To: Appropriations

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2003

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

HOUSE BILL NO. 1532
(As Sent to Governor)


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, 2003, and ending June 30, 2004.............

$ 1,928,625.00.

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, 2003, and ending June 30, 2004..........................

$ 8,105,903.00.

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.. $ 6,015,768.00
Travel and Subsistence............ 100,000.00
Contractual Services................. 1,900,000.00
Commodities .......................... 600,000.00

Capital Outlay:

Other Than Equipment .................. 218,760.00
Equipment ............................. 900,000.00

Subsidies, Loans and Grants .............. 300,000.00

Total ................................ $ 10,034,528.00

FUNDING:

General Funds .......................... $ 1,928,625.00
Special Funds ........................... 8,105,903.00

Total ................................ $ 10,034,528.00

AUTHORIZED POSITIONS:

Permanent: Full Time ............ 107
Part Time ............. 0

Time-Limited: Full Time ............ 33
Part Time ............ 4

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 2005 do not exceed Fiscal Year 2004 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2005 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 2004 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 2004 “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. 3452 to the
Department of Marine Resources for the purpose of defraying the
expenses of the Tidelands projects for the fiscal year beginning
July 1, 2003, and ending June 30, 2004............ $ 5,819,273.00.

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

Public Access Projects:

<table>
<thead>
<tr>
<th>PROJECT NO.</th>
<th>PUBLIC ACCESS PROJECTS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>P13A</td>
<td>Pass Christian, Harbor Improvements</td>
<td>200,000.00</td>
</tr>
<tr>
<td>P12A</td>
<td>East Pascagoula River Boat Launch and Pier</td>
<td>150,000.00</td>
</tr>
<tr>
<td>Project</td>
<td>Description</td>
<td>Cost</td>
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<tr>
<td>---------</td>
<td>------------------------------------------------------------------------------</td>
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<tr>
<td>P34A</td>
<td>Bayhead Swamp and Bayou, Public Access to</td>
<td>80,350.00</td>
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<tr>
<td>P31A</td>
<td>Fountain Beach Access and Learning Center</td>
<td>150,000.00</td>
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<tr>
<td>P02A</td>
<td>Hiller Park Recreational Pier</td>
<td>150,000.00</td>
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<tr>
<td>P09A</td>
<td>Pelican Landing, Phase II</td>
<td>200,000.00</td>
</tr>
<tr>
<td>P22A</td>
<td>Pearlington Pier Extension, Hancock County</td>
<td>100,000.00</td>
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<tr>
<td>P14A</td>
<td>Garfield-Ladner Pier, Phase IV</td>
<td>200,000.00</td>
</tr>
<tr>
<td>P24A</td>
<td>Washington Street Pier</td>
<td>200,000.00</td>
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<tr>
<td>P08A</td>
<td>Long Beach Harbor Improvements</td>
<td>100,000.00</td>
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<tr>
<td>P19A</td>
<td>Old Spanish Fort Boat Launching Ramp and Pier</td>
<td>40,000.00</td>
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<tr>
<td>P20A</td>
<td>Lake Mars Boat Launching and Parking</td>
<td>120,000.00</td>
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<tr>
<td>P03A</td>
<td>City Park Community Center</td>
<td>300,000.00</td>
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<tr>
<td>P28A</td>
<td>Schooner Pier Project</td>
<td>325,000.00</td>
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<tr>
<td>P01A</td>
<td>Rutherford Pier Improvement, Phase II</td>
<td>50,000.00</td>
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<tr>
<td>P07A</td>
<td>Gulfport Small Craft Harbor Dredging</td>
<td>200,000.00</td>
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<tr>
<td>P10A</td>
<td>Ocean Springs Fishing Bridge Expansion</td>
<td>125,000.00</td>
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<tr>
<td>P18A</td>
<td>Racetrack Road Boat Launch, Phase I</td>
<td>150,000.00</td>
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<tr>
<td>P15A</td>
<td>Tchoutacabouffa River Boat Launch</td>
<td>150,000.00</td>
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<tr>
<td>P25A</td>
<td>Mississippi Sound Maritime Museum</td>
<td>100,000.00</td>
</tr>
<tr>
<td>P18A</td>
<td>WRANPS Wildlife Rehabilitation and Preservation Society, Inc.</td>
<td>25,000.00</td>
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</tbody>
</table>

Total Public Access Projects: 3,765,350.00
Total Management Projects 987,523.00
Deer Island Payment ............. 1,066,400.00
Total Tidelands Funds: 5,819,273.00

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, 2003. 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 allocated on a pro rata basis between projects listed in this section.

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

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended
SECTION 7. It is the intention of the Legislature that the commission shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 8. It is the intention of the Legislature that Tidelands Funds not otherwise appropriated shall be used for additional funding of tideland projects and the administration thereof by the Department of Marine Resources. Expenditures of excess Tidelands Funds by the Department of Marine Resources for supplemental and additional funding and administration of tidelands projects heretofore or hereafter proposed is authorized and approved. The Department of Marine Resources may escalate the Tidelands Fund in an amount not to exceed Eight Hundred Thousand Dollars ($800,000.00) for the purposes outlined in this section.

SECTION 9. 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 10. This act shall take effect and be in force from and after July 1, 2003.