

By: Senator(s) Bryan

To: Wildlife, Fisheries and  
Parks

SENATE BILL NO. 2659

1 AN ACT TO CREATE NEW SECTION 55-3-150, MISSISSIPPI CODE OF  
2 1972, TO EXPRESS THE FINDINGS AND INTENT OF THE LEGISLATURE  
3 REGARDING THE ADVISABILITY OF CREATING THE MISSISSIPPI PARKS  
4 CORPORATION; TO CREATE NEW SECTION 55-3-152, MISSISSIPPI CODE OF  
5 1972, TO CREATE THE MISSISSIPPI PARKS CORPORATION; TO CREATE NEW  
6 SECTION 55-3-154, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE  
7 ESTABLISHMENT OF THE CORPORATION'S BOARD OF DIRECTORS; TO PROVIDE  
8 THAT BOARD MEETINGS SHALL BE SUBJECT TO THE OPEN MEETINGS ACT; TO  
9 CREATE NEW SECTION 55-3-156, MISSISSIPPI CODE OF 1972, TO PROVIDE  
10 FOR THE APPOINTMENT OF THE CORPORATION'S PRESIDENT BY THE BOARD,  
11 SUBJECT TO THE APPROVAL OF THE GOVERNOR; TO CREATE NEW SECTION  
12 55-3-158, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
13 CORPORATION'S RECORDS SHALL BE SUBJECT TO THE PUBLIC RECORDS ACT,  
14 UNLESS EXEMPT UNDER FEDERAL OR STATE LAW; TO CREATE NEW SECTION  
15 55-3-160, MISSISSIPPI CODE OF 1972, TO DESCRIBE THE BOARD'S POWERS  
16 AND DUTIES; TO CREATE NEW SECTION 55-3-162, MISSISSIPPI CODE OF  
17 1972, TO DESCRIBE THE CORPORATION'S POWERS AND DUTIES; TO CREATE  
18 NEW SECTION 55-3-164, MISSISSIPPI CODE OF 1972, TO DESCRIBE THE  
19 PRESIDENT'S POWERS AND DUTIES; TO CREATE NEW SECTION 55-3-166,  
20 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO HIRE AN  
21 ATTORNEY OR CONTRACT WITH OUTSIDE COUNSEL; TO CREATE NEW SECTION  
22 55-3-168, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
23 CORPORATION SHALL ESTABLISH AND MAINTAIN A PERSONNEL PROGRAM,  
24 INCLUDING ADMINISTRATIVE RULES AND REGULATIONS FOR ITS EMPLOYEES;  
25 TO PROVIDE THAT CORPORATION EMPLOYEES SHALL BE CONSIDERED STATE  
26 EMPLOYEES FOR PURPOSES OF RETIREMENT AND OTHER BENEFITS BUT SHALL  
27 NOT BE SUBJECT TO THE STATE PERSONNEL BOARD; TO PROVIDE CERTAIN  
28 CONDITIONS AND STANDARDS OF EMPLOYMENT FOR CORPORATION OFFICERS  
29 AND EMPLOYEES AND OF SERVICE FOR BOARD MEMBERS; TO CREATE NEW  
30 SECTION 55-3-170, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL  
31 DIVISION HEADS, OFFICERS AND EMPLOYEES OF THE CORPORATION SHALL BE  
32 CONSIDERED PUBLIC SERVANTS, AND ALL DIVISION HEADS AND OFFICERS  
33 SHALL BE REQUIRED TO FILE A STATEMENT OF ECONOMIC INTEREST WITH  
34 THE MISSISSIPPI ETHICS COMMISSION; TO CREATE NEW SECTION 55-3-172,



35 MISSISSIPPI CODE OF 1972, TO PROVIDE REPORTING AND AUDITING  
36 REQUIREMENTS FOR THE CORPORATION; TO CREATE NEW SECTION 55-3-174,  
37 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION SHALL  
38 SUBMIT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE A COPY OF THE  
39 CORPORATION'S ANNUAL OPERATING BUDGET FOR THE UPCOMING FISCAL  
40 YEAR; TO AMEND SECTIONS 49-1-1, 49-1-3, 49-1-4, 49-4-1, 49-4-3,  
41 49-4-4, 49-4-8, 49-4-9, 49-4-13, 55-3-2, 55-3-31 AND 55-3-41,  
42 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

43 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

44 **SECTION 1.** The following shall be codified as Section  
45 55-3-150, Mississippi Code of 1972:

46 55-3-150. The Legislature recognizes that the operation of  
47 state parks is a unique activity for state government and that a  
48 corporate structure will best enable state parks to be operated in  
49 an entrepreneurial and business-like manner. It is the intent of  
50 the Legislature that the Mississippi Parks Corporation shall be  
51 accountable to the Governor, the Legislature and the people of the  
52 state through a system of audits, reports and disclosures as  
53 required by this chapter.

