

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

To: Appropriations

HOUSE BILL NO. 1525  
(As Sent to Governor)

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 2018.

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, 2017, and ending June 30, 2018.....  
10 .....\$ 5,875,010.00.

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, 2017, and ending June 30, 2018.....



19 .....\$ 71,958,141.00.

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, 2017, and ending June 30, 2018.....\$ 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 2018.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	659
	Part Time.....	0
Time-Limited:	Full Time.....	55
	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 2019 do not exceed Fiscal Year 2018 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2018 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 2018 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 2018 "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 2017. It is further the intention of  
105 the Legislature that the agency's budget request for Fiscal Year  
106 2019 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 2018 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		FY2018
118	<u>Performance Measures</u>	<u>Target</u>
119	Support Services	
120	Hunting & Fishing Licenses	
121	Sold (Licenses)	500,000
122	Registration of Boats (Boats)	60,000
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	74,000
128	% Increase of Participation in Aquatic	
129	Education	5.00
130	# of Access Facilities Built or Maintained	35
131	(Boat Ramps)	
132	Wildlife	
133	MDWFP Management for Hunters &	
134	Non-consumptive Users (Man-days)	225,000
135	# of Research Projects Conducted to Sustain	
136	Healthy & Abundant Wildlife Populations	12
137	# of Acres of Forest Inventory	37,000
138	# of Acres Prescribed Burning, Waterfowl	
139	Management, & Timber Management	
140	on WMAs to Sustain Healthy and	
141	Abundant Wildlife	19,000



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)	11,300
150	Number of Hours Patrolled on Land	152,031
151	Number of Hours Patrolled on Water	86,067
152	Number of Criminal Investigations Conducted	9,859
153	Number of Shooting Sport Programs	100
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	50.00
163	% Change in # of Public Contacts per	
164	Officer/per Day	10.00
165	Special Projects	
166	Improve use of special funds (%)	0.20



167	Motor Vehicle Fund	
168	Vehicles Purchased (Vehicles)	55
169	Used Vehicle Sales (Vehicles)	50
170	% Change in # of Vehicles in the Fleet	
171	in Order to Maintain Efficient &	
172	Reliable Fleet of Vehicles	5.00
173	Parks	
174	Overnight Accommodations (Cabins/Motels)	140,000
175	Overnight Accommodations (Camping)	700,000
176	Day Use Services (Persons)	350,000
177	% Change in Day Use Services (Persons)	0.00
178	% Change in the Prior Year of Occupancy	
179	Rate of Cabins	0.00
180	Museum	
181	Statewide Educ Programming (Participants)	125,000
182	Total Public Programming (Persons)	270,000
183	Number of Visitors to Exhibits	100,000
184	Number of Natural Heritage Records Entered	34,449
185	% Change in the # of Specimens Cataloged	4.00
186	% Increase in Students that Understand the	
187	Importance of Natural Resource Conservation	4.00
188	% Increase of Visitors to Exhibits	2.00
189	% Change in # of Natural Heritage Records	
190	Entered	1.00





191 A reporting of the degree to which the performance targets  
192 set above have been or are being achieved shall be provided in the  
193 agency's budget request submitted to the Joint Legislative Budget  
194 Committee for Fiscal Year 2019.

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

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



necessary for the acquisition of land by lease or otherwise for such purposes.

**SECTION 10.** It shall be unlawful for any officer, employee 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 Section 63-1-201 et seq., 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.



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

242           **SECTION 14.** It is the intention of the Legislature that  
243 whenever two (2) or more bids are received by this agency for the  
244 purchase of commodities or equipment, and whenever all things  
245 stated in such received bids are equal with respect to price,  
246 quality and service, the Mississippi Industries for the Blind  
247 shall be given preference. A similar preference shall be given to  
248 the Mississippi Industries for the Blind whenever purchases are  
249 made without competitive bids.

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

254           **SECTION 16.** The fund created pursuant to Section 49-5-21,  
255 Mississippi Code of 1972, and known as the "Fisheries and Wildlife  
256 Fund" shall be treated as a special trust fund. All funds derived  
257 from the sale of licenses, fees, fines and other revenues received  
258 by the department as provided by law, shall be deposited in the  
259 Fisheries and Wildlife Fund. In addition, revenue derived from  
260 the sale of timber on wildlife management areas, refuges and  
261 preserves shall be deposited into an account established for such  
262 revenues under the Fisheries and Wildlife Fund. The interest and  
263 any investment income earned on the fund shall be credited by the



State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade on wildlife management areas and state parks.

**SECTION 17.** It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars (\$1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

**SECTION 18.** The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with public or private entity to manage any park or parks within the state park system.

**SECTION 19.** It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

**SECTION 20.** It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose



of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

**SECTION 21.** It is the intent of the Legislature that from 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 Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars (\$50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.



313           **SECTION 24.** It is the intention of the Legislature that the  
314 funds herein appropriated shall be expended in compliance with  
315 Section 27-104-25, Mississippi Code of 1972, that no state agency  
316 shall incur obligations or indebtedness in excess of their  
317 appropriation and that the responsible officers, either personally  
318 or upon their official bonds, shall be held responsible for  
319 actions contrary to this provision.

320           **SECTION 25.** The department is authorized to establish an  
321 annual golf pass for Mississippi residents, as defined by Section  
322 49-7-3, Mississippi Code of 1972, which will allow the holder of  
323 such pass to play golf at any golf course operated by the  
324 Mississippi Department of Wildlife, Fisheries and Parks, at  
325 reduced rates. The department shall have the authority to  
326 establish the fee for issuance of the annual golf pass. All funds  
327 generated from the sale of the Mississippi resident annual golf  
328 pass shall be deposited into the Mississippi Park Fund established  
329 by Section 55-3-41, Mississippi Code of 1972.

330           **SECTION 26.** Of the funds appropriated in Section 1, it is  
331 the intention of the Legislature that Fifty-eight Thousand Five  
332 Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the  
333 Hunter Education program supported from the General Fund court  
334 assessments.

335           **SECTION 27.** The money herein appropriated shall be paid by  
336 the State Treasurer out of any money in the State Treasury to the  
337 credit of the proper fund or funds as set forth in this act, upon



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

341       **SECTION 28.** This act shall take effect and be in force from  
342 and after July 1, 2017.

