

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

To: Appropriations

HOUSE BILL NO. 1691

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 2008.

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, 2007, and ending June 30, 2008  
10 ..... \$ 8,800,053.00.

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, 2007, and ending June 30, 2008.....  
18 ..... \$ 44,714,835.00.

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, 2007, and ending June 30, 2008..... \$ 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 2008.

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 amount set forth below shall  
54 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.. \$	32,160,633.00
59	Travel and Subsistence.....	0.00
60	Contractual Services.....	11,009,693.00



61	Commodities.....		5,022,236.00
62	Capital Outlay:		
63	Other Than Equipment.....		1,674,878.00
64	Equipment.....		935,364.00
65	Vehicles.....		500,000.00
66	Wireless Communication Devices.....		0.00
67	Subsidies, Loans and Grants.....		<u>2,212,084.00</u>
68	Total.....	\$	53,514,888.00
69	FUNDING:		
70	General Funds.....	\$	8,800,053.00
71	Special Funds.....		<u>44,714,835.00</u>
72	Total.....	\$	53,514,888.00

73 AUTHORIZED POSITIONS:

74	Permanent:	Full Time.....	634
75		Part Time.....	86
76	Time-Limited:	Full Time.....	43
77		Part Time.....	0

78 Funds are provided herein to adjust the Variable Compensation  
79 Plan to ensure that all full-time employees receive a pay increase  
80 equal to the realignment component of the Variable Compensation  
81 Plan or One Thousand Five Hundred Dollars (\$1,500.00), whichever  
82 is greater.

83 With the funds herein appropriated, it is the intention of  
84 the Legislature that it shall be the agency's responsibility to  
85 make certain that funds required to be appropriated for "Personal  
86 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008  
87 funds appropriated for that purpose, unless programs or positions  
88 are added to the agency's Fiscal Year 2009 budget by the  
89 Mississippi Legislature. Based on data provided by the  
90 Legislative Budget Office, the State Personnel Board shall  
91 determine and publish the projected annual cost to fully fund all  
92 appropriated positions in compliance with the provisions of this  
93 act. It shall be the responsibility of the agency head to insure



94 that no single personnel action increases this projected annual  
95 cost and/or the Fiscal Year 2008 appropriation for "Personal  
96 Services" when annualized, with the exception of escalated funds.  
97 If, at the time the agency takes any action to change "Personal  
98 Services," the State Personnel Board determines that the agency  
99 has taken an action which would cause the agency to exceed this  
100 projected annual cost or the Fiscal Year 2008 "Personal Services"  
101 appropriated level, when annualized, then only those actions which  
102 reduce the projected annual cost and/or the appropriation  
103 requirement will be processed by the State Personnel Board until  
104 such time as the requirements of this provision are met.

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

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

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

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

125 **SECTION 7.** It is the intention of the Legislature that the  
126 Department of Wildlife, Fisheries and Parks shall maintain



127 complete accounting and personnel records related to the  
 128 expenditure of all funds appropriated under this act and that such  
 129 records shall be in the same format and level of detail as  
 130 maintained for Fiscal Year 2007. It is further the intention of  
 131 the Legislature that the agency's budget request for Fiscal Year  
 132 2009 shall be submitted to the Joint Legislative Budget Committee  
 133 in a format and level of detail comparable to the format and level  
 134 of detail provided during the Fiscal Year 2008 budget request  
 135 process.

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

143	FY2008
144 <u>Performance Measures</u>	<u>Target</u>
145 Support Services	
146     Hunting & Fishing Licenses	
147         Sold (Licenses)	528,000
148         Registration of Boats (Boats)	260,000
149 Freshwater Fisheries Mgmt	
150         Fish Stock for Public Water (Fish)	5,000,000
151         Users of DWFP Lakes (Man-days)	68,000
152 Game Management	
153         DMAP Cooperators	730
154         DWFP Management for Hunters (Man-days)	180,000
155 Law Enforcement	
156         Hunter Education (Persons)	19,000
157 Motor Vehicle	
158         Vehicles Purchased (Vehicles)	25
159         Used Vehicle Sales (Vehicles)	50



160	Parks & Recreation	
161	Overnight Accommodations (Persons)	676,000
162	Water Related Services (Persons)	68,000
163	Day Use Services (Persons)	2,650,000
164	Facilities Repair Projects (Projects)	30
165	Historical & Nature Services (Persons)	87,000

166 Museum Of Natural Science

167	Information Provided (Participants)	235,500
168	Participants in Museum Prjs (Persons)	435,000

169 A reporting of the degree to which the performance targets  
170 set above have been or are being achieved shall be provided in the  
171 agency's budget request submitted to the Joint Legislative Budget  
172 Committee for Fiscal Year 2009.

173 **SECTION 9.** 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 10.** 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 11.** 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 12.** 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 13.** 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 14.** 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 15.** 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 16.** The department is authorized to spend up to  
235 twenty-five percent (25%) of revenue in the State Park Timber  
236 Endowment Fund, as needed, to operate and maintain the state  
237 parks.

238           **SECTION 17.** As funds become available to the department, an  
239 amount equal to One Million Five Hundred Thousand Dollars  
240 (\$1,500,000.00) may be used for completion of the North  
241 Mississippi Fish Hatchery and any repair of levies or dams as  
242 deemed necessary by the department.

243           **SECTION 18.** It is the intention of the Legislature that no  
244 more than Five Hundred Thousand Dollars (\$500,000.00) be spent  
245 from the Motor Vehicle Fund for the purchase of motor vehicles.

246           **SECTION 19.** It is the intention of the Legislature that  
247 whenever two (2) or more bids are received by this agency for the  
248 purchase of commodities or equipment, and whenever all things  
249 stated in such received bids are equal with respect to price,  
250 quality and service, the Mississippi Industries for the Blind  
251 shall be given preference. A similar preference shall be given to  
252 the Mississippi Industries for the Blind whenever purchases are  
253 made without competitive bids.

254           **SECTION 20.** The money herein appropriated shall be paid by  
255 the State Treasurer out of any money in the State Treasury to the  
256 credit of the proper fund or funds as set forth in this act, upon  
257 warrants issued by the State Fiscal Officer; and the State Fiscal





258 Officer shall issue his warrants upon requisitions signed by the  
259 proper person, officer or officers, in the manner provided by law.

260           **SECTION 21.** This act shall take effect and be in force from  
261 and after July 1, 2007.