54 **SECTION 2.** The following shall be codified as Section  
55 55-3-152, Mississippi Code of 1972:

56 55-3-152. (1) The Mississippi state park system shall be  
57 administered by a corporation which shall be known as the  
58 "Mississippi Parks Corporation." The corporation shall be managed  
59 in a manner that enables the people of the state to benefit from  
60 its profits and to ensure the integrity of the state park system.

61 (2) The existence of the corporation, which shall be  
62 domiciled in the State of Mississippi, shall begin upon the



63 appointment of all five (5) members of the board as provided in  
64 Section 55-3-154.

65 (3) The exclusive venue for any action or matter against the  
66 corporation arising out of or in connection with the operation of  
67 state parks is the county in which its corporate headquarters is  
68 located, and the circuit court for that county has exclusive  
69 jurisdiction thereof. For purposes of court costs, the  
70 corporation shall be a private corporation.

71 **SECTION 3.** The following shall be codified as Section  
72 55-3-154, Mississippi Code of 1972:

73 55-3-154. (1) The affairs of the corporation shall be  
74 administered by the board, which shall be composed of five (5)  
75 members appointed by the Governor, with the advice and consent of  
76 the Senate. The Commissioner of Revenue and the State Treasurer  
77 shall serve as ex officio, nonvoting members. Members appointed  
78 when the Senate is not in session shall serve only until the end  
79 of the next regular session, unless confirmed by the Senate.

80 (2) (a) Members of the board shall be residents of the  
81 State of Mississippi, and the Governor shall take into account the  
82 goals of geographic, racial, gender and other categories of  
83 diversity when nominating board members.

84 (b) Of the initial appointees, the members' terms shall  
85 be staggered as follows: one (1) term to expire on December 31,  
86 2025; December 31, 2026; December 31, 2027; December 31, 2028; and



87 December 31, 2029. After the expiration of the initial terms,  
88 members of the board shall serve terms of five (5) years.

89 (c) Members may serve beyond the end of their  
90 respective terms until their successors have been appointed and  
91 qualified. No member shall serve more than two (2) consecutive  
92 five-year terms. Members may be removed by the Governor for  
93 neglect of duty, misfeasance or nonfeasance in office. The board  
94 shall annually elect a chairman from among its voting members.

95 (3) Appointed board members shall be entitled to per diem  
96 compensation under Section 25-3-69 paid by the corporation and  
97 shall be reimbursed by the corporation for necessary travel and  
98 other reasonable expenses incurred in the performance of their  
99 official duties. No appointed board member shall be considered a  
100 public officer.

101 (4) The board, upon the initial call of the Governor and the  
102 chairman thereafter, shall meet at least monthly for the first  
103 eighteen (18) months and at such other times as the chairman may  
104 determine. Three (3) voting members of the board shall constitute  
105 a quorum. The board shall also meet upon call of three (3) or  
106 more of the voting members of the board. The board shall keep  
107 accurate and complete records of all its meetings.

108 (5) All meetings of the board shall be subject to the Open  
109 Meetings Act in Section 25-41-1 et seq.

110 **SECTION 4.** The following shall be codified as Section  
111 55-3-156, Mississippi Code of 1972:



112           55-3-156. (1) The president of the corporation shall be  
113 appointed by the board subject to the approval of the Governor.  
114 The Governor shall, within thirty (30) days after receiving the  
115 nomination for the president in writing, either approve or reject  
116 the nomination. Failure to take either action within the required  
117 time shall constitute approval by the Governor. If the Governor  
118 rejects the nomination for the president, then the board shall  
119 submit a different nominee to the Governor. The president shall  
120 manage the daily affairs of the corporation and shall have such  
121 powers and duties as specified by this chapter, the board and any  
122 board rules or regulations. The president shall not be a member  
123 of the board. The president shall serve at the will and pleasure  
124 of the board.

125           (2) The president shall employ such personnel as he or she  
126 deems necessary. All personnel shall serve at the will and  
127 pleasure of the president, unless otherwise specified by the  
128 president.

