

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

To: Appropriations

HOUSE BILL NO. 1610
(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 2019.

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, 2018, and ending June 30, 2019.....
10\$ 5,879,614.00.

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, 2018, and ending June 30, 2019.....



19\$ 72,737,011.00.

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, 2018, and ending June 30, 2019.....\$ 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



44 and 27-67-31, Mississippi Code of 1972, for the purpose of
45 defraying the expenses of Project WILD for Fiscal Year 2019.

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

48 AUTHORIZED POSITIONS:

49	Permanent:	Full Time.....	649
50		Part Time.....	0
51	Time-Limited:	Full Time.....	63
52		Part Time.....	0

53 With the funds herein appropriated, it shall be the agency's
54 responsibility to make certain that funds required to be
55 appropriated for "Personal Services" for Fiscal Year 2020 do not
56 exceed Fiscal Year 2019 funds appropriated for that purpose,
57 unless programs or positions are added to the agency's Fiscal Year
58 2019 budget by the Mississippi Legislature. Based on data
59 provided by the Legislative Budget Office, the State Personnel
60 Board shall determine and publish the projected annual cost to
61 fully fund all appropriated positions in compliance with the
62 provisions of this act. It shall be the responsibility of the
63 agency head to ensure that no single personnel action increases
64 this projected annual cost and/or the Fiscal Year 2019
65 appropriations for "Personal Services" when annualized, with the
66 exception of escalated funds and the award of benchmarks. If, at
67 the time the agency takes any action to change "Personal
68 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 2019 "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 2018. It is further the intention of
105 the Legislature that the agency's budget request for Fiscal Year
106 2020 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 2019 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		FY2019
118	<u>Performance Measures</u>	<u>Target</u>
119	Support Services	
120	Hunting & Fishing Licenses	
121	Sold (Number Of)	500,000
122	Registration of Boats (Number Of)	40,000
123	Change in License Sales (%)	1.00
124	Change in Boat Registration (%)	1.00
125	Fisheries	
126	Fish Stock for Public Water (Fish)	2,000,000
127	Number of Customers of DWFP Lakes	70,000
128	Increase of Participation in Aquatic	
129	Education (%)	11.20
130	Number of Access Facilities Built or	
131	Maintained (Boat Ramps)	38
132	Wildlife	
133	MDWFP Management for Hunters &	
134	Non-consumptive Users (Man-days)	200,000
135	Research Projects Conducted to Sustain	
136	Healthy & Abundant Wildlife Populations	13,000
137	Acres of Forest Inventory	40,000
138	Acres of Prescribed Burning, Waterfowl	
139	Management, & Timber Management	
140	on WMAs to Sustain Healthy and	
141	Abundant Wildlife	40.00



142	Change in Number of Research Projects	
143	Conducted Populations (%)	0.00
144	Change in the Number of Private Land	
145	Acres Influenced (%)	10.00
146	Change in the Number of Forest	
147	Inventories Conducted (%)	25.00
148	Law Enforcement	
149	Hunter Education (Participants)	11,300
150	Number of Hours Patrolled on Land	155,000
151	Number of Hours Patrolled on Water	70,000
152	Number of Criminal Investigations Conducted	8,000
153	Number of Shooting Sport Programs	650
154	Number of Boating Accidents	10
155	Number of Boating Fatalities	0
156	Change in Hours Patrolled on Land	
157	& Water (%)	3.00
158	Increase in the Shooting Sports	
159	Program (%)	10.00
160	Change in the Number of Boating	
161	Accidents (%)	50.00
162	Change in Boating Related Fatalities (%)	50.00
163	Change in 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)	60
169	Used Vehicle Sales (Vehicles)	53
170	Change in Number of Vehicles in the Fleet	
171	in Order to Maintain Efficient &	
172	Reliable Fleet of Vehicles (%)	8.00
173	Parks	
174	Overnight Accommodations (Cabins/Motels)	140,000
175	Overnight Accommodations (Camping)	675,000
176	Day Use Services (Persons)	250,000
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	95,000
184	Number of Natural Heritage Records Entered	50,453
185	Change in the (N.O) of Specimens	0.00
186	Cataloged (%)	
187	Increase in Students that Understand the	
188	Importance of Natural Resource	
189	Conservation (%)	1.00
190	Increase of Visitors to Exhibits (%)	1.00
191	Change in Number Of Natural Heritage	



217 States Forest Service or any other agency if same should be
218 necessary for the acquisition of land by lease or otherwise for
219 such purposes.

