

By: Representatives Read, Bounds, Bennett,  
Busby, Clark, DeLano, Eure, Huddleston,  
Ladner, Staples, Sullivan, Turner, Dixon

To: Appropriations

HOUSE BILL NO. 1659  
(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 2020.

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, 2019, and ending June 30, 2020.....  
10 .....\$ 6,034,599.00.

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, 2019, and ending June 30, 2020.....



19 .....\$ 73,934,475.00.

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 July 1,  
24 2019, and ending June 30, 2020.....\$ 5,750,000.00.

25 The Department of Revenue 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 2020.

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 2021 do not  
56 exceed Fiscal Year 2020 funds appropriated for that purpose,  
57 unless programs or positions are added to the agency's Fiscal Year  
58 2020 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 2020  
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 2020 "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 Funds are provided herein for all full-time employees to  
76 receive up to a Three Percent (3%) pay increase to the realignment  
77 component of the Variable Compensation Plan, excluding head of  
78 agencies, board members and commission members.

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

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91 act and which are withdrawn and no longer available.

92 None of the funds herein appropriated shall be used in  
93 violation of Internal Revenue Service's Publication 15-A relating



94 to the reporting of income paid to contract employees, as  
95 interpreted by the Office of the State Auditor.

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

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

103 **SECTION 6.** It is the intention of the Legislature that the  
104 Department of Wildlife, Fisheries and Parks shall maintain  
105 complete accounting and personnel records related to the  
106 expenditure of all funds appropriated under this act and that such  
107 records shall be in the same format and level of detail as  
108 maintained for Fiscal Year 2019. It is further the intention of  
109 the Legislature that the agency's budget request for Fiscal Year  
110 2021 shall be submitted to the Joint Legislative Budget Committee  
111 in a format and level of detail comparable to the format and level  
112 of detail provided during the Fiscal Year 2020 budget request  
113 process.

114 **SECTION 7.** In compliance with the "Mississippi Performance  
115 Budget and Strategic Planning Act of 1994," it is the intent of  
116 the Legislature that the funds provided herein shall be utilized  
117 in the most efficient and effective manner possible to achieve the  
118 intended mission of this agency. Based on the funding authorized,



119 this agency shall make every effort to attain the targeted  
120 performance measures provided below:

| 121 |   | FY2020        |
|-----|---|---------------|
| 122 | <u>Performance Measures</u>                 | <u>Target</u> |
| 123 | Support Services                            |               |
| 124 | Hunting & Fishing Licenses Sold (Number Of) | 500,000       |
| 125 | Registration of Boats (Number Of)           | 40,000        |
| 126 | Change in License Sales (%)                 | 0.00          |
| 127 | Change in Boat Registration (%)             | 0.00          |
| 128 | Fisheries                                   |               |
| 129 | Fish Stock for Public Water (Fish)          | 2,000,000     |
| 130 | Number of Customers of DWFP Lakes           | 65,000        |
| 131 | Increase in Participation in Aquatic        |               |
| 132 | Education (%)                               | 0.00          |
| 133 | Number of Access Facilities Built or        |               |
| 134 | Maintained (Boat Ramps)                     | 38            |
| 135 | Wildlife                                    |               |
| 136 | MDWFP Management for Hunters &              |               |
| 137 | Non-consumptive Users (Man-days)            | 200,000       |
| 138 | Research Projects Conducted to Sustain      |               |
| 139 | Healthy & Abundant Wildlife Populations     | 6             |
| 140 | Acres of Forest Inventory                   | 3,000         |
| 141 | Acres of Prescribed Burning, Waterfowl      |               |
| 142 | Management, & Timber Management on WMA's    |               |
| 143 | to sustain Healthy and Abundant             |               |



|     |   |         |
|-----|---|---------|
| 144 | Wildlife                                    | 15,000  |
| 145 | Percentage change in number of research     |         |
| 146 | projects conducted to sustain healthy       |         |
| 147 | and abundant wildlife populations.          | -60.00  |
| 148 | Percentage Change in number of Private Land |         |
| 149 | Acres Influenced                            | 0.00    |
| 150 | Percentage Change in the Number of Forest   |         |
| 151 | Inventories Conducted                       | -93.00  |
| 152 | Law Enforcement                             |         |
| 153 | Hunter Education (Participants)             | 10,000  |
| 154 | Number of Hours Patrolled on Land           | 156,000 |
| 155 | Number of Hours Patrolled on Water          | 72,000  |
| 156 | Number of Criminal Investigations Conducted | 9,000   |
| 157 | Number of Shooting Sport Programs           | 650     |
| 158 | Number of Boating Accidents                 | 25      |
| 159 | Number of Boating Fatalities                | 5       |
| 160 | Cost per Boating Fatality (\$)              | 139.00  |
| 161 | Increase in Shooting Sports Program (%)     | 10      |
| 162 | Change in Number of Boating Accidents (%)   | 50      |
| 163 | Change in Boating Related Fatalities (%)    | 5       |
| 164 | Change in Public Contacts per               |         |
| 165 | Officer/per Day (%)                         | 10      |
| 166 | Special Projects                            |         |
| 167 | Improve use of special funds (%)            | 0.20    |
| 168 | Motor Vehicle Fund                          |         |



