

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

To: Appropriations

HOUSE BILL NO. 1605
(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 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\$ 9,540,002.00.

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\$ 80,144,536.00.

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 HEADCOUNT:

49	Permanent:	Full Time.....	575
50	Time-Limited:	Full Time.....	58

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

67 Any transfers or escalations shall be made in accordance with
68 the terms, conditions and procedures established by law or



69 allowable under the terms set forth within this act. The State
70 Personnel Board shall not escalate positions without written
71 approval from the Department of Finance and Administration. The
72 Department of Finance and Administration shall not provide written
73 approval to escalate any funds for salaries and/or positions
74 without proof of availability of new or additional funds above the
75 appropriated level.

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79 act and which are withdrawn and no longer available.

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

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

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



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

97 **SECTION 6.** It is the intention of the Legislature that the
98 Department of Wildlife, Fisheries and Parks shall maintain
99 complete accounting and personnel records related to the
100 expenditure of all funds appropriated under this act and that such
101 records shall be in the same format and level of detail as
102 maintained for Fiscal Year 2022. It is further the intention of
103 the Legislature that the agency's budget request for Fiscal Year
104 2024 shall be submitted to the Joint Legislative Budget Committee
105 in a format and level of detail comparable to the format and level
106 of detail provided during the Fiscal Year 2023 budget request
107 process.

108 **SECTION 7.** In compliance with the "Mississippi Performance
109 Budget and Strategic Planning Act of 1994," it is the intent of
110 the Legislature that the funds provided herein shall be utilized
111 in the most efficient and effective manner possible to achieve the
112 intended mission of this agency. Based on the funding authorized,
113 this agency shall make every effort to attain the targeted
114 performance measures provided below:

115		FY2023
116	<u>Performance Measures</u>	<u>Target</u>
117	Support Services	



118	Number of Hunting & Fishing Licenses Sold	460,000
119	Number of Registrations of Boats	50,000
120	Percent Change in License Sales	1.00
121	Percent Change in Boat Registration	1.00
122	Fisheries	
123	Number of Fish Stocked for Public Waters	2,000,000
124	Number of Customers of DWFP Lakes	65,000
125	Number of Participants in Aquatic Education	6,500
126	Number of Access Facilities Built or	
127	Maintained (Boat Ramps)	0
128	Wildlife	
129	MDWFP Mgmt for Hunters & Non-Consumptive	
130	Users (Man-Days)	100,000
131	Research Projects Conducted to Sustain	
132	Healthy & Abundant Wildlife Populations	6
133	Acres of Forest Inventory	500
134	Acres of Prescribed Burning, Waterfowl	
135	Management, & Timber Management on WMA's	
136	to Sustain Healthy & Abundant Wildlife	30,000
137	Percent Change in Number of Research	
138	Projects Conducted to Sustain Healthy &	
139	Abundant Wildlife Populations	50.00
140	Percent Change in Number of Private Land	
141	Acres Influenced	-30.00
142	Percent Change in the Number of Forest	



143	Inventories Conducted	0.00
144	Law Enforcement	
145	Hunter Education (Participants)	11,000
146	Number of Hours Patrolled on Land	175,000
147	Number of Hours Patrolled on Water	75,000
148	Number of Criminal Investigations Conducted	8,000
149	Number of Shooting Sport Programs	1,500
150	Number of Boating Accidents	40
151	Number of Boating Fatalities	0
152	Cost per Student for Hunter Education	48.00
153	Percent Increase in Shooting Sports Program	10.00
154	Percent Change in Number of Boating	
155	Accidents	50.00
156	Percent Change in Boating Related Fatalities	50.00
157	Percent Change in Public Contacts per	
158	Officer/per Day	0.00
159	Special Projects	
160	Improve Use of Special Funds (%)	0.20
161	Motor Vehicle Fund	
162	Number of Vehicles Purchased	40
163	Number of Used Vehicles Sold	40
164	Percent Change in Number of Vehicles in	
165	the Fleet in Order to Maintain Efficient	
166	& Reliable Fleet of Vehicles	1.00
167	Parks	



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

186 A reporting of the degree to which the performance targets
187 set above have been or are being achieved shall be provided in the
188 agency's budget request submitted to the Joint Legislative Budget
189 Committee for Fiscal Year 2024.

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



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

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

213 **SECTION 10.** It shall be unlawful for any officer, employee
214 or other person whatsoever to use or permit or authorize the use
215 of any automobile or any other motor vehicle owned by the State of
216 Mississippi or any department, agency or institution thereof for



217 any purpose other than upon the official business of the State of
218 Mississippi or any agency, department or institution thereof.

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

222 **SECTION 11.** In order to be in compliance with Section
223 63-1-201 et seq., funds are herein provided and may be expended by
224 the Department of Wildlife, Fisheries and Parks to pay the costs
225 of commercial driver's licenses for specific employees and/or to
226 reimburse such costs for specific employees who, in the course of
227 their duties and responsibilities, are required to hold a valid
228 Mississippi Commercial Driver's License.

