

By: Representatives Green, McBride, Denny,
Ellzey, Gadd, Nettles, Read, Watson

To: Appropriations

HOUSE BILL NO. 1756
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL
3 YEAR 2003.

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

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, 2002, and ending June 30, 2003.....
10 \$ 1,913,517.00.

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, 2002, and
15 ending June 30, 2003..... \$ 5,918,231.00.

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:

23 MAJOR OBJECTS OF EXPENDITURE:

24 Personal Services:

25	Salaries, Wages and Fringe Benefits..	\$	5,273,881.00
26	Travel and Subsistence.....		82,880.00
27	Contractual Services.....		1,528,140.00



28	Commodities.....	412,564.00
29	Capital Outlay:	
30	Other Than Equipment.....	5,000.00
31	Equipment.....	267,938.00
32	Subsidies, Loans and Grants.....	<u>261,345.00</u>
33	Total..... \$	7,831,748.00

34 FUNDING:

35	General Funds..... \$	1,913,517.00
36	Special Funds.....	<u>5,918,231.00</u>
37	Total..... \$	7,831,748.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	108
40	Part Time.....	0
41	Time-Limited: Full Time.....	33
42	Part Time.....	4

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 Funds are provided herein to adjust the Variable Compensation
47 Plan to ensure that all full-time employees receive a pay increase
48 equal to fifty percent (50%) of the realignment component of the
49 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
50 whichever is greater, beginning on January 1, 2003.

51 With the funds herein appropriated, it is the intention of
52 the Legislature that it shall be the agency's responsibility to
53 make certain that funds required to be appropriated for "Personal
54 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
55 funds appropriated for that purpose, unless programs, positions or
56 pay increases are added to the agency's budget by the Mississippi
57 Legislature. Based on data provided by the Legislative Budget
58 Office, the State Personnel Board shall, on July 1, 2002, publish
59 separate annual projection reports, based on July 1, 2002, data,
60 for the period of July 1, 2002, through December 31, 2002, and



61 January 1, 2003, through June 30, 2003, that project the annual
62 cost to fully fund all appropriated positions in compliance with
63 the provisions of this act. It shall be the responsibility of the
64 agency head to ensure that no single personnel action increases
65 this projected cost and/or the Fiscal Year 2003 appropriation for
66 "Personal Services," as annualized on a semiannual basis in
67 accordance with the provisions of this act. If, at the end of any
68 calendar month, the State Personnel Board determines that the
69 agency has taken action(s) which would cause the agency to exceed
70 this projected annual cost or the Fiscal Year 2003 "Personal
71 Services" appropriated level, when annualized in compliance with
72 the provisions of this act, then only those actions which reduce
73 the projected annual cost and/or the appropriation requirement
74 will be processed by the State Personnel Board until such time as
75 the requirements of this provision are met.

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

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

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

88 **SECTION 5.** In addition to all other sums heretofore
89 appropriated, the following sum, or so much thereof as may be
90 necessary, is hereby appropriated out of any money in the State
91 Treasury to the credit of the Tidelands Fund No. 3452 to the
92 Department of Marine Resources for the purpose of defraying the



93 expenses of the Tidelands projects for the fiscal year beginning
 94 July 1, 2002, and ending June 30, 2003..... \$ 5,500,000.00.

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

97 PROJECT NO.	PUBLIC ACCESS PROJECTS:	FINAL ACTION
98		FY 2003
99 P35A	Biloxi Port Commission-Schooner	
100	Pier Project	\$ 400,000.00
101 P06A	City of Gulfport-Courthouse Road	
102	Boat Launch Area-Phase II.	200,000.00
103 P16A	City of Pass Christian-Harbor	
104	Improvements	200,000.00
105 P08A	City of Long Beach Harbor	
106	Improvements	200,000.00
107 P03A	Gulfport Lake Improvements - City	
108	of Gulfport	150,000.00
109 P04A	Cowen Road Boat Launch - City of	
110	Gulfport	200,000.00
111 P32A	Light House Fishing Dock and Bulkhead,	
112	Phase VI - Biloxi Port Commission. .	100,000.00
113 P18A	Hancock County Board of Supervisors-	
114	Bayou Caddy Marina	200,000.00
115 P20A	Hancock County Board of Supervisors-	
116	Clermont Harbor Pier	100,000.00
117 P01A	City of Bay St. Louis - Ulman Avenue	
118	Pier	200,000.00
119 P11A	City of Ocean Springs-Fort Bayou	
120	Fishing Pier	100,000.00
121 P27A	Jackson County Board of Supervisors-	
122	Porteaux Bayou	150,000.00
123 P19A	Hancock County Board of Supervisors-	
124	McCleod Park	85,000.00
125 P09A	City of Moss Point-Pelican Landing . .	50,000.00