|     |  |         |
|-----|--|---------|
| 169 | Vehicles Purchased                         | 48      |
| 170 | Used Vehicle Sold                          | 48      |
| 171 | Change in Number of Vehicles in the        |         |
| 172 | Fleet in Order to Maintain Efficient and   |         |
| 173 | Reliable Fleet of Vehicles (%)             | 10.00   |
| 174 | Parks                                      |         |
| 175 | Overnight Accommodation (Cabins/Motels)    | 142,000 |
| 176 | Overnight Accommodations (Camping)         | 730,000 |
| 177 | Day Use Services (Persons)                 | 230,000 |
| 178 | Change in Day Use Services (%)             | 13.00   |
| 179 | Change in the Prior Year of Occupancy      |         |
| 180 | Rate of Cabins (%)                         | 2.00    |
| 181 | Museum                                     |         |
| 182 | Statewide Education Programming            |         |
| 183 | (Participants)                             | 125,000 |
| 184 | Total Public Programming (Persons)         | 270,000 |
| 185 | Number of Visitors to Exhibits             | 95,000  |
| 186 | Number of Natural Heritage Records Entered | 50,000  |
| 187 | Increase in Students that Understand the   |         |
| 188 | Importance of Natural Resource             |         |
| 189 | Conservation (%)                           | 0.00    |
| 190 | Increase of Visitors to Exhibits (%)       | 0.00    |
| 191 | Change in the number of Natural Heritage   |         |
| 192 | Records (%)                                | 1.00    |





193 A reporting of the degree to which the performance targets  
194 set above have been or are being achieved shall be provided in the  
195 agency's budget request submitted to the Joint Legislative Budget  
196 Committee for Fiscal Year 2021.

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

202 **SECTION 9.** Of the funds appropriated within this act, the  
203 Commission on Wildlife, Fisheries and Parks may enter into  
204 cooperative agreements with the board of supervisors of any county  
205 or any group or combination of counties for the purpose of  
206 creating, improving or restoring parks, public game and fish  
207 habitat lying or to be situated wholly or partially within such  
208 county or in an adjoining county; and each county is empowered and  
209 authorized, in its discretion, to expend funds from the general  
210 county fund for such purposes from which fund they shall reimburse  
211 to the Commission on Wildlife, Fisheries and Parks the actual cost  
212 of all surveying and engineering projects incurred by the  
213 Department of Wildlife, Fisheries and Parks incidental thereto.  
214 Such boards of supervisors are further authorized and empowered,  
215 in their discretion, to enter into agreements necessary to carry  
216 out the purposes of this act with any other county, the United  
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.** The following sum, or so much thereof as may be  
338 necessary, is reappropriated out of any money in the Capital  
339 Expense Fund not otherwise appropriated, for Mississippi Wildlife,



340 Fisheries, & Parks for the purpose of reauthorizing the  
341 expenditure of Capital Expense Funds for the construction of a  
342 multi-purpose structure at Neshoba Lake, as authorized in HB 1610,  
343 2018 Regular Session, for the fiscal year beginning July 1, 2019,  
344 and ending June 30, 2020.....\$ 25,000.00.

345 Notwithstanding the amount reappropriated under the  
346 provisions of this section, in no event shall the amount expended  
347 exceed the unexpended balance of June 30, 2019.

348 **SECTION 28.** Of the funds appropriated under the provisions  
349 of Section 2, Forty Thousand Dollars (\$40,000.00), or so much  
350 thereof, shall be derived out of any money in the State Treasury  
351 to the credit of the Capital Expense Fund, as created in Section  
352 27-103-303, Mississippi Code of 1972, and allocated in a manner as  
353 determined by the Treasurer's Office, is provided to construct a  
354 multi-purpose structure at Neshoba Lake.

355 **SECTION 29.** Of the funds appropriated under the provisions  
356 of Section 2, Fifty Thousand Dollars (\$50,000.00), or so much  
357 thereof, shall be derived out of any money in the State Treasury  
358 to the credit of the Capital Expense Fund, as created in Section  
359 27-103-303, Mississippi Code of 1972, and allocated in a manner as  
360 determined by the Treasurer's Office, is provided for the Scenic  
361 River Development Alliance in Southwest Mississippi.

362 **SECTION 30.** Of the funds appropriated under the provisions  
363 of Section 2, Four Hundred Thousand Dollars (\$400,000.00), or so  
364 much thereof, shall be derived out of any money in the State



365 Treasury to the credit of the Capital Expense Fund, as created in  
366 Section 27-103-303, Mississippi Code of 1972, and allocated in a  
367 manner as determined by the Treasurer's Office, is provided for  
368 the detection and prevention of Chronic Wasting Disease in deer  
369 populations across the state.

370       **SECTION 31.** The money herein appropriated shall be paid by  
371 the State Treasurer out of any money in the State Treasury to the  
372 credit of the proper fund or funds as set forth in this act, upon  
373 warrants issued by the State Fiscal Officer; and the State Fiscal  
374 Officer shall issue his warrants upon requisitions signed by the  
375 proper person, officer or officers, in the manner provided by law.

376       **SECTION 32.** This act shall take effect and be in force from  
377 and after July 1, 2019.

