

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MR. PRESIDENT:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled **BILL**:

H.B. No. 1633: Appropriation; Department of Marine Resources.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.**
- 2. That the House and Senate adopt the following amendment:**

**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 hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the support and  
8 maintenance of the Department of Marine Resources for the fiscal  
9 year beginning July 1, 1999, and ending June 30, 2000.....  
10 ..... \$           2,704,452.00.

11           SECTION 2. The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in any special  
13 fund in the State Treasury to the credit of the Department of  
14 Marine Resources for the fiscal year beginning July 1, 1999, and  
15 ending June 30, 2000..... \$           5,726,649.00.

16           Of the funds appropriated in this section, Three Million  
17 Fifty Thousand Dollars (\$3,050,000.00) is derived from the state  
18 excise taxes upon gasoline, oil and other petroleum products.

19           SECTION 3. Of the funds appropriated under the provisions of  
20 Sections 1 and 2, not more than the amounts set forth below shall  
21 be expended for the respective major objects or purpose of  
22 expenditure:

**MAJOR OBJECTS OF EXPENDITURE:**

**Personal Services:**

25           Salaries, Wages and Fringe Benefits..	\$	4,865,747.00
26           Travel and Subsistence.....		73,460.00
27           Contractual Services.....		1,763,583.00
28           Commodities.....		423,708.00

29	Capital Outlay:		
30	Other Than Equipment.....		0.00
31	Equipment.....		813,291.00
32	Subsidies, Loans and Grants.....		<u>491,312.00</u>
33	Total.....	\$	8,431,101.00

34	FUNDING:		
35	General Funds.....	\$	2,704,452.00
36	Special Funds.....		<u>5,726,649.00</u>
37	Total.....	\$	8,431,101.00

38 AUTHORIZED POSITIONS:

39	Permanent:	Full Time. . . . .	112
40		Part Time. . . . .	0
41	Time-Limited:	Full Time. . . . .	17
42		Part Time. . . . .	0

43 Each Marine Conservation Officer and Supervisor shall be  
44 furnished an allowance for uniforms not to exceed Four Hundred  
45 Fifty Dollars (\$450.00) per annum.

46 From the funds provided in the budget category "Personal  
47 Services: Salaries, Wages and Fringe Benefits," funds may be  
48 expended for the following purposes, in compliance with the  
49 policies established by the State Personnel Board and any  
50 conditions placed on such expenditures:

51 (a) The components of the Variable Compensation Plan  
52 shall be maintained within the constraints of the funds  
53 appropriated herein.

54 (b) Funds are provided to adjust the Variable  
55 Compensation Plan, including realignment, to ensure that all  
56 full-time employees with at least six (6) months of continuous  
57 current service, as of June 30, 1999, receive an increase of One  
58 Thousand Five Hundred Dollars (\$1,500.00). Funds are provided to  
59 adjust critical job classes up to an additional One Thousand  
60 Dollars (\$1,000.00).

61 (c) If an employee is currently at or above the end  
62 salary for his or her job classification, then the increase shall  
63 be built into the employee's base salary. To be eligible for any

64 increase authorized in this section, employees may not have a  
65 current performance rating below "meets expectations" as of the  
66 effective date of the increase. Employees who subsequently  
67 receive a performance rating of "meets expectations" or above  
68 during Fiscal Year 2000 shall receive the salary increase  
69 effective the date of the rating.

70 It is the agency's responsibility to make certain that funds  
71 required to be appropriated for "Personal Services" for Fiscal  
72 Year 2001 do not exceed Fiscal Year 2000 funds appropriated for  
73 that purpose unless programs or positions are added to the  
74 agency's budget by the Mississippi Legislature.

75 Any transfers or escalations shall be made in accordance with  
76 the terms, conditions and procedures established by law.