126	P13A	City of Pascagoula-Phase I Pier and	
127		Launch Improvements.	60,000.00
128	P17A	City of Waveland - Phase III Pier	
129		Expansion and Related Improvements .	100,000.00
130	P34A	Deer Island Restoration and Harbor	
131		Improvements - Biloxi Port	
132		Commission	400,000.00
133	P02A	D'Iberville Port Comm. - Fountain	
134		Beach Public Access and Habitat	
135		Learning Center.	200,000.00
136	P07A	City of Gautier-City Park Expansion. .	200,000.00
137		TOTAL PUBLIC ACCESS:	3,295,000.00
138	MANAGEMENT PROJECTS:		
139	M52A	Maritime & Seafood Industry Museum,	
140		Biloxi Schooner Project	200,000.00
141		Various DMR/USM - Management Projects.	262,500.00
142	M55A	Beauvoir Shrine - Access to Oyster	
143		Bayou	95,000.00
144	M53A	Mississippi Sound Maritime Historical	
145		Foundation, Mississippi Maritime	
146		Museum.	200,000.00
147	M13A	Mississippi Artificial Reef Development-	
148		MDMR.	200,000.00
149	M02A	Grand Bay NERR Operation Award Match-	
150		MDMR.	175,000.00
151	M61A	Mississippi Coast Audubon Society,	
152		Conservation of Least Terns-Harrison	
153		County Beaches.	20,000.00
154		Various Department of Marine Resources Management	
155		Projects.	552,500.00
156	SB2273	Deer Island	500,000.00
157		TOTAL MANAGEMENT:	2,205,000.00
158		TOTAL TIDELANDS:	5,500,000.00



159 Each political subdivision receiving funds authorized in this
160 section shall be held responsible for complying with Section
161 29-15-9, Mississippi Code of 1972, and shall be subject to an
162 audit by the State Auditor and shall submit detailed reports
163 beginning June 30, and every six (6) months thereafter for the
164 duration of the project to the Department of Marine Resources on
165 how funds authorized in this section were expended.

166 It is the intention of the Legislature that any political
167 subdivision seeking to qualify for tidelands funds for the
168 subsequent fiscal year shall submit a proposal to the Department
169 of Marine Resources no later than July 1, 2002. All proposals
170 submitted will be reviewed and evaluated by the Department of
171 Marine Resources in accordance to department plans and procedures.
172 Multiphased projects, multiyear projects, proposed projects with
173 high dollar value and projects that have a record of stacking
174 funds shall be considered as low priority projects when evaluated.

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

180 **SECTION 6.** It is the intention of the Legislature that the
181 Tidelands funds provided for the "D'Iberville Marina Complex Phase
182 IV" project authorized in House Bill No. 1633, Regular Session of
183 1999, and Tidelands funds provided for the "D'Iberville Marina
184 Complex Phase V" project authorized in House Bill No. 1636,
185 Regular Session of 2000, shall be used for the "D'Iberville Port
186 Commission Habitat Educational Park" project.

187 **SECTION 7.** It is the intention of the Legislature that the
188 Tidelands funds provided for the "Biloxi Port Commission - Point
189 Cadet Marina - J Pier" project authorized in House Bill No. 1636,
190 Regular Session of 2000, shall be used for the "Biloxi Port
191 Commission - Lighthouse Fishing Dock" project.



192 **SECTION 8.** It is the intention of the Legislature that the
193 Tidelands funds provided for the "Restoration West End of Deer
194 Island" project authorized in House Bill No. 1569, Regular Session
195 of 2001, shall be used for the "Deer Island Restoration and Harbor
196 Improvements - Biloxi Port Commission" project.

197 **SECTION 9.** It is the intention of the Legislature that the
198 Tidelands funds provided for the "City of Moss Point - Waterfront
199 Development: Pelican Landing" project authorized in House Bill
200 No. 1569, Regular Session of 2001, shall be used for the "River
201 Bend Pier and Boardwalk in Moss Point" project.

202 **SECTION 10.** It is the intention of the Legislature that
203 Tidelands funds allocated in this act in the amount of One Hundred
204 Fifty Thousand Dollars (\$150,000.00) for the City of Ocean Springs
205 - Phase I East Beach Board Walk project must be approved by the
206 Mayor and Board of Alderman by September 1, 2002. If the city
207 does not approve the project by September 1, 2002, the funds will
208 be transferred to the Jackson County Board of Supervisors for
209 Phase I of the Lake Mars Boat Launch and Parking project.

210 **SECTION 11.** It is the intention of the Legislature that the
211 Department of Marine Resources be allowed to make necessary
212 transfers from the Subsidies, Loans and Grants major object of
213 expenditure to any other major object of expenditure for the
214 purpose of expending Tidelands funds as appropriated in House Bill
215 No. 1569, Regular Session of 2001.

216 **SECTION 12.** 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 13.** This act shall take effect and be in force from
223 and after July 1, 2002, except for Section 11, which shall take
224 effect and be in force from and after its passage.