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

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

237 **SECTION 14.** It is the intention of the Legislature that
238 whenever two (2) or more bids are received by this agency for the
239 purchase of commodities or equipment, and whenever all things
240 stated in such received bids are equal with respect to price,
241 quality and service, the Mississippi Industries for the Blind



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

245 **SECTION 15.** Of the funds appropriated in Section 1, it is
246 the intention of the Legislature that Four Hundred Thousand
247 Dollars (\$400,000.00) is allocated for the detection and
248 prevention of Chronic Wasting Disease in deer populations across
249 the state.

250 **SECTION 16.** Of the funds appropriated in Section 1, it is
251 the intention of the Legislature that Seventy-five Thousand
252 Dollars (\$75,000.00) is allocated for LeFleur's Bluff State Park
253 for playground security expenses.

254 **SECTION 17.** Of the funds appropriated herein, Two Hundred
255 Thousand Dollars (\$200,000.00) may be provided to fund the Youth
256 Participation Initiative for the purpose of educating children in
257 the areas of hunting, fishing, conservation, and safety.

258 **SECTION 18.** The fund created pursuant to Section 49-5-21,
259 Mississippi Code of 1972, and known as the "Fisheries and Wildlife
260 Fund" shall be treated as a special trust fund. All funds derived
261 from the sale of licenses, fees, fines and other revenues received
262 by the department as provided by law, shall be deposited in the
263 Fisheries and Wildlife Fund. In addition, revenue derived from
264 the sale of timber on wildlife management areas, refuges and
265 preserves shall be deposited into an account established for such
266 revenues under the Fisheries and Wildlife Fund. The interest and



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

274 **SECTION 19.** It is the intention of the Legislature that no
275 more than One Million Three Hundred Thousand Dollars
276 (\$1,300,000.00) be expended from the Motor Vehicle Fund for the
277 purchase of any type of motor vehicle.

278 **SECTION 20.** The executive director of the Department of
279 Wildlife, Fisheries and Parks is authorized to enter into an
280 agreement with any public or private entities to manage any park
281 or parks within the state park system.

282 **SECTION 21.** It is the intent of the Legislature that no
283 state-owned wildlife management area be closed and that to the
284 greatest practicable extent, department land management decisions
285 and actions may not result in any net loss of any acreage
286 available for hunting opportunities that existed on July 1, 2006,
287 as provided in Section 49-5-99(4). It is the intention of the
288 Legislature that no state park be closed without legislative
289 approval.

290 **SECTION 22.** It is the intent of the Legislature that the
291 Mississippi Department of Wildlife, Fisheries and Parks shall have



292 the authority to enter into multi-year contracts for the purpose
293 of placing a sign on such state park property under the
294 department's domain, in accordance with any applicable rules and
295 regulations. All proceeds generated from these activities shall
296 remain with the department and shall be deposited into the proper
297 special fund.

298 **SECTION 23.** It is the intent of the Legislature that from
299 the funds available to the Department of Wildlife, Fisheries and
300 Parks, the department may purchase and pay premium(s) on property
301 damage insurance on its motor vehicles, boats, trailers, real
302 property improvements, buildings, furnishings, and such other
303 assets as may be appropriate or practical, and/or as required by a
304 granting entity.

305 **SECTION 24.** Of the funds appropriated under the provisions
306 of Section 2, One Million Seven Hundred Fifty Thousand Dollars
307 (\$1,750,000.00) shall be designated for the purpose of defraying
308 the operational expenses of Special Projects. None of these funds
309 shall be used for "Personal Services".

310 **SECTION 25.** It is the intention of the Legislature that the
311 Department of Wildlife, Fisheries and Parks shall have the
312 authority to receive, budget and expend funds from the Gulf and
313 Wildlife Protection Fund, not to exceed Fifty Thousand Dollars
314 (\$50,000.00) for the purpose of preservation, protection,
315 conservation, and acquisition of waters, land and wildlife of this
316 state.



317 **SECTION 26.** Of the funds appropriated in Section 2, Ten
318 Million Dollars (\$10,000,000.00), or so much thereof, shall be
319 derived out of any money in the State Treasury to the credit of
320 the Capital Expense Fund, as created in Section 27-103-303,
321 Mississippi Code of 1972, and allocated in a manner as determined
322 by the Treasurer's Office. These funds shall be used for repairs
323 and renovations to state parks and museums operated by the
324 Department of Wildlife, Fisheries and Parks.

325 **SECTION 27.** It is the intention of the Legislature that the
326 funds herein appropriated shall be expended in compliance with
327 Section 27-104-25, Mississippi Code of 1972, that no state agency
328 shall incur obligations or indebtedness in excess of their
329 appropriation and that the responsible officers, either personally
330 or upon their official bonds, shall be held responsible for
331 actions contrary to this provision.

332 **SECTION 28.** 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 29.** The money herein appropriated shall be paid by
338 the State Treasurer out of any money in the State Treasury to the
339 credit of the proper fund or funds as set forth in this act, upon
340 warrants issued by the State Fiscal Officer; and the State Fiscal



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

343 **SECTION 30.** This act shall take effect and be in force from
344 and after July 1, 2022.