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

81 SECTION 4. Of the funds appropriated in Section 2, and  
82 allocated in Section 3, funds in the amount of Two Million Dollars  
83 (\$2,000,000.00) and forty-five (45) permanent, full-time  
84 positions are provided to accomplish the transfer of the Marine  
85 Law Enforcement Division of the Department of Wildlife, Fisheries  
86 and Parks to the Department of Marine Resources, as authorized in  
87 Senate Bill No. 2804, 1999 Regular Session. Of the above  
88 permanent full-time positions provided, a total of thirty-seven  
89 (37) permanent full-time positions, including PIN No. 803,  
90 Division Director II, shall be transferred by the Department of  
91 Wildlife, Fisheries and Parks to the Department of Marine  
92 Resources as authorized in Senate Bill No. 2804, 1999 Regular  
93 Session.

94 In the event that Senate Bill No. 2804, 1999 Regular Session,  
95 is not enacted into law, then this appropriation shall be reduced  
96 by Two Million Dollars (\$2,000,000.00) in Special Funds and forty-  
97 five (45) permanent, full-time positions.

98 SECTION 5. It is the intention of the Legislature that the

99 Department of Marine Resources shall have the authority to  
100 receive, budget and expend funds from any source that may become  
101 available to the department in accordance with the rules and  
102 regulations of the Department of Finance and Administration in a  
103 manner consistent with the escalation of federal funds.

104 SECTION 6. In addition to all other sums heretofore  
105 appropriated, the following sum, or so much thereof as may be  
106 necessary, is hereby appropriated out of any money in the State  
107 Treasury to the credit of the Tidelands Fund No. 3450, to the  
108 Department of Marine Resources for the purpose of defraying the  
109 expenses of the Tidelands projects for the fiscal year beginning  
110 July 1, 1999, and ending June 30, 2000..... \$ 5,000,000.00.

111 With the funds appropriated in this section, the following  
112 projects are authorized:

113	Bayou Chico Breakwater Extension -	
114	City of Pascagoula.....	\$ 70,000.00
115	A Severely Endangered Island: Deer Island -	
116	USM MIMS.....	36,541.00
117	Man-induced Shore Destruction Bell Fountain -	
118	USM MIMS.....	11,873.00
119	Wildlife Rehabilitation and Education	
120	Program - WRAMPS.....	40,000.00
121	Maritime and Seafood Industry Museum	
122	Expansion - Maritime Museum.....	200,000.00
123	Bay St. Louis Urban Waterfront Improvements -	
124	City of Bay St. Louis.....	100,000.00
125	McDonnell Avenue Boat Launch -	
126	City of Biloxi.....	300,000.00
127	West Biloxi Piers Restoration -	
128	Biloxi Port Commission.....	100,000.00
129	Gautier Pk Waterfront Improvements -	
130	City of Gautier.....	40,000.00
131	Moses Pier Improvements -	
132	City of Gulfport.....	100,000.00
133	Improvements to Urie Pier -	

134	City of Gulfport.....	50,000.00
135	Round Island Lighthouse -	
136	City of Pascagoula.....	260,000.00
137	Derelict Vessel Removal Program -	
138	DMR.....	150,000.00
139	R/V Tommy Munro Upgrade -	
140	USM MIMS.....	327,420.00
141	Restore East Beach Harbor Bulkhead & Others -	
142	City of Pass Christian.....	200,000.00
143	Bayou Caddy Marina Phase II -	
144	Hancock County.....	75,000.00
145	Pops Ferry Causeway Waterfront Phase II -	
146	Harrison County.....	100,000.00
147	Long Beach Piers-Phase III -	
148	Harrison County.....	100,000.00
149	Tchoutacabouffa River Access -	
150	Harrison County.....	100,000.00
151	Renourishment of Belle Fontaine Beach -	
152	Jackson County.....	300,000.00
153	Ocean Springs Harbor -	
154	Jackson County.....	250,000.00
155	Lighthouse Fishing Docks Phase IV -	
156	Biloxi Port Commission.....	200,000.00
157	D'Iberville Marina Complex Phase IV -	
158	D'Iberville Port Commission.....	100,000.00
159	Cedar Point Boat Launch Expansion -	
160	Hancock County.....	50,000.00
161	Clemont Harbor Pier -	
162	Hancock County.....	50,000.00
163	Sportfish Restoration Act (Wallop-Breaux)	
164	Project - DMR.....	45,000.00
165	Harmful Algal Bloom Monitoring in Coastal MS -	
166	DMR/USM MIMS.....	122,241.00
167	Beach Monitoring -	
168	DMR/DEQ.....	100,000.00

