

*****Adopted***
AMENDMENT No. 1 PROPOSED TO**

House Bill NO. 1756

By Senator(s) Committee

**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 \$ 1,932,429.00.

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.....		286,850.00
32	Subsidies, Loans and Grants.....		<u>261,345.00</u>
33	Total.....	\$	7,850,660.00

34 FUNDING:

35	General Funds.....	\$	1,932,429.00
36	Special Funds.....		<u>5,918,231.00</u>
37	Total.....	\$	7,850,660.00

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..... \$ 5,000,000.00.

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

97 PUBLIC ACCESS PROJECTS:

98	Biloxi Port Commission-Seafood Museum-	
99	Schooner Pier . . . . .	.\$ 400,000.00
100	City of Gulfport-Courthouse Road Boat	
101	Launch Area-Phase II. . . . .	.\$ 200,000.00
102	City of Pass Christian-Harbor	
103	Improvements. . . . .	.\$ 200,000.00
104	City of Long Beach-Harbor	
105	Improvements. . . . .	.\$ 200,000.00
106	Hancock County Board of Supervisors-	
107	Bayou Caddy Marina. . . . .	.\$ 200,000.00
108	Hancock County Board of Supervisors -	
109	Clermont Harbor Pier. . . . .	.\$ 100,000.00
110	City of Bay St. Louis - Ulman Avenue	
111	Pier . . . . .	.\$ 200,000.00
112	City of Ocean Springs-Phase I East Beach	
113	Board Walk. . . . .	.\$ 150,000.00
114	Jackson County Board of Supervisors-	
115	Porteaux Bayou . . . . .	.\$ 150,000.00
116	City of Gulfport - Gulfport Lake-	
117	Improvements . . . . .	.\$ 150,000.00
118	City of Gulfport - Cowen Road Boat	
119	Launch . . . . .	.\$ 200,000.00
120	Hancock County Board of Supervisors -	
121	McCleod Park . . . . .	.\$ 85,000.00
122	Biloxi Port Commission-Light House	
123	Fishing Dock and Bulkhead-	
124	Phase VI . . . . .	.\$ 100,000.00
125	City of Pascagoula-Phase I Pier and	
126	Launch Improvements. . . . .	.\$ 60,000.00
127	City of Waveland-Phase III Pier	
128	Expansion and Related	
129	Improvements . . . . .	.\$ 100,000.00

130	Biloxi Port Commission-Deer Island	
131	Restoration and Harbor	
132	Improvements	\$ 400,000.00
133	D'Iberville Port Commission - Fountain	
134	Beach Public Access and Habitat	
135	Learning Center.	\$ 200,000.00
136	City of Gautier-City Park Expansion . .	\$ 200,000.00
137	TOTAL PUBLIC ACCESS	\$3,295,000.00
138	MANAGEMENT PROJECTS:	
139	Biloxi Port Commission-Seafood Museum-	
140	Schooner Project. . . . .	.\$ 250,000.00
141		
142	USM - Cedar Point Nature and Wildlife	
143	Preserve and Public Interpretation	
144	Center	\$ 262,500.00
145	Beauvoir Shrine-Access to Oyster Bayou .	.\$ 95,000.00
146	Mississippi Maritime Museum-Gulfport. .	\$ 150,000.00
147	Mississippi Gulf Coast Reefs.	\$ 200,000.00
148	Grand Bay NERR Core Operations Center .	\$ 175,000.00
149	Conservation of Least Terns-	
150	Harrison County Beaches.	\$ 20,000.00
151	Department of Marine Resources	
152	Management Projects.	\$ 552,500.00
153	TOTAL MANAGEMENT:	\$1,705,000.00
154	TOTAL TIDELANDS:	\$5,000,000.00

155 Each political subdivision receiving funds authorized in this
156 section shall be held responsible for complying with Section
157 29-15-9, Mississippi Code of 1972, and shall be subject to an
158 audit by the State Auditor and shall submit detailed reports
159 beginning June 30, and every six (6) months thereafter for the
160 duration of the project to the Department of Marine Resources on
161 how funds authorized in this section were expended.

162 It is the intention of the Legislature that any political
163 subdivision seeking to qualify for tidelands funds for the
164 subsequent fiscal year shall submit a proposal to the Department

165 of Marine Resources no later than July 1, 2002. All proposals
166 submitted will be reviewed and evaluated by the Department of
167 Marine Resources in accordance to department plans and procedures.
168 Multiphased projects, multiyear projects, proposed projects with
169 high dollar value and projects that have a record of stacking
170 funds shall be considered as low priority projects when evaluated.

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

176 **SECTION 6.** It is the intention of the Legislature that the
177 Tidelands funds provided for the "D'Iberville Marina Complex Phase
178 IV" project authorized in House Bill No. 1633, Regular Session of
179 1999, and Tidelands funds provided for the "D'Iberville Marina
180 Complex Phase V" project authorized in House Bill No. 1636,
181 Regular Session of 2000, shall be used for the "D'Iberville Port
182 Commission Habitat Educational Park" project.

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

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

193 **SECTION 9.** It is the intention of the Legislature that the
194 Tidelands funds provided for the "City of Moss Point - Waterfront
195 Development: Pelican Landing" project authorized in House Bill No.
196 1569, Regular Session of 2001, shall be used for the "River Bend
197 Pier and Boardwalk in Moss Point" project.

198 **SECTION 10.** It is the intention of the Legislature that
199 Tidelands funds allocated in this act in the amount of One Hundred

200 Fifty Thousand Dollars (\$150,000.00) for the City of Ocean Springs
201 - Phase I East Beach Board Walk project must be approved by the
202 Mayor and Board of Alderman by September 1, 2002. If the City
203 does not approve the project by September 1, 2002, the funds will
204 be transferred to the Jackson County Board of Supervisors for
205 Phase I of the Lake Mars Boat Launch and Parking project.

206 **SECTION 11.** It is the intention of the Legislature that
207 matching funds of at least One Hundred Thousand Dollars
208 (\$100,000.00) be provided by the Mississippi Sound Maritime
209 Historical Foundation for the Mississippi Maritime Museum project
210 before the Mississippi Sound Maritime Historical Foundation is
211 eligible to receive funds allocated to it in this act.

212 **SECTION 12.** It is the intention of the Legislature that the
213 Department of Marine Resources be allowed to make necessary
214 transfers from the Subsidies, Loans and Grants major object of
215 expenditure to any other major object of expenditure for the
216 purpose of expending Tidelands funds as appropriated in House Bill
217 No. 1569, Regular Session of 2001.

218 **SECTION 13.** The money herein appropriated shall be paid by
219 the State Treasurer out of any money in the State Treasury to the
220 credit of the proper fund or funds as set forth in this act, upon
221 warrants issued by the State Fiscal Officer; and the State Fiscal
222 Officer shall issue his warrants upon requisitions signed by the
223 proper person, officer or officers, in the manner provided by law.

224 **SECTION 14.** This act shall take effect and be in force from
225 and after July 1, 2002, except for Section 12, which shall take
226 effect and be in force from and after its passage.