129           (3) The board shall set the salary of the president.

130           (4) No employee shall be a member of the board.

131           **SECTION 5.** The following shall be codified as Section  
132 55-3-158, Mississippi Code of 1972:

133           55-3-158. All records of the corporation shall be deemed  
134 public records and subject to public inspection as provided by  
135 Section 25-61-1 et seq., unless the record is covered by an  
136 exemption under federal or state law.



137           **SECTION 6.** The following shall be codified as Section  
138 55-3-160, Mississippi Code of 1972:

139           55-3-160. (1) The board shall provide the president with  
140 private-sector perspectives on the operation of a business, large  
141 marketing enterprise, and the like. The board shall:

142                   (a) Approve, disapprove, amend or modify the budget  
143 recommended by the president for the operation of the corporation;

144                   (b) Approve, disapprove, amend or modify the terms of  
145 major procurements recommended by the president;

146                   (c) Serve as a board of appeals for any denial,  
147 revocation or cancellation by the president of a contract; and

148                   (d) Adopt such administrative rules and regulations as  
149 may be necessary to carry out and implement its powers and duties,  
150 the operations of the corporation and any other matters necessary  
151 or desirable for the efficient and effective operation of state  
152 parks.

153           (2) Any policies adopted by authority of this section or any  
154 other section of this chapter or Chapter 1 or 4 of Title 49,  
155 Mississippi Code of 1972, must be published and posted on the  
156 corporation's website thirty (30) days prior to becoming  
157 effective.

158           **SECTION 7.** The following shall be codified as Section  
159 55-3-162, Mississippi Code of 1972:

160           55-3-162. (1) The corporation, its employees and board  
161 members shall provide for the efficient and effective operation of



162 state parks to ensure the integrity of the state park system and  
163 maintain the dignity of the state and the general welfare of its  
164 citizens. The corporation shall operate state parks in such a  
165 manner as to result in maximization of revenues to the state, and  
166 the corporation shall deposit such revenues into the Mississippi  
167 Park Fund created in Section 55-3-41.

168 (2) The corporation, in pursuing the objectives and purposes  
169 of this chapter, may:

170 (a) Sue and be sued in its corporate name;

171 (b) Adopt a corporate seal and a symbol;

172 (c) Hold patents, copyrights, trademarks, and service  
173 marks and enforce its rights with respect thereto;

174 (d) Register to do business in Mississippi and appoint  
175 agents upon whom process may be served;

176 (e) Acquire real property and make improvements  
177 thereon;

178 (f) Make, solicit and request proposals and offers, and  
179 execute and effectuate any and all agreements or contracts  
180 necessary for the successful operation of state parks; and

181 (g) Adopt and amend such bylaws, rules and regulations,  
182 with the approval of the board, as it deems necessary to  
183 administer this chapter.

184 (3) The corporation shall:

185 (a) Operate state parks in accordance with this chapter  
186 and the board's rules and regulations;



187           (b) Submit quarterly and annual reports to the  
188 Governor, the Lieutenant Governor, the Speaker of the House of  
189 Representatives, the State Treasurer, the State Auditor, the Joint  
190 Legislative Committee on Performance Evaluation and Expenditure  
191 Review, and the Commissioner of Revenue containing financial  
192 information and projections which include, but are not limited to,  
193 disclosure of gross revenues, expenses and net proceeds for the  
194 period, and containing any recommended changes to the law to  
195 improve the efficiency and effectiveness of state park operations;

196           (c) Adopt by administrative rules and regulations a  
197 system of continuous internal audits;

198           (d) Adopt by administrative rules and regulations a  
199 code of ethics for officers and employees of the corporation to  
200 carry out the standards of conduct established by this chapter;  
201 and

202           (e) Adopt by administrative rules and regulations  
203 guidelines for the disposal of property if the corporation is  
204 dissolved.

