

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

To: Appropriations

HOUSE BILL NO. 1532

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL  
3 YEAR 2004.

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, 2003, and ending June 30, 2004.....  
10 ..... \$ 1,923,373.00.

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, 2003, and  
15 ending June 30, 2004..... \$ 8,095,387.00.

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..	\$	6,000,000.00
26	Travel and Subsistence.....		100,000.00
27	Contractual Services.....		1,900,000.00



28	Commodities.....	600,000.00
29	Capital Outlay:	
30	Other Than Equipment.....	218,760.00
31	Equipment.....	900,000.00
32	Subsidies, Loans and Grants.....	<u>300,000.00</u>
33	Total.....	\$ 10,018,760.00

34 FUNDING:

35	General Funds.....	\$ 1,923,373.00
36	Special Funds.....	<u>8,095,387.00</u>
37	Total.....	\$ 10,018,760.00

38 AUTHORIZED POSITIONS:

39	Permanent: Full Time.....	107
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 With the funds herein appropriated, it is the intention of  
47 the Legislature that it shall be the agency's responsibility to  
48 make certain that funds required to be appropriated for "Personal  
49 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
50 funds appropriated for that purpose, unless programs or positions  
51 are added to the agency's Fiscal Year 2005 budget by the  
52 Mississippi Legislature. Based on data provided by the  
53 Legislative Budget Office, the State Personnel Board shall  
54 determine and publish the projected annual cost to fully fund all  
55 appropriated positions in compliance with the provisions of this  
56 act. It shall be the responsibility of the agency head to insure  
57 that no single personnel action increases this projected annual  
58 cost and/or the Fiscal Year 2004 appropriation for "Personal  
59 Services" when annualized. If, at the end of any calendar month,  
60 the State Personnel Board determines that the agency has taken



61 action(s) which would cause the agency to exceed this projected  
 62 annual cost or the Fiscal Year 2004 "Personal Services"  
 63 appropriated level, when annualized, then only those actions which  
 64 reduce the projected annual cost and/or the appropriation  
 65 requirement will be processed by the State Personnel Board until  
 66 such time as the requirements of this provision are met.

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

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

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

79 **SECTION 5.** In addition to all other sums heretofore  
 80 appropriated, the following sum, or so much thereof as may be  
 81 necessary, is hereby appropriated out of any money in the State  
 82 Treasury to the credit of the Tidelands Fund No. 3452 to the  
 83 Department of Marine Resources for the purpose of defraying the  
 84 expenses of the Tidelands projects for the fiscal year beginning  
 85 July 1, 2003, and ending June 30, 2004..... \$ 5,319,273.00.

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

88 PROJECT NO.	PUBLIC ACCESS PROJECTS:	FINAL ACTION
		89 FY 2004
90 P23A	Clemont Harbor Pier Extension. . . . .	\$ 100,000.00
91 P05A	Courthouse Road Boat Launch	
92	Facility . . . . .	250,000.00
93 P12A	East Pascagoula River Boat Launch	



94		and Pier . . . . .	150,000.00
95	P34A	Bayhead Swamp & Bayou, Public	
96		Access to. . . . .	80,350.00
97	P31A	Fountain Beach Access & Learning	
98		Center . . . . .	150,000.00
99	P02A	Hiller Park Recreational Pier. . . . .	150,000.00
100	P09A	Pelican Landing, Phase II . . . . .	200,000.00
101	P06A	Cowan Road Boat Launch Facility. . . . .	150,000.00
102	P22A	Pearlington Pier Extension, Hancock	
103		County . . . . .	100,000.00
104	P14A	Garfield-Ladner Pier, Phase IV . . . . .	200,000.00
105	P24A	Washington Street Pier . . . . .	200,000.00
106	P08A	Long Beach Harbor Improvements . . . . .	200,000.00
107	P19A	Old Spanish Fort Boat Launching Ramp	
108		and Pier . . . . .	40,000.00
109	P20A	Lake Mars Boat Launching & Parking . . . . .	350,000.00
110	P13A	Harbor Improvements, Pass Christian. . . . .	260,000.00
111	P03A	City Park Community Center . . . . .	300,000.00
112	P28A	Schooner Pier Project. . . . .	250,000.00
113	P01A	Rutherford Pier Improvement,	
114		Phase II . . . . .	150,000.00
115		TOTAL PUBLIC ACCESS:	3,280,350.00
116		TOTAL MANAGEMENT:	972,523.00
117		Deer Island Payment . . . . .	1,066,400.00
118		TOTAL TIDELANDS:	5,319,273.00

119 Each political subdivision receiving funds authorized in this  
120 section shall be held responsible for complying with Section  
121 29-15-9, Mississippi Code of 1972, and shall be subject to an  
122 audit by the State Auditor and shall submit detailed reports  
123 beginning June 30, and every six (6) months thereafter for the  
124 duration of the project to the Department of Marine Resources on  
125 how funds authorized in this section were expended.



