

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

To: Appropriations

HOUSE BILL NO. 1605

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 2023.

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, 2022, and ending June 30, 2023.....  
10 .....\$ 5,941,051.00.

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, 2022, and ending June 30, 2023.....



19 .....\$ 65,494,667.00.

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, 2022, and ending June 30, 2023.....\$ 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 2023.

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.....	489
50		Part Time.....	0
51	Time-Limited:	Full Time.....	48
52		Part Time.....	0

53 With the funds herein appropriated, it shall be the agency's  
54 responsibility to make certain that funds required for "Personal  
55 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023  
56 funds appropriated for that purpose unless programs or positions  
57 are added to the agency's Fiscal Year 2023 budget by the  
58 Mississippi Legislature. The Legislature shall determine the  
59 agency's personal services appropriation, which shall be published  
60 by the State Personnel Board. Additionally, the State Personnel  
61 Board shall determine and publish the projected annualized payroll  
62 costs based on current employees. It shall be the responsibility  
63 of the agency head to ensure that actual personnel expenditures  
64 for Fiscal Year 2023 do not exceed the data provided by the  
65 Legislative Budget Office. If the agency's Fiscal Year 2023  
66 projected cost exceeds the annualized costs, no salary actions  
67 shall be processed by the State Personnel Board with the exception  
68 of new hires that are determined to be essential for the agency.



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

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

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

86           Funds have been appropriated herein for the purpose of  
87 funding Project SEC2 minimum salaries for all employees covered  
88 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
89 Plan. It shall be the agency's responsibility to ensure that the  
90 funds are used to increase all employees' salaries up to the  
91 minimum level as determined by the State Personnel Board.



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 2022. It is further the intention of  
105 the Legislature that the agency's budget request for Fiscal Year  
106 2024 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 2023 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		FY2023
118	<u>Performance Measures</u>	<u>Target</u>
119	Support Services	
120	Number of Hunting & Fishing Licenses Sold	460,000
121	Number of Registrations of Boats	50,000
122	Percent Change in License Sales	1.00
123	Percent Change in Boat Registration	1.00
124	Fisheries	
125	Number of Fish Stocked for Public Waters	2,000,000
126	Number of Customers of DWFP Lakes	65,000
127	Number of Participants in Aquatic Education	6,500
128	Number of Access Facilities Built or	
129	Maintained (Boat Ramps)	0
130	Wildlife	
131	MDWFP Mgmt for Hunters & Non-Consumptive	
132	Users (Man-Days)	100,000
133	Research Projects Conducted to Sustain	
134	Healthy & Abundant Wildlife Populations	6
135	Acres of Forest Inventory	500
136	Acres of Prescribed Burning, Waterfowl	
137	Management, & Timber Management on WMA's	
138	to Sustain Healthy & Abundant Wildlife	30,000
139	Percent Change in Number of Research	
140	Projects Conducted to Sustain Healthy &	
141	Abundant Wildlife Populations	50.00



142	Percent Change in Number of Private Land	
143	Acres Influenced	-30.00
144	Percent Change in the Number of Forest	
145	Inventories Conducted	0.00
146	Law Enforcement	
147	Hunter Education (Participants)	11,000
148	Number of Hours Patrolled on Land	175,000
149	Number of Hours Patrolled on Water	75,000
150	Number of Criminal Investigations Conducted	8,000
151	Number of Shooting Sport Programs	1,500
152	Number of Boating Accidents	40
153	Number of Boating Fatalities	0
154	Cost per Student for Hunter Education	48.00
155	Percent Increase in Shooting Sports Program	10.00
156	Percent Change in Number of Boating	
157	Accidents	50.00
158	Percent Change in Boating Related Fatalities	50.00
159	Percent Change in Public Contacts per	
160	Officer/per Day	0.00
161	Special Projects	
162	Improve Use of Special Funds (%)	0.20
163	Motor Vehicle Fund	
164	Number of Vehicles Purchased	40
165	Number of Used Vehicles Sold	40
166	Percent Change in Number of Vehicles in	



