

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks; Appropriations

SENATE BILL NO. 2912

1 AN ACT TO REQUIRE THE STATE PERSONNEL BOARD TO DEVELOP A
2 PROGRAM TO PROVIDE TO COMPENSATION AND CLASSIFICATION PARITY
3 BETWEEN WILDLIFE CONSERVATION OFFICERS AND OTHER STATE SWORN LAW
4 ENFORCEMENT OFFICERS; TO AMEND SECTIONS 49-1-13 AND 49-4-6,
5 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** The State Personnel Board shall develop a program
8 to provide and maintain compensation and classification parity
9 between wildlife sworn law enforcement officers and other sworn
10 law enforcement officers of state agencies.

11 **SECTION 2.** Section 49-1-13, Mississippi Code of 1972, is
12 amended as follows:

13 49-1-13. The director is hereby authorized and directed to
14 appoint as many conservation officers as may be required to
15 efficiently enforce the laws for the protection of wild animals,
16 birds and fish, and the laws relating to theft of cattle, trespass
17 prohibitions and litter. These officers shall be located in
18 different sections of the state where their services are most
19 needed. Conservation officers shall police the state lands in
20 their respective districts and prohibit the unlawful cutting of
21 timber. The salary of the conservation officers shall be as
22 determined by the State Personnel Board, or its successor and
23 shall be commensurate with that of other sworn law enforcement
24 officers of state agencies.

25 Each conservation officer and supervisor shall be furnished
26 an allowance for uniforms not to exceed the amount specified in
27 the appropriation bill.

28 **SECTION 3.** Section 49-4-6, Mississippi Code of 1972, is
29 amended as follows:

30 49-4-6. (1) There is hereby created the Mississippi
31 Department of Wildlife, Fisheries and Parks, whose principal
32 office shall be located in Jackson, Mississippi.

33 (2) The department shall be headed by an executive director
34 who shall be appointed by the Governor. The commission shall
35 submit to the Governor three (3) qualified nominees for the
36 position of executive director. The Governor shall appoint the
37 executive director from the list of qualified nominees submitted
38 with the advice and consent of the Senate. The executive director
39 may assign those powers and duties as deemed appropriate to carry
40 out the department's lawful functions. Upon recommendation by the
41 Governor to the commission, the executive director may be removed
42 from office only by both a majority vote of the membership of the
43 commission and the Governor's approval of the removal. To remove
44 the executive director the commission must determine on sound
45 evidence that there is good cause for removal such as willful
46 dereliction in carrying out the duties of executive director,
47 obvious malfeasance in his actions as executive director or
48 conviction of any criminal act. After the determination is made
49 by the commission that the executive director should be removed
50 from office, the commission shall notify the Governor of its
51 determination and the Governor must approve that determination
52 before the executive director is actually removed from office.

53 (3) The executive director shall appoint heads, who will
54 serve at the pleasure of the executive director.

55 (4) The executive director shall have the authority to
56 organize the department as deemed appropriate to carry out the
57 responsibilities of the department. The organizational charts of
58 the department shall be presented annually with the budget request
59 of the Governor for review by the Legislature.

60 (5) The executive director shall develop and implement a
61 merit promotion system for all sworn law enforcement officers.
62 Promotion to higher rank shall be based on an individual's merit
63 and length of service. The executive director shall implement the
64 merit promotion system before July 1, 1995. The executive
65 director shall implement the program of the State Personnel Board
66 to maintain parity between wildlife sworn law enforcement officers
67 and other sworn law enforcement officers of other state agencies.

68 **SECTION 4.** This act shall take effect and be in force from
69 and after July 1, 2007.