220 **SECTION 10.** It shall be unlawful for any officer, employee
221 or other person whatsoever to use or permit or authorize the use
222 of any automobile or any other motor vehicle owned by the State of
223 Mississippi or any department, agency or institution thereof for
224 any purpose other than upon the official business of the State of
225 Mississippi or any agency, department or institution thereof.

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

229 **SECTION 11.** In order to be in compliance with Section
230 63-1-201 et seq., funds are herein provided and may be expended by
231 the Department of Wildlife, Fisheries and Parks to pay the costs
232 of commercial driver's licenses for specific employees and/or to
233 reimburse such costs for specific employees who, in the course of
234 their duties and responsibilities, are required to hold a valid
235 Mississippi Commercial Driver's License.

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



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

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

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

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



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

272 **SECTION 17.** It is the intention of the Legislature that no
273 more than One Million Three Hundred Thousand Dollars
274 (\$1,300,000.00) be expended from the Motor Vehicle Fund for the
275 purchase of any type of motor vehicle.

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

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

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



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

296 **SECTION 21.** It is the intent of the Legislature that from
297 the funds available to the Department of Wildlife, Fisheries and
298 Parks, the department may purchase and pay premium(s) on property
299 damage insurance on its motor vehicles, boats, trailers, real
300 property improvements, buildings, furnishings, and such other
301 assets as may be appropriate or practical, and/or as required by a
302 granting entity.

303 **SECTION 22.** Of the funds appropriated under the provisions
304 of Section 2, One Million Seven Hundred Fifty Thousand Dollars
305 (\$1,750,000.00) shall be designated for the purpose of defraying
306 the operational expenses of Special Projects. None of these funds
307 shall be used for "Personal Services".

308 **SECTION 23.** It is the intention of the Legislature that the
309 Department of Wildlife, Fisheries and Parks shall have the
310 authority to receive, budget and expend funds from the Gulf and
311 Wildlife Protection Fund, not to exceed Fifty Thousand Dollars
312 (\$50,000.00) for the purpose of preservation, protection,
313 conservation, and acquisition of waters, land and wildlife of this
314 state.



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

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

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

337 **SECTION 27.** Of the funds appropriated under the provisions
338 of Section 2, Twenty-five Thousand Dollars (\$25,000.00), or so
339 much thereof, shall be derived out of any money in the State



340 Treasury to the credit of the Capital Expense Fund, as created in
341 Section 27-103-303, Mississippi Code of 1972, and allocated in a
342 manner as determined by the Treasurer's Office, is provided to
343 construct a multi-purpose structure at Neshoba Lake.

344 **SECTION 28.** Of the funds appropriated under the provisions of
345 Section 2, Fifty Thousand Dollars (\$50,000.00), or so much
346 thereof, shall be derived out of any money in the State Treasury
347 to the credit of the Capital Expense Fund, as created in Section
348 27-103-303, Mississippi Code of 1972, and allocated in a manner as
349 determined by the Treasurer's Office, is provided for the Scenic
350 River Development Alliance in Southwest Mississippi.

351 **SECTION 29.** The money herein appropriated shall be paid by
352 the State Treasurer out of any money in the State Treasury to the
353 credit of the proper fund or funds as set forth in this act, upon
354 warrants issued by the State Fiscal Officer; and the State Fiscal
355 Officer shall issue his warrants upon requisitions signed by the
356 proper person, officer or officers, in the manner provided by law.

357 **SECTION 30.** This act shall take effect and be in force from
358 and after July 1, 2018.

