

By: Representatives Frierson, Bounds,
Bennett, Busby, DeLano, Eure, Huddleston
(15th), Huddleston (30th), Ladner, Monsour,
Read, Shows, Staples, Sullivan, Turner, Dixon

To: Appropriations

HOUSE BILL NO. 1665

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 2017.

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the support and maintenance
8 of the Department of Wildlife, Fisheries and Parks for the fiscal
9 year beginning July 1, 2016, and ending June 30, 2017.....
10\$ 8,163,360.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in any special fund in
13 the State Treasury to the credit of the Department of Wildlife,
14 Fisheries and Parks which is comprised of special source funds
15 collected by or otherwise available to the department for the
16 support and maintenance of the department, including the Museum of
17 Natural Science and the Bureau of Parks and Recreation, for the
18 fiscal year beginning July 1, 2016, and ending June 30, 2017.....



19\$ 68,871,053.00.

20 The following sum, which is included in the sum appropriated
21 above in this section, is appropriated out of the state excise
22 taxes upon gasoline, oil and other petroleum products to the
23 Fisheries and Wildlife Fund for the fiscal year beginning
24 July 1, 2016, and ending June 30, 2017.....\$ 5,750,000.00.

25 The State Tax Commission is directed to set aside the amount
26 of this appropriation or any part thereof at any time it sees fit,
27 out of any collections of taxes upon gasoline, oil and other
28 petroleum products, and to deduct the amounts so set aside from
29 such funds before making distribution thereof. However,
30 provisions shall first be made for the Highway Bonds Sinking Fund,
31 as required under the provisions of Chapter 130, Laws of 1938, and
32 any amendments thereto, and Section 27-5-101, Mississippi Code of
33 1972.

34 Any funds available in the Wildlife Heritage Fund may be
35 expended by the Commission on Wildlife, Fisheries and Parks as
36 authorized by law. The department shall make a detailed report to
37 the Legislature regarding the spending of the Wildlife Heritage
38 funds by September 1 for the preceding fiscal year.

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



and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2017.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	501
	Part Time.....	0
Time-Limited:	Full Time.....	46
	Part Time.....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2018 do not exceed Fiscal Year 2017 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2017 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 ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2017 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency



69 has taken an action which would cause the agency to exceed this
70 projected annual cost or the Fiscal Year 2017 "Personal Services"
71 appropriated level, when annualized, then only those actions which
72 reduce the projected annual cost and/or the appropriation
73 requirement will be processed by the State Personnel Board until
74 such time as the requirements of this provision are met.

75 Any transfers or escalations shall be made in accordance with
76 the terms, conditions and procedures established by law or
77 allowable under the terms set forth within this act. The State
78 Personnel Board shall not escalate positions without written
79 approval from the Department of Finance and Administration. The
80 Department of Finance and Administration shall not provide written
81 approval to escalate any funds for salaries and/or positions
82 without proof of availability of new or additional funds above the
83 appropriated level.

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

88 None of the funds herein appropriated shall be used in
89 violation of Internal Revenue Service's Publication 15-A relating
90 to the reporting of income paid to contract employees, as
91 interpreted by the Office of the State Auditor.



92 **SECTION 5.** Each conservation officer and supervisor shall be
93 furnished an allowance for uniforms not to exceed Five Hundred
94 Fifty Dollars (\$550.00) per annum.

95 Provided further, when any personnel of the Bureau of
96 Wildlife and Fisheries are transferred from one (1) county to
97 another on a permanent assignment, the expense monies now paid on
98 out-of-county duty shall not be applicable.

99 **SECTION 6.** It is the intention of the Legislature that the
100 Department of Wildlife, Fisheries and Parks shall maintain
101 complete accounting and personnel records related to the
102 expenditure of all funds appropriated under this act and that such
103 records shall be in the same format and level of detail as
104 maintained for Fiscal Year 2016. It is further the intention of
105 the Legislature that the agency's budget request for Fiscal Year
106 2018 shall be submitted to the Joint Legislative Budget Committee
107 in a format and level of detail comparable to the format and level
108 of detail provided during the Fiscal Year 2017 budget request
109 process.