126           It is the intention of the Legislature that any political  
127 subdivision seeking to qualify for tidelands funds for the  
128 subsequent fiscal year shall submit a proposal to the Department  
129 of Marine Resources no later than July 1, 2003. All proposals  
130 submitted will be reviewed and evaluated by the Department of  
131 Marine Resources in accordance to department plans and procedures.  
132 Multiphased projects, multiyear projects, proposed projects with  
133 high dollar value and projects that have a record of stacking  
134 funds shall be considered as low priority projects when evaluated.

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

140           **SECTION 6.** The following sum, or so much thereof as may be  
141 necessary, is hereby reappropriated out of any money in the State  
142 Treasury to the credit of the Department of Marine Resources,  
143 Tidelands Fund, which is comprised of special source funds  
144 available to the department, for expenditures pursuant to House  
145 Bill No. 1756, 2002 Regular Session, for the fiscal year beginning  
146 July 1, 2003, and ending June 30, 2004..... \$5,500,000.00.

147           **SECTION 7.** It is the intention of the Legislature that the  
148 Tidelands funds provided for the "D'Iberville Marina Complex Phase  
149 IV" project authorized in House Bill No. 1633, 1999 Regular  
150 Session, and Tidelands funds provided for the "D'Iberville Marina  
151 Complex Phase V" project authorized in House Bill No. 1636,  
152 Regular Session of 2000, shall be used for the "D'Iberville Port  
153 Commission Habitat Educational Park" project.

154           **SECTION 8.** It is the intention of the Legislature that the  
155 Tidelands funds provided for the "Biloxi Port Commission - Point  
156 Cadet Marina - J Pier" project authorized in House Bill No. 1636,  
157 Regular Session of 2000, shall be used for the "Biloxi Port  
158 Commission - Lighthouse Fishing Dock" project.



159           **SECTION 9.** It is the intention of the Legislature that the  
160 Tidelands funds provided for the "Restoration West End of Deer  
161 Island" project authorized in House Bill No. 1569, Regular Session  
162 of 2001, shall be used for the "Deer Island Restoration and Harbor  
163 Improvements - Biloxi Port Commission" project.

164           **SECTION 10.** It is the intention of the Legislature that the  
165 Tidelands funds provided for the "City of Moss Point - Waterfront  
166 Development: Pelican Landing" project authorized in House Bill  
167 No. 1569, Regular Session of 2001, shall be used for the "River  
168 Bend Pier and Boardwalk in Moss Point" project.

169           **SECTION 11.** It is the intention of the Legislature that  
170 Tidelands funds allocated in this act in the amount of One Hundred  
171 Fifty Thousand Dollars (\$150,000.00) for the City of Ocean Springs  
172 - Phase I East Beach Board Walk project must have been approved by  
173 the Mayor and Board of Alderman by September 1, 2002. If the city  
174 did not approve the project by September 1, 2002, the funds will  
175 be transferred to the Jackson County Board of Supervisors for  
176 Phase I of the Lake Mars Boat Launch and Parking project.

177           **SECTION 12.** It is the intention of the Legislature that the  
178 Department of Marine Resources be allowed to make necessary  
179 transfers from the Subsidies, Loans and Grants major object of  
180 expenditure to any other major object of expenditure for the  
181 purpose of expending Tidelands funds as appropriated in House Bill  
182 No. 1756, Regular Session of 2002.

183           **SECTION 13.** It is the intention of the Legislature that the  
184 commission shall place any special trust funds appropriated to the  
185 department in a special trust fund and the interest earned on the  
186 principal shall be credited to the special trust fund. Monies in  
187 the fund at the end of the fiscal year shall be retained in the  
188 special trust fund for use in the next succeeding fiscal year.  
189 The department may use the interest earned on the fund to pay  
190 reasonable costs for administering the fund and related projects.



191           **SECTION 14.** It is the intention of the Legislature that  
192 Tidelands Funds not otherwise appropriated shall be used for  
193 additional funding of tideland projects and the administration  
194 thereof by the Department of Marine Resources. Expenditures of  
195 excess Tidelands Funds by the Department of Marine Resources for  
196 supplemental and additional funding and administration of  
197 tidelands projects heretofore or hereafter proposed is authorized  
198 and approved. The Department of Marine Resources may escalate the  
199 Tidelands Fund in an amount not to exceed Eight Hundred Thousand  
200 Dollars (\$800,000.00) for the purposes outlined in this section.

201           **SECTION 15.** It is the intention of the Legislature that none  
202 of the funds appropriated by this act shall be expended for  
203 increased charges for State and School Employees' Health Insurance  
204 Plan premium rates assessed by the Department of Finance and  
205 Administration in excess of the Fiscal Year 2003 premium rates for  
206 the health insurance plan.

207           **SECTION 16.** The money herein appropriated shall be paid by  
208 the State Treasurer out of any money in the State Treasury to the  
209 credit of the proper fund or funds as set forth in this act, upon  
210 warrants issued by the State Fiscal Officer; and the State Fiscal  
211 Officer shall issue his warrants upon requisitions signed by the  
212 proper person, officer or officers, in the manner provided by law.

213           **SECTION 17.** This act shall take effect and be in force from  
214 and after July 1, 2003.

