

Senate Amendments to House Bill No. 1617

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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, 2023, and ending June 30, 2024.....
10\$ 9,079,053.00.

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, 2023, and ending June 30, 2024.....
19\$ 69,576,594.00.

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, 2023, and ending June 30, 2024.....\$ 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 2024.

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

48 AUTHORIZED HEADCOUNT:

49 Permanent: 533

50 Time-Limited: 49

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 2025 do not exceed Fiscal Year 2024 funds
54 appropriated for that purpose unless programs or positions are
55 added to the agency's Fiscal Year 2024 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 2024 do not exceed the data provided by the
63 Legislative Budget Office. If the agency's Fiscal Year 2024
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 2023. It is further the intention of
103 the Legislature that the agency's budget request for Fiscal Year
104 2025 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 2024 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:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
117 Support Services	
118 Number of Hunting and Fishing Licenses Sold	480,000
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	70,000
125 Number of Participants in Aquatic Education	6,500

126	Number of Access Facilities Built or	
127	Maintained (Boat Ramps)	35
128	Wildlife	
129	MDWFP Management for Hunters and	
130	Non-Consumptive Users (Man-Days)	125,000
131	Research Projects Conducted to Sustain	
132	Healthy and Abundant Wildlife	
133	Populations	6
134	Acres of Forest Inventory	1,000
135	Acres of Prescribed Burning, Waterfowl	
136	Management, and Timber Management on	
137	WMA's to Sustain Healthy & Abundant	
138	Wildlife	33,000
139	Percent Change in Number of Research	
140	Projects Conducted to Sustain Healthy	
141	and Abundant Wildlife Populations	0.00
142	Percent Change in Number of Private Land	
143	Acres Influenced	0.00
144	Percent Change in the Number of Forest	
145	Inventories Conducted	0.00
146	Law Enforcement	
147	Number of Hunter Education Participants	10,000
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	50
153	Number of Boating Fatalities	7
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	0.00
159	Percent Change in Public Contacts per	
160	Officer/per Day	50.00
161	Special Projects	
162	Percent increase in Improved Use of	
163	Special Funds (%)	0.20
164	Motor Vehicle Fund	
165	Number of Vehicles Purchased	35
166	Number of Used Vehicles Sold	35
167	Percent Change in Number of Vehicles in	
168	the Fleet in Order to Maintain Efficient	
169	and Reliable Fleet of Vehicles	1.00
170	Parks	
171	Overnight Accommodation (Cabins/Motels)	250,000
172	Overnight Accommodations (Camping)	795,000
173	Day Use Services	400,000
174	Percent Change in Day Use Services	10.00
175	Percent Change in the Prior Year of	
176	Occupancy Rate of Cabins	25.00
177	Museum	

178	Statewide Education Programming	250,000
179	Total Public Programming	125,000
180	Number of Visitors to Exhibits	95,000
181	Number of Natural Heritage Records Entered	60,000
182	Percent Change of Students that	
183	Understand the Importance of Natural	
184	Resource Conservation	5.00
185	Percent Change of Visitors to Exhibits	10.00
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 2025.

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 in Section 1, it is
248 the intention of the Legislature that Four Hundred Thousand
249 Dollars (\$400,000.00) is allocated for the detection and
250 prevention of Chronic Wasting Disease in deer populations across
251 the state.

252 **SECTION 16.** Of the funds appropriated in Section 1, it is
253 the intention of the Legislature that Seventy-five Thousand

254 Dollars (\$75,000.00) is allocated for LeFleur's Bluff State Park
255 for playground security expenses.

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

260 **SECTION 18.** The fund created pursuant to Section 49-5-21,
261 Mississippi Code of 1972, and known as the "Fisheries and Wildlife
262 Fund" shall be treated as a special trust fund. All funds derived
263 from the sale of licenses, fees, fines and other revenues received
264 by the department as provided by law, shall be deposited in the
265 Fisheries and Wildlife Fund. In addition, revenue derived from
266 the sale of timber on wildlife management areas, refuges and
267 preserves shall be deposited into an account established for such
268 revenues under the Fisheries and Wildlife Fund. The interest and
269 any investment income earned on the fund shall be credited by the
270 State Treasurer to the Fisheries and Wildlife Fund and shall not
271 be paid into the General Fund. Any unexpended funds remaining in
272 the fund at the end of the fiscal year shall not lapse and shall
273 remain in the fund. Nothing in this section shall prevent the use
274 of said funds from maintenance and upgrade of wildlife management
275 areas.

276 **SECTION 19.** It is the intention of the Legislature that no
277 more than One Million Three Hundred Thousand Dollars
278 (\$1,300,000.00) be expended from the Motor Vehicle Fund for the
279 purchase of any type of motor vehicle.

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

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

292 **SECTION 22.** It is the intent of the Legislature that the
293 Mississippi Department of Wildlife, Fisheries and Parks shall have
294 the authority to enter into multi-year contracts for the purpose
295 of placing a sign on such state park property under the
296 department's domain, in accordance with any applicable rules and
297 regulations. All proceeds generated from these activities shall
298 remain with the department and shall be deposited into the proper
299 special fund.

300 **SECTION 23.** It is the intent of the Legislature that from
301 the funds available to the Department of Wildlife, Fisheries and
302 Parks, the department may purchase and pay premium(s) on property
303 damage insurance on its motor vehicles, boats, trailers, real
304 property improvements, buildings, furnishings, and such other

305 assets as may be appropriate or practical, and/or as required by a
306 granting entity.

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

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

319 **SECTION 26.** It is the intention of the Legislature that the
320 funds herein appropriated shall be expended in compliance with
321 Section 27-104-25, Mississippi Code of 1972, that no state agency
322 shall incur obligations or indebtedness in excess of their
323 appropriation and that the responsible officers, either personally
324 or upon their official bonds, shall be held responsible for
325 actions contrary to this provision.

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

331 **SECTION 28.** The following sum, or so much thereof as may be
332 necessary, is reappropriated out of any money in the Capital
333 Expense Fund not otherwise appropriated for the Department of
334 Wildlife, Fisheries, and Parks for the purpose of reauthorizing
335 the expenditure of Capital Expense Funds, as authorized in HB
336 1605, 2022 Regular Session to provide for repairs and renovations
337 to state parks and museums for the fiscal year beginning July 1,
338 2023, and ending June 30, 2024.....\$ 6,000,000.00.

339 Notwithstanding the amount reappropriated under this section,
340 the amount that may be expended under the authority of this
341 section, shall not exceed the unexpended balance of the funds
342 remaining as of June 30, 2023, from the amount authorized for the
343 previous fiscal year. In addition, this reappropriation shall not
344 change the purpose for which the funds were originally authorized.

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

351 **SECTION 30.** This act shall take effect and be in force from
352 and after July 1, 2023, and shall stand repealed June 29, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 2024.

SS15\HB1617A.J

Eugene S. Clarke
Secretary of the Senate