110 **SECTION 7.** In compliance with the "Mississippi Performance
111 Budget and Strategic Planning Act of 1994," it is the intent of
112 the Legislature that the funds provided herein shall be utilized
113 in the most efficient and effective manner possible to achieve the
114 intended mission of this agency. Based on the funding authorized,
115 this agency shall make every effort to attain the targeted
116 performance measures provided below:



117		FY2017
118	<u>Performance Measures</u>	<u>Target</u>
119	Support Services	
120	Hunting & Fishing Licenses	
121	Sold (Licenses)	570,000
122	Registration of Boats (Boats)	40,000
123	% Change in the # of License Sales	1.00
124	% Change in the Number of Boat Registrations	1.00
125	Fisheries	
126	Fish Stock for Public Water (Fish)	2,000,000
127	# of Customers of DWFP Lakes	69,300
128	% Increase of Participation in Aquatic	
129	Education	2.00
130	# of Access Facilities Built or Maintained	
131	(Boat Ramps)	35
132	Wildlife	
133	MDWFP Management for Hunters &	
134	Non-consumptive Users (Man-days)	222,000
135	# of Research Projects Conducted to Sustain	
136	Healthy & Abundant Wildlife Populations	11
137	# of Acres of Forest Inventory	37,000
138	# of Acres Prescribed Burning, Waterfowl	
139	Management, & Timber Management	
140	on WMAs	18,000
141	to Sustain Healthy & Abundant Wildlife	



142	% Change in # of Research Projects	
143	Conducted Populations	0.00
144	% Change in the # of Private Land	
145	Acres Influenced	1.00
146	% Change in the # of Forest Inventories	
147	Conducted	0.00
148	Law Enforcement	
149	Hunter Education (Persons)	12,500
150	Number of Hours Patrolled on Land	145,474
151	Number of Hours Patrolled on Water	73,227
152	Number of Criminal Investigations Conducted	9,042
153	Number of Shooting Sport Programs	90
154	Number of Boating Accidents	10
155	Number of Boating Fatalities	1
156	Number of Public Contacts per Officer/per Day	14
157	% Change in # of Hours Patrolled on Land	
158	& Water	3.00
159	% Increase in the # of Shooting Sports	
160	Program	10.00
161	% Change in the # of Boating Accidents	50.00
162	% Change in # of Boating Related Fatalities	5.00
163	% Change in # of Public Contacts per	
164	Officer/per Day	10.00
165	Motor Vehicle Fund	
166	Vehicles Purchased (Vehicles)	59



167	Used Vehicle Sales (Vehicles)	40
168	% Change in # of Vehicles in the Fleet	
169	in Order to Maintain Efficient &	
170	Reliable Fleet of Vehicles	11.76
171	Parks	
172	Overnight Accommodations (Cabins/Motels)	182,000
173	Overnight Accommodations (Camping)	551,000
174	Day Use Services (Persons)	397,000
175	% Change in Day Use Services (Persons)	0.05
176	% Change in the Prior Year of Occupancy	
177	Rate of Cabins	0.05
178	Museum	
179	Statewide Educ Programming (Participants)	135,000
180	Total Public Programming (Persons)	300,000
181	Number of Visitors to Exhibits	110,000
182	Number of Natural Heritage Records Entered	35,449
183	% Change in the # of Specimens Cataloged	1.00
184	% Increase in Students that Understand the	
185	Importance of Natural Resource Conservation	4.00
186	% Increase of Visitors to Exhibits	2.00
187	% Change in # of Natural Heritage Records Entered	1.00
188	A reporting of the degree to which the performance targets	
189	set above have been or are being achieved shall be provided in the	
190	agency's budget request submitted to the Joint Legislative Budget	
191	Committee for Fiscal Year 2018.	



192 **SECTION 8.** Of the funds appropriated in Section 2, the
193 following amount shall come from the Department of Wildlife,
194 Fisheries and Parks Special Pearl River Timber Fund No. 3465, for
195 the purpose of making improvements to the Pearl River Wildlife
196 Management Area.....\$ 50,000.00.

197 **SECTION 9.** Of the funds appropriated within this act, the
198 Commission on Wildlife, Fisheries and Parks may enter into
199 cooperative agreements with the board of supervisors of any county
200 or any group or combination of counties for the purpose of
201 creating, improving or restoring parks, public game and fish
202 habitat lying or to be situated wholly or partially within such
203 county or in an adjoining county; and each county is empowered and
204 authorized, in its discretion, to expend funds from the general
205 county fund for such purposes from which fund they shall reimburse
206 to the Commission on Wildlife, Fisheries and Parks the actual cost
207 of all surveying and engineering projects incurred by the
208 Department of Wildlife, Fisheries and Parks incidental thereto.
209 Such boards of supervisors are further authorized and empowered,
210 in their discretion, to enter into agreements necessary to carry
211 out the purposes of this act with any other county, the United
212 States Forest Service or any other agency if same should be
213 necessary for the acquisition of land by lease or otherwise for
214 such purposes.