205           **SECTION 8.** The following shall be codified as Section  
206 55-3-164, Mississippi Code of 1972:

207           55-3-164. (1) The president shall direct and supervise all  
208 administrative and technical activities in accordance with the  
209 provisions of this chapter and within the board's rules and  
210 regulations. The president shall:





211                   (a) Supervise and administer the operation of state  
212 parks;

213                   (b) Employ and direct such personnel as may be  
214 necessary to carry out the purposes of this chapter and utilize  
215 such services, personnel or facilities of the corporation as he or  
216 she may deem necessary;

217                   (c) Contract in accordance with the corporation's rules  
218 and regulations;

219                   (d) Make available for inspection by the board or any  
220 board member, upon request, all books, records, files and other  
221 information and documents of his or her office, and advise the  
222 board and recommend such rules and regulations and other matters  
223 deemed necessary and advisable to improve the operation of state  
224 parks;

225                   (e) Enter into any contract under this chapter with any  
226 person for the operation of state parks or the performance of any  
227 of the functions provided in this chapter or the board's rules and  
228 regulations;

229                   (f) Attend board meetings or appoint a designee to  
230 attend on his or her behalf;

231                   (g) Not later than thirty (30) days before the  
232 beginning of the corporation's fiscal year, submit to the board,  
233 for review and approval, the corporation's proposed annual budget  
234 and projected net proceeds. In addition, the corporation's  
235 proposed annual budget shall include a personnel table reporting



236 information for each full-time and part-time permanent position,  
237 as follows:

238 (i) The position title and the salary for each  
239 position in the existing operating budget for the current fiscal  
240 year, indicating whether each position is filled or vacant as of  
241 the reporting date; and

242 (ii) The position title and the salary recommended  
243 for each position for the next fiscal year.

244 (2) The president, with the board's approval, may amend or  
245 modify the budget at any time in any manner deemed necessary for  
246 the proper operation of the corporation.

247 (3) Following his or her approval by the Governor and during  
248 his or her entire employment by the board, the president shall  
249 reside in Mississippi.

250 (4) The president and the board shall conduct an ongoing  
251 examination of the operation of state parks in other states and  
252 countries, including reviewing available literature on the subject  
253 of federal laws and regulations which may affect the operation of  
254 state parks, and of the reaction of citizens of this state to  
255 existing or proposed features of state parks, with a view toward  
256 implementing improvements that will tend to serve the purposes of  
257 this chapter.

258 (5) The president shall require bond from corporate  
259 employees with access to corporate funds in such an amount as  
260 provided in the board's rules and regulations.



261 (6) The president may:

262 (a) Require bond from other employees as he or she  
263 deems necessary;

264 (b) For good cause, suspend, revoke or refuse to renew  
265 any contract entered into in accordance with this chapter or the  
266 board's rules and regulations;

267 (c) Upon specific or general approval of the board,  
268 conduct hearings and administer oaths to persons for the purpose  
269 of assuring the integrity of state park operation, or to determine  
270 the qualifications or compliance of agents;

271 (d) Upon specific or general approval of the board,  
272 enter into personal service contracts pursuant to the board's  
273 rules and regulations, and compensate such consultants and  
274 technical assistants as may be required to carry out the  
275 provisions of this chapter; and

276 (e) By agreement, secure information and services as he  
277 or she may deem necessary from any department, agency or unit of  
278 the federal, state or local government, and to the extent allowed  
279 by federal or state law, compensate such department, agency or  
280 unit of government for its information and services.

281 (7) Agencies, departments or units of state government shall  
282 cooperate with the corporation to assure the integrity of state  
283 park operations.

284 **SECTION 9.** The following shall be codified as Section  
285 55-3-166, Mississippi Code of 1972:



286           55-3-166. The board may employ an attorney and/or contract  
287 with outside counsel upon determination of the need for such  
288 counsel.

289           **SECTION 10.** The following shall be codified as Section  
290 55-3-168, Mississippi Code of 1972:

291           55-3-168. (1) The corporation shall establish and maintain  
292 a personnel program, including administrative rules and  
293 regulations for its employees. Unless otherwise specified by the  
294 president, corporation employees shall serve at the will and  
295 pleasure of the president, who shall determine their compensation  
296 and benefits. Employees shall be subject to suspension,  
297 dismissal, reduction in pay, demotion, transfer or other personnel  
298 action at the president's discretion. The compensation of  
299 officers at the division head level and above shall be determined  
300 by the board. Corporation employees shall be considered state  
301 employees for purposes of retirement and other benefits but shall  
302 not be subject to the State Personnel Board under Title 25,  
303 Chapter 9, Mississippi Code of 1972.

304           (2) No board member, officer or employee of the corporation  
305 or any spouse, sibling, ascendant or descendant of a board member,  
306 officer or employee shall have a financial interest in any entity  
307 doing business or proposing to do business with the corporation.

308           (3) No board member, officer or employee of the corporation  
309 with decision-making authority shall participate in any decision  
310 in which the board member, officer or employee or any spouse,



311 sibling, ascendant or descendant of such board member, officer or  
312 employee has a financial interest.