169	Artificial Reef Development -	
170	DMR.....	100,000.00
171	Develop of Ornamental Horticultural/Shrimp	
172	Waste Prod - MSU CREC.....	25,000.00
173	Public Marina Project Phase III,	
174	City of Waveland.....	100,000.00
175	Small Craft Harbor, City of Long Beach.....	200,000.00
176	DMR Marine Studies and Project Initiatives -	
177	DMR.....	<u>996,925.00</u>
178	TOTAL.....	\$5,000,000.00

179 Each political subdivision receiving funds authorized in this  
180 section shall be held responsible for complying with Section  
181 29-15-9, Mississippi Code of 1972, and shall be subject to an  
182 audit by the State Auditor and shall submit detailed reports  
183 beginning June 30, and every six months thereafter for the  
184 duration of the project to the Department of Marine Resources on  
185 how funds authorized in this section were expended.

186 It is the intention of the Legislature that any political  
187 subdivision seeking to qualify for Tidelands Funds for the  
188 subsequent fiscal year shall submit a proposal to the Department  
189 of Marine Resources no later than July 1, 1999.

190 It is the intention of the Legislature that if the amount of  
191 Tidelands Funds appropriated in this act exceed the actual amount  
192 of Tidelands Funds available, the available funds shall be  
193 allocated on a pro rata basis between projects listed in this  
194 section.

195 SECTION 7. It is the intention of the Legislature that the  
196 funds provided in the "Gulfport-James Hill Park Improvements" that  
197 was authorized in House Bill No. 1722 in the 1998 Regular Session  
198 shall be used for the "Front Beach Pier Improvements."

199 SECTION 8. Funds are provided in this act for the  
200 reallocation of the following positions not to exceed Ninety-four  
201 Thousand Six Hundred Seventy-seven Dollars (\$94,677.00):

202 PIN 38 Division Director I to DMR Chief of Staff

203 PIN 52 Division Director II to Office Director I

204 PIN 92 Personnel Officer IV to Bureau Director I  
205 PIN 33 Secretary Administrative Confidential to Executive  
206 Assistant II  
207 PIN 13 Contract Analyst II to Contract Analyst Senior  
208 PIN 12 Project Officer IV Special to Bureau Director I  
209 PIN 49 DP System Analyst III to Lead System Administrator  
210 PIN 91 DP Tech Specialist III to Senior System  
211 Administrator  
212 PIN 99 DP Tech Specialist III to Senior System  
213 Administrator  
214 PIN 5036 DP Tech Specialist III to Senior System  
215 Administrator

216 SECTION 9. The money herein appropriated shall be paid by  
217 the State Treasurer out of any money in the State Treasury to the  
218 credit of the proper fund or funds as set forth in this act, upon  
219 warrants issued by the State Fiscal Officer; and the State Fiscal  
220 Officer shall issue his warrants upon requisitions signed by the  
221 proper person, officer or officers, in the manner provided by law.

222 SECTION 10. This act shall take effect and be in force from  
223 and after July 1, 1999.

CONFEREES FOR THE HOUSE:

X  
Charlie Capps, Jr.

X  
Richard L. Livingston

X  
Billy Broomfield

CONFEREES FOR THE SENATE:

X  
Dick Hall

X  
Tommy A. Gollott

X  
T. O. Moffatt