

By: Representatives Read, Bounds, Arnold,
Beckett, Eure, Hale, Mangold, Oliver, Turner

To: Appropriations

HOUSE BILL NO. 1393
(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 2022.

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, 2021, and ending June 30, 2022.....
10 \$ 5,990,033.00.

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, 2021, and ending June 30, 2022



19 \$ 77,023,000.00.

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, 2021, and ending June 30, 2022 \$ 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



and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2022.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time	634
	Part Time	0
Time-Limited:	Full Time	63
	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 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 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. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each



69 action approved by the State Personnel Board to the chairmen of
70 the Accountability, Efficiency and Transparency Committees of the
71 Senate and House of Representatives and the chairmen of the
72 Appropriations Committees of the Senate and House of
73 Representatives. It shall be the responsibility of the agency
74 head to ensure that no single personnel action increases this
75 projected annual cost and/or the Fiscal Year 2022 appropriations
76 for "Personal Services" when annualized, with the exception of
77 escalated funds and the award of benchmarks. If, at the time the
78 agency takes any action to change "Personal Services," the State
79 Personnel Board determines that the agency has taken an action
80 which would cause the agency to exceed this projected annual cost
81 or the Fiscal Year 2022 "Personal Services" appropriated level,
82 when annualized, then only those actions which reduce the
83 projected annual cost and/or the appropriation requirement will be
84 processed by the State Personnel Board until such time as the
85 requirements of this provision are met.

86 Any transfers or escalations shall be made in accordance with
87 the terms, conditions and procedures established by law or
88 allowable under the terms set forth within this act. The State
89 Personnel Board shall not escalate positions without written
90 approval from the Department of Finance and Administration. The
91 Department of Finance and Administration shall not provide written
92 approval to escalate any funds for salaries and/or positions



93 without proof of availability of new or additional funds above the
94 appropriated level.

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

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

103 Funds have been appropriated herein for the purpose of
104 implementation and funding Project SEC2 of the Colonel Guy Groff
105 State Variable Compensation Plan beginning January 1, 2022, and
106 ending June 30, 2022. It shall be the agency's responsibility to
107 make certain that each person, excluding executive directors,
108 agency heads, and elected judges, shall receive no more than a 3%
109 annual increase in salary which shall not exceed the market rate
110 established by the State Personnel Board pursuant to the Colonel
111 Guy Groff State Variable Compensation Plan for each
112 classification.

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

116 Provided further, when any personnel of the Bureau of
117 Wildlife and Fisheries are transferred from one (1) county to



118 another on a permanent assignment, the expense monies now paid on
119 out-of-county duty shall not be applicable.

120 **SECTION 6.** It is the intention of the Legislature that the
121 Department of Wildlife, Fisheries and Parks shall maintain
122 complete accounting and personnel records related to the
123 expenditure of all funds appropriated under this act and that such
124 records shall be in the same format and level of detail as
125 maintained for Fiscal Year 2021. It is further the intention of
126 the Legislature that the agency's budget request for Fiscal Year
127 2023 shall be submitted to the Joint Legislative Budget Committee
128 in a format and level of detail comparable to the format and level
129 of detail provided during the Fiscal Year 2022 budget request
130 process.

131 **SECTION 7.** In compliance with the "Mississippi Performance
132 Budget and Strategic Planning Act of 1994," it is the intent of
133 the Legislature that the funds provided herein shall be utilized
134 in the most efficient and effective manner possible to achieve the
135 intended mission of this agency. Based on the funding authorized,
136 this agency shall make every effort to attain the targeted
137 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
Support Services	
Hunting & Fishing Licenses Sold (Number Of)	450,000
Registration of Boats (Number Of)	46,000



143	Change in License Sales (%)	1.00
144	Change in Boat Registration (%)	1.00
145	Fisheries	
146	Fish Stock for Public Water (Fish)	2,000,000
147	Number of Customers of DWFP Lakes	65,000
148	Increase in Participation in Aquatic	
149	Education (%)	6,500.00
150	Number of Access Facilities Built or	
151	Maintained (Boat Ramps)	38
152	Wildlife	
153	MDWFP Management for Hunters &	
154	Non-consumptive Users (Man-days)	125,000
155	Research Projects Conducted to Sustain	
156	Healthy & Abundant Wildlife Populations	4
157	Acres of Forest Inventory	10,000
158	Acres of Prescribed Burning, Waterfowl	
159	Management, & Timber Management on WMA's	
160	to sustain Healthy and Abundant	
161	Wildlife	33,500
162	Change in Number of Research Projects	
163	Conducted to Sustain Healthy and	
164	Abundant Wildlife Populations(%)	0.00
165	Change in number of Private Land Acres	
166	Influenced (%)	0.00
167	Change in the number of Forest	



168	Inventories Conducted (%)	0.00
169	Law Enforcement	
170	Hunter Education (Participants)	10,000
171	Number of Hours Patrolled on Land	160,000
172	Number of Hours Patrolled on Water	72,000
173	Number of Criminal Investigations Conducted	8,000
174	Number of Shooting Sport Programs	840
175	Number of Boating Accidents	20
176	Number of Boating Fatalities	5
177	Cost per student for Hunter Education	48.00
178	Increase in Shooting Sports Program (%)	23.00
179	Change in number of Boating Accidents (%)	50.00
180	Change in Boating Related Fatalities (%)	50.00
181	Change in Public Contacts per	
182	Officer/per Day (%)	10.00
183	Special Projects	
184	Improve use of special funds (%)	0.20
185	Motor Vehicle Fund	
186	Vehicles Purchased	41
187	Used Vehicle Sold	41
188	Change in Number of Vehicles in the	
189	Fleet in Order to Maintain Efficient and	
190	Reliable Fleet of Vehicles (%)	3.00
191	Parks	
192	Overnight Accommodation (Cabins/Motels)	450,000