313 (4) No corporation officer or employee who leaves the employ  
314 of the corporation, nor any board member, may represent any entity  
315 before the corporation for a period of one (1) year following  
316 termination of employment with the corporation or membership on  
317 the board.

318 **SECTION 11.** The following shall be codified as Section  
319 55-3-170, Mississippi Code of 1972:

320 55-3-170. All division heads, officers and employees of the  
321 corporation shall be considered public servants as defined in  
322 Section 25-4-103. All division heads and officers of the  
323 corporation are subject to Section 25-4-25 and shall be required  
324 to file a Statement of Economic Interest with the Mississippi  
325 Ethics Commission.

326 **SECTION 12.** The following shall be codified as Section  
327 55-3-172, Mississippi Code of 1972:

328 55-3-172. To ensure the financial integrity of state park  
329 operations, the corporation, through its board, shall:

330 (a) Compile and submit quarterly and annual reports and  
331 financial statements, in compliance with Section 55-3-164(3)(b);

332 (b) Contract with an independent auditor who is a  
333 certified public accountant or firm to conduct an annual financial  
334 audit of the corporation's books and records. The cost of this



335 annual financial audit shall be an operating expense of the  
336 corporation. Further:

337 (i) Such independent auditor shall have no  
338 financial interest in any entity with whom the corporation is  
339 under contract;

340 (ii) All contracts for independent auditors shall  
341 be reviewed by and subject to the approval of the Department of  
342 Finance and Administration to ensure that the independent auditor  
343 is qualified to perform the audit;

344 (iii) The audit shall be completed within ninety  
345 (90) days after the close of the corporation's fiscal year; and

346 (iv) Contracts may be entered into for audit  
347 services for a period not to exceed five (5) years, and the same  
348 firm shall not receive two (2) consecutive audit contracts.

349 **SECTION 13.** The following shall be codified as Section  
350 55-3-174, Mississippi Code of 1972:

351 55-3-174. For informational purposes only, the corporation  
352 shall submit to the Joint Legislative Budget Committee a copy of  
353 the corporation's annual operating budget for the upcoming fiscal  
354 year. The budget shall include an estimate of net proceeds during  
355 the succeeding fiscal year.

356 **SECTION 14.** Section 49-1-1, Mississippi Code of 1972, is  
357 amended as follows:



358           49-1-1. (1) Wherever used in this chapter, or in any other  
359 statute, or rule or regulation affecting the former State Game and  
360 Fish Commission and any of its functions or duties:

361           (a) "Commission" means the Mississippi Commission on  
362 Wildlife, Fisheries and Parks.

363           (b) "Department" means the Mississippi Department of  
364 Wildlife, Fisheries and Parks.

365           (c) "Director" or "executive director" means the  
366 Executive Director of the Mississippi Department of Wildlife,  
367 Fisheries and Parks.

368           (d) \* \* \* "Corporation" means the Mississippi Parks  
369 Corporation created in Sections 55-3-152 and 55-3-154. Any  
370 reference in the laws to the Department of Wildlife, Fisheries and  
371 Parks or the Commission on Wildlife, Fisheries and Parks relating  
372 to state parks shall mean the corporation.

373           (e) "President" means the President of the Mississippi  
374 Parks Corporation, who shall also serve as chief executive officer  
375 of the corporation. Any reference in the laws to the Executive  
376 Director of the Department of Wildlife, Fisheries and Parks  
377 relating to state parks shall mean the president.

378           (f) "Board" means the Mississippi Parks Corporation  
379 Board of Directors.

380           (2) If any provisions of this chapter conflict with any  
381 provisions of Sections 55-3-150 through 55-3-174, then Sections  
382 55-3-150 through 55-3-174 shall govern.



383           **SECTION 15.** Section 49-1-3, Mississippi Code of 1972, is  
384 amended as follows:

385           49-1-3. The commission \* \* \* shall be the Mississippi  
386 Commission on Wildlife Conservation and shall retain all powers  
387 and duties granted by law to the Mississippi Commission on  
388 Wildlife Conservation, and wherever the term "Mississippi  
389 Commission on Wildlife Conservation" appears in any law the same  
390 shall mean the commission \* \* \*. The executive director \* \* \* may  
391 assign to the appropriate divisions such powers and duties as it  
392 deems appropriate to carry out the lawful duties of the  
393 department, and expend funds as lawfully appropriated. However,  
394 the corporation shall have jurisdiction over the operation of  
395 state parks, and any reference to the commission, the department  
396 or the executive director with respect to the operation of state  
397 parks shall mean the corporation.

