Limited: Full Time.....	37
71	Part Time.....	0

72 For the fiscal year beginning on July 1, 2006, funds are
73 provided herein to adjust the annual compensation of each employee
74 who has been employed for twelve (12) months or longer by an
75 amount equal to One Thousand Dollars (\$1,000.00), effective on
76 July 1, 2006.

77 With the funds herein appropriated, it is the intention of
78 the Legislature that it shall be the agency's responsibility to
79 make certain that funds required to be appropriated for "Personal
80 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
81 funds appropriated for that purpose, unless programs or positions
82 are added to the agency's Fiscal Year 2008 budget by the
83 Mississippi Legislature. Based on data provided by the
84 Legislative Budget Office, the State Personnel Board shall
85 determine and publish the projected annual cost to fully fund all
86 appropriated positions in compliance with the provisions of this
87 act. It shall be the responsibility of the agency head to insure
88 that no single personnel action increases this projected annual
89 cost and/or the Fiscal Year 2007 appropriation for "Personal
90 Services" when annualized, with the exception of escalated funds.
91 If, at the time the agency takes any action to change "Personal
92 Services," the State Personnel Board determines that the agency
93 has taken an action which would cause the agency to exceed this

94 projected annual cost or the Fiscal Year 2007 "Personal Services"
95 appropriated level, when annualized, then only those actions which
96 reduce the projected annual cost and/or the appropriation
97 requirement will be processed by the State Personnel Board until
98 such time as the requirements of this provision are met.

99 Any transfers or escalations shall be made in accordance with
100 the terms, conditions and procedures established by law or
101 allowable under the terms set forth within this act. The State
102 Personnel Board shall not escalate positions without written
103 approval from the Department of Finance and Administration. The
104 Department of Finance and Administration shall not provide written
105 approval to escalate any funds for salaries and/or positions
106 without proof of availability of new or additional funds above the
107 appropriated level.

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

112 **SECTION 6.** Each conservation officer and supervisor shall be
113 furnished an allowance for uniforms not to exceed Five Hundred
114 Fifty Dollars (\$550.00) per annum.

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

119 **SECTION 7.** It is the intention of the Legislature that the
120 Department of Wildlife, Fisheries and Parks shall maintain
121 complete accounting and personnel records related to the
122 expenditure of all funds appropriated under this act and that such
123 records shall be in the same format and level of detail as
124 maintained for Fiscal Year 2006. It is further the intention of
125 the Legislature that the agency's budget request for Fiscal Year
126 2008 shall be submitted to the Joint Legislative Budget Committee

127 in a format and level of detail comparable to the format and level
128 of detail provided during the Fiscal Year 2007 budget request
129 process.

130 **SECTION 8.** In compliance with the "Mississippi Performance
131 Budget and Strategic Planning Act of 1994," it is the intent of
132 the Legislature that the funds provided herein shall be utilized
133 in the most efficient and effective manner possible to achieve the
134 intended mission of this agency. Based on the funding authorized,
135 this agency shall make every effort to attain the targeted
136 performance measures provided below:

	FY2007
<u>Performance Measures</u>	<u>Target</u>
Support Services	
Hunting & Fishing Licenses	
Sold (Licenses)	528,000
Registration of Boats (Boats)	260,000
Freshwater Fisheries Mgmt	
Fish Stock for Public Water (Fish)	5,000,000
Users of DWFP Lakes (Man-days)	68,000
Game Management	
DMAP Cooperators	730
DWFP Management for Hunters (Man-days)	180,000
Law Enforcement	
Hunter Education (Persons)	19,000
Motor Vehicle	
Vehicles Purchased (Vehicles)	25
Used Vehicle Sales (Vehicles)	50
Parks & Recreation	
Overnight Accommodations (Persons)	676,000
Water Related Services (Persons)	68,000
Day Use Services (Persons)	2,650,000
Facilities Repair Projects (Projects)	30
Historical & Nature Services (Persons)	87,000

160 Museum Of Natural Science
161 Information Provided (Participants) 255,000
162 Participants in Museum Prjs (Persons) 435,000

163 A reporting of the degree to which the performance targets
164 set above have been or are being achieved shall be provided in the
165 agency's budget request submitted to the Joint Legislative Budget
166 Committee for Fiscal Year 2008.

167 **SECTION 9.** With the funds appropriated herein, it is the
168 intention of the Legislature that a reasonable number of
169 Conservation Officers, Conservation Officer Supervisors, District
170 Managers, Area Managers, and Lake Managers shall be employed
171 and/or detailed to both temporary and permanent job assignments in
172 areas other than their county of residence.