193	Overnight Accommodations (Camping)	745,000
194	Day Use Services (Persons)	300,000
195	Change in Day Use Services (%)	2.00
196	Change in the Prior Year of Occupancy	
197	Rate of Cabins (%)	1.00
198	Museum	
199	Statewide Education Programming	
200	(Participants)	100,000
201	Total Public Programming (Persons)	200,000
202	Number of Visitors to Exhibits	60,000
203	Number of Natural Heritage Records Entered	50,000
204	Increase in Students that Understand the	
205	Importance of Natural Resource	
206	Conservation (%)	15.00
207	Increase of Visitors to Exhibits (%)	5.00
208	Change in the number of Natural Heritage	
209	Records (%)	10.00

210 A reporting of the degree to which the performance targets
 211 set above have been or are being achieved shall be provided in the
 212 agency's budget request submitted to the Joint Legislative Budget
 213 Committee for Fiscal Year 2023.

214 **SECTION 8.** Of the funds appropriated in Section 2, the
 215 following amount shall come from the Department of Wildlife,
 216 Fisheries and Parks Special Pearl River Timber Fund No. 3465, for



the purpose of making improvements to the Pearl River Wildlife
Management Area\$ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the
Commission on Wildlife, Fisheries and Parks may enter into
cooperative agreements with the board of supervisors of any county
or any group or combination of counties for the purpose of
creating, improving or restoring parks, public game and fish
habitat lying or to be situated wholly or partially within such
county or in an adjoining county; and each county is empowered and
authorized, in its discretion, to expend funds from the general
county fund for such purposes from which fund they shall reimburse
to the Commission on Wildlife, Fisheries and Parks the actual cost
of all surveying and engineering projects incurred by the
Department of Wildlife, Fisheries and Parks incidental thereto.
Such boards of supervisors are further authorized and empowered,
in their discretion, to enter into agreements necessary to carry
out the purposes of this act with any other county, the United
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.

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 stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind



shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

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

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

SECTION 17. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars



291 (\$1,300,000.00) be expended from the Motor Vehicle Fund for the
292 purchase of any type of motor vehicle.

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

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

305 **SECTION 20.** It is the intent of the Legislature that the
306 Mississippi Department of Wildlife, Fisheries and Parks shall have
307 the authority to enter into multi-year contracts for the purpose
308 of placing a sign on such state park property under the
309 department's domain, in accordance with any applicable rules and
310 regulations. All proceeds generated from these activities shall
311 remain with the department and shall be deposited into the proper
312 special fund.

313 **SECTION 21.** It is the intent of the Legislature that from
314 the funds available to the Department of Wildlife, Fisheries and
315 Parks, the department may purchase and pay premium(s) on property



316 damage insurance on its motor vehicles, boats, trailers, real
317 property improvements, buildings, furnishings, and such other
318 assets as may be appropriate or practical, and/or as required by a
319 granting entity.

320 **SECTION 22.** Of the funds appropriated under the provisions
321 of Section 2, One Million Seven Hundred Fifty Thousand Dollars
322 (\$1,750,000.00) shall be designated for the purpose of defraying
323 the operational expenses of Special Projects. None of these funds
324 shall be used for "Personal Services".

325 **SECTION 23.** It is the intention of the Legislature that the
326 Department of Wildlife, Fisheries and Parks shall have the
327 authority to receive, budget and expend funds from the Gulf and
328 Wildlife Protection Fund, not to exceed Fifty Thousand Dollars
329 (\$50,000.00) for the purpose of preservation, protection,
330 conservation, and acquisition of waters, land and wildlife of this
331 state.

332 **SECTION 24.** Of the funds appropriated under the provisions
333 of Section 2, Four Hundred Thousand Dollars (\$400,000.00), or so
334 much thereof, shall be derived out of any money in the State
335 Treasury to the credit of the Capital Expense Fund, as created in
336 Section 27-103-303, Mississippi Code of 1972, and allocated in a
337 manner as determined by the Treasurer's Office, is provided for
338 the detection and prevention of Chronic Wasting Disease in deer
339 populations across the state.



340 **SECTION 25.** Of the funds appropriated under the provisions
341 of Section 2, Three Million One Hundred Thousand Dollars
342 (\$3,100,000.00), or so much thereof, shall be derived out of any
343 money in the State Treasury to the credit of the Capital Expense
344 Fund, as created in Section 27-103-303, Mississippi Code of 1972,
345 and allocated in a manner as determined by the Treasurer's Office,
346 is provided for the purchase of land to provide public access to
347 hunting, fishing, and outdoor activities.

348 **SECTION 26.** It is the intention of the Legislature that the
349 funds herein appropriated shall be expended in compliance with
350 Section 27-104-25, Mississippi Code of 1972, that no state agency
351 shall incur obligations or indebtedness in excess of their
352 appropriation and that the responsible officers, either personally
353 or upon their official bonds, shall be held responsible for
354 actions contrary to this provision.

355 **SECTION 27.** Of the funds appropriated in Section 1, it is
356 the intention of the Legislature that Fifty-eight Thousand Five
357 Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the
358 Hunter Education program supported from the General Fund court
359 assessments.

360 **SECTION 28.** The money herein appropriated shall be paid by
361 the State Treasurer out of any money in the State Treasury to the
362 credit of the proper fund or funds as set forth in this act, upon
363 warrants issued by the State Fiscal Officer; and the State Fiscal



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

366 **SECTION 29.** This act shall take effect and be in force from
367 and after July 1, 2021.