398           **SECTION 16.** Section 49-1-4, Mississippi Code of 1972, is  
399 amended as follows:

400           49-1-4. The department \* \* \* shall be the Department of  
401 Wildlife Conservation and shall retain all powers and duties  
402 granted by law to the Department of Wildlife Conservation, and  
403 wherever the term "Department of Wildlife Conservation" appears in  
404 any law the same shall mean the department \* \* \*. The executive  
405 director may assign to the appropriate divisions such powers and  
406 duties as deemed appropriate to carry out the lawful functions of  
407 the department. However, the corporation shall have jurisdiction





408 over the operation of state parks, and any reference to the  
409 commission, the department or the executive director with respect  
410 to the operation of state parks shall mean the corporation.

411 **SECTION 17.** Section 49-4-1, Mississippi Code of 1972, is  
412 amended as follows:

413 49-4-1. It is hereby declared to be the intent of the  
414 Legislature to conserve, manage, develop and protect our natural  
415 resources and wildlife for the benefit of this and succeeding  
416 generations by reorganizing the natural resource and wildlife  
417 conservation functions of state government into the \* \* \*  
418 Department of Environmental Quality and the \* \* \* Department of  
419 Wildlife, Fisheries and Parks thereby providing more effective  
420 organizations through which the methods of conserving, managing,  
421 developing and protecting our natural resources and wildlife can  
422 be analyzed, coordinated and implemented. However, the  
423 corporation shall have jurisdiction over the operation of state  
424 parks, and any reference to the commission, the department or the  
425 executive director with respect to the operation of state parks  
426 shall mean the corporation.

427 **SECTION 18.** Section 49-4-3, Mississippi Code of 1972, is  
428 amended as follows:

429 49-4-3. (1) For the purposes of this chapter, the following  
430 words shall have the meanings ascribed herein, unless the context  
431 otherwise requires:



432 (a) "Department" means the Mississippi Department of  
433 Wildlife, Fisheries and Parks.

434 (b) "Commission" means the Mississippi Commission on  
435 Wildlife, Fisheries and Parks.

436 (c) "Executive director" means the chief officer of the  
437 department.

438 (d) "Corporation" means the Mississippi Parks  
439 Corporation created in Sections 55-3-152 and 55-3-154. Any  
440 reference in the laws to the Department of Wildlife, Fisheries and  
441 Parks or the Commission on Wildlife, Fisheries and Parks relating  
442 to state parks shall mean the corporation.

443 (e) "President" means the President of the Mississippi  
444 Parks Corporation, who shall also serve as chief executive officer  
445 of the corporation. Any reference in the laws to the Executive  
446 Director of the Department of Wildlife, Fisheries and Parks  
447 relating to state parks shall mean the president.

448 (f) "Board" means the Mississippi Parks Corporation  
449 Board of Directors.

450 (2) If any provisions of this chapter conflict with any  
451 provisions of Sections 55-3-150 through 55-3-174, then Sections  
452 55-3-150 through 55-3-174 shall govern.

453 **SECTION 19.** Section 49-4-4, Mississippi Code of 1972, is  
454 amended as follows:

455 49-4-4. (1) There is hereby created the \* \* \*  
456 commission \* \* \*, to be composed of five (5) persons appointed by



457 the Governor, with the advice and consent of the Senate, for a  
458 term of five (5) years. One (1) person shall be appointed from  
459 each congressional district. The initial terms of the members  
460 shall be one (1), two (2), three (3), four (4) and five (5) years,  
461 respectively. Thereafter, all terms shall be for five (5) years.  
462 An appointment to fill a vacancy which arises for reasons other  
463 than by expiration of a term of office shall be made from the  
464 respective congressional district for the unexpired term only.

465 (2) The commission shall elect from its membership a  
466 chairman who shall preside over meetings and a vice chairman who  
467 shall preside in the absence of the chairman or when the chairman  
468 shall be excused.

469 (3) The commission shall adopt rules and regulations  
470 governing times and places for meetings and governing the manner  
471 of conducting its business. Each member of the commission shall  
472 take the oath prescribed by Section 268 of the Mississippi  
473 Constitution, and shall enter into bond in the amount of Thirty  
474 Thousand Dollars (\$30,000.00) to be approved by the Secretary of  
475 State, conditioned according to law, and payable to the State of  
476 Mississippi before assuming the duties of office. Any member who  
477 shall not attend three (3) consecutive regular meetings of the  
478 commission shall be subject to removal by a majority vote of the  
479 commission members.