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

178 **SECTION 11.** The board of supervisors of any county or any
179 group or combination of counties are hereby authorized and
180 empowered to enter into cooperative agreements with each other and
181 with the Commission on Wildlife, Fisheries and Parks for the
182 purpose of creating, improving or restoring parks, public game and
183 fish habitat lying or to be situated wholly or partially within
184 such county or in an adjoining county; and each county is
185 empowered and authorized, in its discretion, to expend a sum not
186 exceeding One Hundred Thousand Dollars (\$100,000.00) from the
187 general county fund for such purposes from which fund they shall
188 reimburse to the Commission on Wildlife, Fisheries and Parks the
189 actual cost of all surveying and engineering projects incurred by
190 the Department of Wildlife, Fisheries and Parks incidental
191 thereto. Such boards of supervisors are further authorized and
192 empowered, in their discretion, to enter into agreements necessary

193 to carry out the purposes of this act with any other county, the
194 United States Forest Service or any other agency if same should be
195 necessary for the acquisition of land by lease or otherwise for
196 such purposes.

197 **SECTION 12.** It shall be unlawful for any officer, employee
198 or other person whatsoever to use or permit or authorize the use
199 of any automobile or any other motor vehicle owned by the State of
200 Mississippi or any department, agency or institution thereof for
201 any purpose other than upon the official business of the State of
202 Mississippi or any agency, department or institution thereof.

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

206 **SECTION 13.** It is the intention of the Legislature that the
207 Department of Wildlife, Fisheries and Parks shall have the
208 authority to receive, budget and expend funds from any source, not
209 to exceed One Million Dollars (\$1,000,000.00), that may become
210 available to the department in accordance with the rules and
211 regulations of the Department of Finance and Administration.

212 **SECTION 14.** In order to be in compliance with Sections
213 63-1-74 through 63-1-79, funds are herein provided and may be
214 expended by the Department of Wildlife, Fisheries and Parks to pay
215 the costs of commercial driver's licenses for specific employees
216 and/or to reimburse such costs for specific employees who, in the
217 course of their duties and responsibilities, are required to hold
218 a valid Mississippi Commercial Driver's License.

219 **SECTION 15.** It is the intention of the Legislature that the
220 Department of Wildlife, Fisheries and Parks shall have the
221 authority to receive, budget and expend funds from the Mississippi
222 Development Authority in the amount of Four Million Dollars
223 (\$4,000,000.00) as authorized in Section 57-61-32 (1), Mississippi
224 Code of 1972. Such funds are to be used to defray the cost of
225 constructing a North Mississippi Fish Hatchery.

226 **SECTION 16.** The Mississippi Department of Wildlife,
227 Fisheries and Parks is authorized to provide financial support of
228 One Hundred Fifty Thousand Dollars (\$150,000.00) and to enter into
229 an agreement with the Mississippi Cooperative Extension Service
230 for a biology specialist and related supportive cost.

231 The Department of Finance and Administration is authorized to
232 escalate the budget of the Department of Wildlife, Fisheries and
233 Parks for this purpose.

234 **SECTION 17.** It is the intention of the Legislature that the
235 Commission of the Mississippi Wildlife, Fisheries and Parks shall
236 have the authority to close, transfer, lease or sell properties
237 under the department's jurisdiction.

238 **SECTION 18.** The department is authorized to spend up to
239 twenty-five percent (25%) of revenue in the State Park Timber
240 Endowment Fund, as needed, to operate and maintain the state
241 parks.

242 **SECTION 19.** As funds become available to the department, an
243 amount equal to One Million Five Hundred Thousand Dollars
244 (\$1,500,000.00) may be used for completion of the North
245 Mississippi Fish Hatchery and any repair of levies or dams as
246 deemed necessary by the department.

247 **SECTION 20.** It is the intention of the Legislature that no
248 more than Five Hundred Thousand Dollars (\$500,000.00) be spent
249 from the Motor Vehicle Fund for the purchase of motor vehicles.

250 **SECTION 21.** It is the intention of the Legislature that
251 whenever two (2) or more bids are received by this agency for the
252 purchase of commodities or equipment, and whenever all things
253 stated in such received bids are equal with respect to price,
254 quality and service, the Mississippi Industries for the Blind
255 shall be given preference. A similar preference shall be given to
256 the Mississippi Industries for the Blind whenever purchases are
257 made without competitive bids.

258 **SECTION 22.** The money herein appropriated shall be paid by
259 the State Treasurer out of any money in the State Treasury to the
260 credit of the proper fund or funds as set forth in this act, upon
261 warrants issued by the State Fiscal Officer; and the State Fiscal
262 Officer shall issue his warrants upon requisitions signed by the
263 proper person, officer or officers, in the manner provided by law.

264 **SECTION 23.** This act shall take effect and be in force from
265 and after July 1, 2006.