167	the Fleet in Order to Maintain Efficient	
168	& Reliable Fleet of Vehicles	1.00
169	Parks	
170	Overnight Accommodation (Cabins/Motels)	160,000
171	Overnight Accommodations (Camping)	750,000
172	Day Use Services (Persons)	400,000
173	Percent Change in Day Use Services	0.00
174	Percent Change in the Prior Year of	
175	Occupancy Rate of Cabins	0.00
176	Museum	
177	Statewide Education Programming	
178	(Participants)	110,000
179	Total Public Programming (Persons)	210,000
180	Number of Visitors to Exhibits	70,000
181	Number of Natural Heritage Records Entered	60,000
182	Percent Change of Students that	
183	Understand the Importance of Natural	
184	Resource Conservation	15.00
185	Percent Change of Visitors to Exhibits	5.00
186	Percent Change in the Number of Natural	
187	Heritage Records	10.00
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 2024.	





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



217 of any automobile or any other motor vehicle owned by the State of  
218 Mississippi or any department, agency or institution thereof for  
219 any purpose other than upon the official business of the State of  
220 Mississippi or any agency, department or institution thereof.

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

224 **SECTION 11.** In order to be in compliance with Section  
225 63-1-201 et seq., funds are herein provided and may be expended by  
226 the Department of Wildlife, Fisheries and Parks to pay the costs  
227 of commercial driver's licenses for specific employees and/or to  
228 reimburse such costs for specific employees who, in the course of  
229 their duties and responsibilities, are required to hold a valid  
230 Mississippi Commercial Driver's License.

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

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

239 **SECTION 14.** It is the intention of the Legislature that  
240 whenever two (2) or more bids are received by this agency for the  
241 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 of wildlife management  
266 areas.



267           **SECTION 17.** It is the intention of the Legislature that no  
268 more than One Million Three Hundred Thousand Dollars  
269 (\$1,300,000.00) be expended from the Motor Vehicle Fund for the  
270 purchase of any type of motor vehicle.

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

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

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



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

298           **SECTION 22.** Of the funds appropriated under the provisions  
299 of Section 2, One Million Seven Hundred Fifty Thousand Dollars  
300 (\$1,750,000.00) shall be designated for the purpose of defraying  
301 the operational expenses of Special Projects. None of these funds  
302 shall be used for "Personal Services".

303           **SECTION 23.** It is the intention of the Legislature that the  
304 Department of Wildlife, Fisheries and Parks shall have the  
305 authority to receive, budget and expend funds from the Gulf and  
306 Wildlife Protection Fund, not to exceed Fifty Thousand Dollars  
307 (\$50,000.00) for the purpose of preservation, protection,  
308 conservation, and acquisition of waters, land and wildlife of this  
309 state.

310           **SECTION 24.** It is the intention of the Legislature that the  
311 funds herein appropriated shall be expended in compliance with  
312 Section 27-104-25, Mississippi Code of 1972, that no state agency  
313 shall incur obligations or indebtedness in excess of their  
314 appropriation and that the responsible officers, either personally



315 or upon their official bonds, shall be held responsible for  
316 actions contrary to this provision.

317       **SECTION 25.** Of the funds appropriated in Section 1, it is  
318 the intention of the Legislature that Fifty-eight Thousand Five  
319 Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the  
320 Hunter Education program supported from the General Fund court  
321 assessments.

322       **SECTION 26.** The money herein appropriated shall be paid by  
323 the State Treasurer out of any money in the State Treasury to the  
324 credit of the proper fund or funds as set forth in this act, upon  
325 warrants issued by the State Fiscal Officer; and the State Fiscal  
326 Officer shall issue his warrants upon requisitions signed by the  
327 proper person, officer or officers, in the manner provided by law.

328       **SECTION 27.** This act shall take effect and be in force from  
329 and after July 1, 2022, and shall stand repealed June 30, 2022.