480 (4) The members of the commission shall receive no annual  
481 salary but shall receive per diem compensation as authorized by



482 law for each day devoted to the discharge of official duties and  
483 shall be entitled to reimbursement for all actual and necessary  
484 expenses incurred in the discharge of their duties, including  
485 mileage as authorized by law.

486 The commission shall be composed of persons with a  
487 demonstrated history of involvement in at least one (1) of the  
488 matters of jurisdiction of the commission and whose employment and  
489 activities are not in conflict. All of the commissioners shall be  
490 an active outdoorsman holding a resident hunting or fishing  
491 license in at least five (5) of the ten (10) years preceding  
492 appointment. A member shall not have a record of conviction of  
493 violation of fish or game laws and regulations within five (5)  
494 years preceding appointment or a record of any felony conviction.

495 (5) The commission shall have the power to adopt, amend and  
496 repeal such regulations and rules as may be necessary for the  
497 operation of the department.

498 (6) The commission shall have the power and authority to  
499 issue all licenses and permits under the jurisdiction of the  
500 department.

501 (7) In the furtherance of its duties and responsibilities,  
502 the commission may conduct hearings, gather testimony and perform  
503 other functions required to carry out its powers and duties as  
504 prescribed by statute.

505 (8) The commission shall have all power for conserving,  
506 managing and developing wildlife and fishery resources except for



507 saltwater aquatic life and marine resources under the jurisdiction  
508 of the Mississippi Commission on Marine Resources. The commission  
509 shall not have jurisdiction over state parks, which shall be  
510 operated by the corporation.

511 **SECTION 20.** Section 49-4-8, Mississippi Code of 1972, is  
512 amended as follows:

513 49-4-8. (1) The department \* \* \* shall have the following  
514 powers and duties:

515 (a) To conserve, manage, develop and protect the  
516 wildlife of the State of Mississippi \* \* \*; and

517 \* \* \*

518 ( \* \* \*b) To cooperate with other entities and agencies  
519 in developing and implementing such plans as necessary for the  
520 conservation, protection, beautification and improvement of the  
521 quality of the environment and living natural resources.

522 (2) Effective July 1, 2024, the full jurisdiction and  
523 control over state parks formerly given to the department is  
524 transferred to the corporation.

525 **SECTION 21.** Section 49-4-9, Mississippi Code of 1972, is  
526 amended as follows:

527 49-4-9. Effective July 1, 1979, the department \* \* \* shall  
528 have the following powers and duties:

529 (a) To formulate the policy of the department regarding  
530 wildlife and fisheries within the jurisdiction of the department;



531 (b) To apply for, receive and expend any federal or  
532 state funds or contributions, gifts, devises, bequests or funds  
533 from any other source;

534 (c) To commission or conduct studies designed to  
535 determine alternative methods of managing and conserving the  
536 wildlife and fisheries resources of this state in a manner to  
537 insure efficiency and sustained productivity;

538 (d) To receive the advice and counsel of the  
539 advisory \* \* \* committee created for \* \* \* the Division of  
540 Wildlife and Fisheries; and

541 (e) To discharge such other duties, responsibilities  
542 and powers as are necessary to implement the provisions of this  
543 chapter.

544 **SECTION 22.** Section 49-4-13, Mississippi Code of 1972, is  
545 amended as follows:

546 49-4-13. (1) Effective July 1, 1979, the executive  
547 director \* \* \* shall have the following powers and duties:

548 (a) To supervise and direct all administrative and  
549 technical activities of the department;

550 (b) To employ, subject to the approval of the  
551 commission, qualified professional personnel in the subject matter  
552 or fields, and such other technical and clerical staff as may be  
553 required for the operation of the department;

554 (c) To coordinate all studies in the State of  
555 Mississippi concerned with the supply, development, use and



556 conservation of wildlife \* \* \* and fisheries \* \* \*; provided, that  
557 effective July 1, 2024, the power and duty to coordinate such  
558 studies pertaining to parks are transferred to the corporation;

559 (d) To prepare and deliver to the Legislature and the  
560 Governor on or before January 1 of each year, and at such other  
561 times as may be required by the Legislature or Governor, a full  
562 report of the work of the department, including a detailed  
563 statement of expenditures of the department and any  
564 recommendations the department may have;

