MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001
By: Representatives Green, McBride, Denny, Ellzey, Gadd, Read, Watson

To: Appropriations

HOUSE BILL NO. 1569
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL
YEAR 2002.

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

SECTION 1. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
General Fund not otherwise appropriated, for the support and
maintenance of the Department of Marine Resources for the fiscal
year beginning July 1, 2001, and ending June 30, 2002............

$ 2,194,341.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in any special
fund in the State Treasury to the credit of the Department of
Marine Resources for the fiscal year beginning July 1, 2001, and
ending June 30, 2002.......................... $ 5,810,887.00.

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

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

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits... $ 4,734,041.00
Travel and Subsistence................. 83,460.00

Contractual Services..................... 1,601,931.00
Commodities........................................ 523,708.00

Capital Outlay:
  Other Than Equipment.......................... 15,000.00
  Equipment........................................ 785,743.00
  Subsidies, Loans and Grants..................... 261,345.00
  Total.................................................. $8,005,228.00

FUNDING:
  General Funds....................................... $2,194,341.00
  Special Funds......................................... 5,810,887.00
  Total.................................................. $8,005,228.00

AUTHORIZED POSITIONS:
  Permanent:    Full Time............. 110
                Part Time............. 0
  Time-Limited: Full Time............. 24
                Part Time............. 5

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

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2003 do not exceed Fiscal Year 2002 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2003 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2002 appropriation for "Personal Services" when annualized. If, at the end of any calendar month,
action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2002 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall have the authority to receive, budget and expend funds from any source that may become available to the department in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3450, to the Department of Marine Resources for the purpose of defraying the expenses of the Tidelands projects for the fiscal year beginning July 1, 2001, and ending June 30, 2002............ $ 5,000,000.00.

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

PUBLIC ACCESS PROJECTS:

City of Biloxi-Seafood Museum. . . . .$ 200,000.00
City of Biloxi-Lighthouse Restoration. . $ 100,000.00
City of Gulfport-Courthouse Road Boat Launch Area-Phase II. . . . . . . $ 400,000.00
City of Pass Christian-Harbor
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Improvements</td>
<td>$200,000.00</td>
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<tr>
<td>City of Long Beach-FY2002 Harbor Improvements</td>
<td>$200,000.00</td>
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<tr>
<td>Harrison County Board of Supervisors-Popps Ferry Causeway</td>
<td>$400,000.00</td>
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<tr>
<td>Hancock County Board of Supervisors-Bayou Caddy Marina</td>
<td>$200,000.00</td>
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<tr>
<td>Hancock County Board of Supervisors-Clermont Harbor Pier</td>
<td>$100,000.00</td>
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<tr>
<td>City of Bay St. Louis - Ulman Avenue Pier</td>
<td>$200,000.00</td>
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<tr>
<td>City of Moss Point-Waterfront Development: Pelican Landing</td>
<td>$300,000.00</td>
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<tr>
<td>City of Ocean Springs-Fort Bayou Boat Ramp</td>
<td>$200,000.00</td>
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<tr>
<td>Jackson County Board of Supervisors-St. Martin Bayou Phase II</td>
<td>$150,000.00</td>
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<tr>
<td>Hancock County Board of Supervisors-Curtis Johnson</td>
<td>$60,000.00</td>
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<td>Hancock County Board of Supervisors-Dunbar</td>
<td>$75,000.00</td>
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<td>Hancock County Board of Supervisors-McCleod Park</td>
<td>$50,000.00</td>
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<tr>
<td>City of Pascagoula-Reclamation and Conservation of Round Island Lighthouse Beach</td>
<td>$100,000.00</td>
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<tr>
<td>Jackson County Board of Supervisors-Ocean Springs Harbor Phase III</td>
<td>$150,000.00</td>
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<tr>
<td>Jackson County Board of Supervisors-Graveline Bayou Dredging</td>
<td>$75,000.00</td>
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<tr>
<td>D'Iberville Port Commission - Fountain</td>
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Beach Public Access and Habitat

Learning Center .................. $ 100,000.00

City of Gulfport - Moses Pier

Improvement ..................... $  50,000.00

Mississippi Maritime Museum ....... $  50,000.00

City of Waveland ................. $ 150,000.00

TOTAL PUBLIC ACCESS .......... $3,510,000.00

MANAGEMENT PROJECTS:

USM - Cedar Point Nature and Wildlife

Preserve and Public Interpretation

Center ......................... $ 200,000.00

Restoration West End of Deer Island .. $ 300,000.00

Hancock County Low Profile Reefs .... $ 150,000.00

Harrison County Low Profile Reefs . . $ 200,000.00

Jackson County Low Profile Reefs .... $ 150,000.00

Department of Marine Resources

Management Projects ............ $ 490,000.00

TOTAL MANAGEMENT: $1,490,000.00

TOTAL TIDELANDS: $5,000,000.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2001. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures.

Multiphased projects, multiyear projects, proposed projects with
high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be made allocated on a pro rata basis between projects listed in this section.

SECTION 6. It is the intention of the Legislature that the Department of Marine Resources be allowed to make necessary transfers from the Subsidies, Loans and Grants category of expenditures to any other categories of expenditures for the purpose of expending Tidelands funds as appropriated in House Bill No. 1636 of the Regular Session of 2000.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2001, except for Section 6 which shall take effect from and after passage and through June 30, 2001.