215 **SECTION 10.** It shall be unlawful for any officer, employee
216 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 with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. 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 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars (\$175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things



242 stated in such received bids are equal with respect to price,
243 quality and service, the Mississippi Industries for the Blind
244 shall be given preference. A similar preference shall be given to
245 the Mississippi Industries for the Blind whenever purchases are
246 made without competitive bids.

247 **SECTION 15.** Of the funds appropriated herein, Two Hundred
248 Thousand Dollars (\$200,000.00) may be provided to fund the Youth
249 Participation Initiative for the purpose of educating children in
250 the areas of hunting, fishing, conservation, and safety.

251 **SECTION 16.** The fund created pursuant to Section 49-5-21,
252 Mississippi Code of 1972, and known as the "Fisheries and Wildlife
253 Fund" shall be treated as a special trust fund. All funds derived
254 from the sale of licenses, fees, fines and other revenues received
255 by the department as provided by law, shall be deposited in the
256 Fisheries and Wildlife Fund. In addition, revenue derived from
257 the sale of timber on wildlife management areas, refuges and
258 preserves shall be deposited into an account established for such
259 revenues under the Fisheries and Wildlife Fund. The interest and
260 any investment income earned on the fund shall be credited by the
261 State Treasurer to the Fisheries and Wildlife Fund and shall not
262 be paid into the General Fund. Any unexpended funds remaining in
263 the fund at the end of the fiscal year shall not lapse and shall
264 remain in the fund. Nothing in this section shall prevent the use
265 of said funds from maintenance and upgrade on wildlife management
266 areas and state parks.



267 **SECTION 17.** It is the intention of the Legislature that no
268 more than One Million Five Hundred Thousand Dollars
269 (\$1,500,000.00) be expended from the Motor Vehicle Fund for the
270 purchase of any type of motor vehicle.

271 **SECTION 18.** Of the funds provided in this act, an amount not
272 to exceed One Hundred Fifty-five Thousand Dollars (\$155,000.00)
273 shall be used to defray the lease expenses of the Little Biloxi
274 Wildlife Management and Wolf River Wildlife Management in
275 accordance with Section 49-5-99(4).

276 **SECTION 19.** It is the intent of the Legislature that no
277 wildlife management area be closed and that to the greatest
278 practicable extent, department land management decisions and
279 actions may not result in any net loss of any acreage available
280 for hunting opportunities that existed on July 1, 2006, as
281 provided in Section 49-5-99(4).

282 **SECTION 20.** It is the intent of the Legislature that the
283 Mississippi Department of Wildlife, Fisheries and Parks shall have
284 the authority to enter into multi-year contracts for the purpose
285 of placing a sign on such state park property under the
286 department's domain, in accordance with any applicable rules and
287 regulations. All proceeds generated from these activities shall
288 remain with the department and shall be deposited into the proper
289 special fund.

290 **SECTION 21.** It is the intent of the Legislature that from
291 the funds available to the Department of Wildlife, Fisheries and



Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 22. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services".

SECTION 23. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 24. The department is authorized to establish an annual golf pass for Mississippi residents, as defined by Section 49-7-3, Mississippi Code of 1972, which will allow the holder of such pass to play golf at any golf course operated by the Mississippi Department of Wildlife, Fisheries and Parks, at reduced rates. The department shall have the authority to establish the fee for issuance of the annual golf pass. All funds generated from the sale of the Mississippi resident annual golf



317 pass shall be deposited into the Mississippi Park Fund established
318 by Section 55-3-41, Mississippi Code of 1972.

319 **SECTION 25.** The money herein appropriated shall be paid by
320 the State Treasurer out of any money in the State Treasury to the
321 credit of the proper fund or funds as set forth in this act, upon
322 warrants issued by the State Fiscal Officer; and the State Fiscal
323 Officer shall issue his warrants upon requisitions signed by the
324 proper person, officer or officers, in the manner provided by law.

325 **SECTION 26.** This act shall take effect and be in force from
326 and after July 1, 2016; and shall stand repealed from and after
327 June 30, 2016.