565 (e) To enter into cooperative agreements with any  
566 federal or state agency or subdivision thereof, or any public or  
567 private institution located inside or outside the State of  
568 Mississippi, or any person, corporation or association in  
569 connection with studies and investigations pertaining to  
570 wildlife \* \* \* and fisheries \* \* \*, provided the agreements do not  
571 have a financial cost in excess of the amounts appropriated for  
572 such purposes by the Legislature; provided, that effective July 1,  
573 2024, the power and duty to enter into such agreements pertaining  
574 to parks are transferred to the corporation;

575 (f) In his discretion, to enter into an affinity  
576 relationship with a credit card issuer and to expend funds derived  
577 therefrom to improve wildlife management areas; and

578 (g) To carry out all regulations and rules adopted by  
579 the commission and enforce all licenses and permits issued by the  
580 commission.



581           **SECTION 23.** Section 55-3-2, Mississippi Code of 1972, is  
582 amended as follows:

583           55-3-2. (1) For purposes of \* \* \* Title 55, Chapter 3,  
584 Mississippi Code of 1972, the following words shall have the  
585 meanings ascribed herein unless the context otherwise requires:

586           (a) "Commission," "department" or "corporation" means  
587 the Mississippi \* \* \* Parks Corporation. Any reference in the  
588 laws to the Department of Wildlife, Fisheries and Parks or the  
589 Commission on Wildlife, Fisheries and Parks relating to state  
590 parks shall mean the corporation.

591           \* \* \*

592           ( \* \* \* b) "Executive director" or "president" means  
593 the \* \* \* President of the Mississippi Parks Corporation, who  
594 shall serve as chief executive officer of the corporation. Any  
595 reference in the laws to the Executive Director of the Department  
596 of Wildlife, Fisheries and Parks relating to state parks shall  
597 mean the president.

598           (c) "Board" means the Mississippi Parks Corporation  
599 Board of Directors.

600           (2) If any provisions of Sections 55-3-31 through 55-3-85  
601 conflict with any provisions of Sections 55-3-150 through  
602 55-3-174, then Sections 55-3-150 through 55-3-174 shall govern.

603           **SECTION 24.** Section 55-3-31, Mississippi Code of 1972, is  
604 amended as follows:





605           55-3-31. (1) The Mississippi \* \* \* Parks Corporation shall  
606 retain all powers and duties granted by law to the Department of  
607 Natural Resources, Bureau of Recreation and Parks, the Commission  
608 on Wildlife, Fisheries and Parks, and the Department of Wildlife,  
609 Fisheries and Parks with respect to the state park system, and  
610 wherever the term Department of Natural Resources, Bureau of  
611 Recreation and Parks, or the term Commission on Wildlife,  
612 Fisheries and Parks, or the term Department of Wildlife, Fisheries  
613 and Parks appears in any law with respect to the state park  
614 system, it shall mean the \* \* \* Mississippi Parks Corporation.

615           (2) The words "Mississippi Park Commission," wherever they  
616 may appear in the laws of the State of Mississippi, shall be  
617 construed to mean the Mississippi \* \* \* Parks Corporation.

618           (3) If any provisions of Sections 55-3-31 through 55-3-85  
619 conflict with any provisions of Sections 55-3-150 through  
620 55-3-174, then Sections 55-3-150 through 55-3-174 shall govern.

621           **SECTION 25.** Section 55-3-41, Mississippi Code of 1972, is  
622 amended as follows:

623           55-3-41. A fund to be known as "Mississippi Park Fund" is  
624 hereby established in the State Treasury, and all funds held in  
625 the "Mississippi Park System Fund" shall be transferred thereto.

626           Funds collected by the \* \* \* corporation shall be deposited  
627 in the State Treasury to the credit of the fund. The interest  
628 from the Mississippi Park Fund earned from any investment or  
629 deposit made pursuant to Section 27-105-33 \* \* \* shall be credited



630 to the Mississippi Park Fund by the treasurer. Expenditures shall  
631 be made from the fund upon requisition signed by the \* \* \*  
632 president, or by a person whom the \* \* \* president may designate  
633 and the State Fiscal Officer shall issue his warrant on the State  
634 Treasury payable out of the Mississippi Park Fund. All funds in  
635 the Mississippi Park Fund shall be expended only pursuant to  
636 appropriation approved by the Legislature and as provided by law.

637         **SECTION 26.** This act shall take effect and be in force from  
638 and after July 1, 2024.

