

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

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

H. B. No. 1756: 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, 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:

MAJOR OBJECTS OF EXPENDITURE:

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 semi-annual 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			
104	P16A	City of Pass Christian-Harbor	
105		Improvements	200,000.00
106	P08A	City of Long Beach Harbor	
107		Improvements	200,000.00
108	P03A	Gulfport Lake Improvements - City	
109		of Gulfport	150,000.00
110			
111	P04A	Cowen Road Boat Launch - City of	
112		Gulfport	200,000.00
113	P32A	Light House Fishing Dock and Bulkhead,	
114		Phase VI - Biloxi Port Commission. .	100,000.00
115	P18A	Hancock County Board of Supervisors-	
116		Bayou Caddy Marina	200,000.00
117	P20A	Hancock County Board of Supervisors-	
118		Clermont Harbor Pier	100,000.00
119	P01A	City of Bay St. Louis - Ulman Avenue	
120		Pier	200,000.00
121	P11A	City of Ocean Springs-Fort Bayou	
122		Fishing Pier	100,000.00
123	P27A	Jackson County Board of Supervisors-	
124		Porteaux Bayou	150,000.00
125	P19A	Hancock County Board of Supervisors-	
126		McCleod Park	85,000.00
127	P09A	City of Moss Point-Pelican Landing . .	50,000.00
128			
129	P13A	City of Pascagoula-Phase I Pier and	
130		Launch Improvements.	60,000.00
131	P17A	City of Waveland - Phase III Pier	
132		Expansion and Related Improvements .	100,000.00
133	P34A	Deer Island Restoration and Harbor	
134		Improvements - Biloxi Port	

135		Commission	400,000.00
136	P02A	D'Iberville Port Comm. - Fountain	
137		Beach Public Access and Habitat	
138		Learning Center.	200,000.00
139			
140			
141	P07A	City of Gautier-City Park Expansion. .	200,000.00
142		TOTAL PUBLIC ACCESS:	3,295,000.00
143			
144			
145		MANAGEMENT PROJECTS:	
146	M52A	Maritime & Seafood Industry Museum,	
147		Biloxi Schooner Project	200,000.00
148		Various DMR/USM - Management Projects.	262,500.00
149			
150	M55A	Beauvoir Shrine - Access to Oyster	
151		Bayou	95,000.00
152	M53A	Mississippi Sound Maritime Historical	
153		Foundation, Mississippi Maritime	
154		Museum.	200,000.00
155			
156			
157	M13A	Mississippi Artificial Reef Development-	
158		MDMR.	200,000.00
159	M02A	Grand Bay NERR Operation Award Match-	
160		MDMR.	175,000.00
161	M61A	Mississippi Coast Audubon Society,	
162		Conservation of Least Terns-Harrison	
163		County Beaches.	20,000.00
164			
165			
166		Various Department of Marine Resources Management	
167		Projects.	552,500.00
168	SB2273	Deer Island	500,000.00
169			
170			

171 TOTAL MANAGEMENT: 2,205,000.00
172 TOTAL TIDELANDS: 5,500,000.00

173 Each political subdivision receiving funds authorized in this
174 section shall be held responsible for complying with Section
175 29-15-9, Mississippi Code of 1972, and shall be subject to an
176 audit by the State Auditor and shall submit detailed reports
177 beginning June 30, and every six (6) months thereafter for the
178 duration of the project to the Department of Marine Resources on
179 how funds authorized in this section were expended.

180 It is the intention of the Legislature that any political
181 subdivision seeking to qualify for tidelands funds for the
182 subsequent fiscal year shall submit a proposal to the Department
183 of Marine Resources no later than July 1, 2002. All proposals
184 submitted will be reviewed and evaluated by the Department of
185 Marine Resources in accordance to department plans and procedures.
186 Multiphased projects, multiyear projects, proposed projects with
187 high dollar value and projects that have a record of stacking
188 funds shall be considered as low priority projects when evaluated.

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

194 **SECTION 6.** It is the intention of the Legislature that the
195 Tidelands funds provided for the "D'Iberville Marina Complex Phase
196 IV" project authorized in House Bill No. 1633, Regular Session of
197 1999, and Tidelands funds provided for the "D'Iberville Marina
198 Complex Phase V" project authorized in House Bill No. 1636,
199 Regular Session of 2000, shall be used for the "D'Iberville Port
200 Commission Habitat Educational Park" project.

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

206 **SECTION 8.** It is the intention of the Legislature that the

207 Tidelands funds provided for the "Restoration West End of Deer
208 Island" project authorized in House Bill No. 1569, Regular Session
209 of 2001, shall be used for the "Deer Island Restoration and Harbor
210 Improvements - Biloxi Port Commission" project.

211 **SECTION 9.** It is the intention of the Legislature that the
212 Tidelands funds provided for the "City of Moss Point - Waterfront
213 Development: Pelican Landing" project authorized in House Bill No.
214 1569, Regular Session of 2001, shall be used for the "River Bend
215 Pier and Boardwalk in Moss Point" project.

216 **SECTION 10.** It is the intention of the Legislature that
217 Tidelands funds allocated in this act in the amount of One Hundred
218 Fifty Thousand Dollars (\$150,000.00) for the City of Ocean Springs
219 - Phase I East Beach Board Walk project must be approved by the
220 Mayor and Board of Alderman by September 1, 2002. If the City
221 does not approve the project by September 1, 2002, the funds will
222 be transferred to the Jackson County Board of Supervisors for
223 Phase I of the Lake Mars Boat Launch and Parking project.

224 **SECTION 11.** It is the intention of the Legislature that the
225 Department of Marine Resources be allowed to make necessary
226 transfers from the Subsidies, Loans and Grants major object of
227 expenditure to any other major object of expenditure for the
228 purpose of expending Tidelands funds as appropriated in House Bill
229 No. 1569, Regular Session of 2001.

230 **SECTION 12.** The money herein appropriated shall be paid by
231 the State Treasurer out of any money in the State Treasury to the
232 credit of the proper fund or funds as set forth in this act, upon
233 warrants issued by the State Fiscal Officer; and the State Fiscal
234 Officer shall issue his warrants upon requisitions signed by the
235 proper person, officer or officers, in the manner provided by law.

236 **SECTION 13.** This act shall take effect and be in force from
237 and after July 1, 2002, except for Section 11, which shall take
238 effect and be in force from and after its passage.

CONFEREES FOR THE HOUSE

X _____

Charlie Capps, Jr.

X _____

John Read

X _____

Billy Broomfield

CONFEREES FOR THE SENATE

X _____

Jack Gordon

X _____

Tommy A. Gollott

Neely C. Carlton