

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

To: Appropriations

HOUSE BILL NO. 1532  
(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 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 ..... \$ 1,928,625.00.

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..... \$ 8,105,903.00.

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..	\$	6,015,768.00
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.....	\$ 10,034,528.00

34 FUNDING:

35	General Funds.....	\$ 1,928,625.00
36	Special Funds.....	<u>8,105,903.00</u>
37	Total.....	\$ 10,034,528.00

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..... \$ 5,819,273.00.

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

88 Public Access Projects:

89	<b>PROJECT NO.</b>	<b>PUBLIC ACCESS PROJECTS</b>	<b>AMOUNT</b>
90		McLeod Water Park	\$ 100,000.00
91	P13A	Pass Christian, Harbor Improvements	200,000.00
92	P12A	East Pascagoula River Boat Launch	
93		and Pier	150,000.00



94	P34A	Bayhead Swamp and Bayou, Public	
95		Access to	80,350.00
96	P31A	Fountain Beach Access and Learning	
97		Center	150,000.00
98	P02A	Hiller Park Recreational Pier	150,000.00
99	P09A	Pelican Landing, Phase II	200,000.00
100	P22A	Pearlington Pier Extension,	
101		Hancock County	100,000.00
102	P14A	Garfield-Ladner Pier, Phase IV	200,000.00
103	P24A	Washington Street Pier	200,000.00
104	P08A	Long Beach Harbor Improvements	100,000.00
105	P19A	Old Spanish Fort Boat Launching Ramp	
106		and Pier	40,000.00
107	P20A	Lake Mars Boat Launching and	
108		Parking	120,000.00
109	P03A	City Park Community Center	300,000.00
110	P28A	Schooner Pier Project	325,000.00
111	P01A	Rutherford Pier Improvement,	
112		Phase II	50,000.00
113	P07A	Gulfport Small Craft Harbor	
114		Dredging	200,000.00
115		Derelict Vessels/Offshore	
116		Artificial Reefs	250,000.00
117	P10A	Ocean Springs Fishing Bridge	
118		Expansion	125,000.00
119		Gulf Coast Research Lab Projects	300,000.00
120	P18A	Racetrack Road Boat Launch,	
121		Phase I	150,000.00
122	P15A	Tchoutacabouffa River Boat Launch	150,000.00
123		Mississippi Sound Maritime Museum	100,000.00
124		WRANPS Wildlife Rehabilitation and	
125		Preservation Society, Inc.	<u>25,000.00</u>
126		Total Public Access Projects:	3,765,350.00



127 Total Management Projects 987,523.00  
 128 Deer Island Payment . . . . . 1,066,400.00  
 129 Total Tidelands Funds: 5,819,273.00

130 Each political subdivision receiving funds authorized in this  
 131 section shall be held responsible for complying with Section  
 132 29-15-9, Mississippi Code of 1972, and shall be subject to an  
 133 audit by the State Auditor and shall submit detailed reports  
 134 beginning June 30, and every six (6) months thereafter for the  
 135 duration of the project to the Department of Marine Resources on  
 136 how funds authorized in this section were expended.

137 It is the intention of the Legislature that any political  
 138 subdivision seeking to qualify for tidelands funds for the  
 139 subsequent fiscal year shall submit a proposal to the Department  
 140 of Marine Resources no later than July 1, 2003. All proposals  
 141 submitted will be reviewed and evaluated by the Department of  
 142 Marine Resources in accordance to department plans and procedures.  
 143 Multiphased projects, multiyear projects, proposed projects with  
 144 high dollar value and projects that have a record of stacking  
 145 funds shall be considered as low priority projects when evaluated.

146 It is the intention of the Legislature that if the amount of  
 147 the Tidelands funds appropriated in this act exceed the actual  
 148 amount of Tidelands funds available, the available funds shall be  
 149 allocated on a pro rata basis between projects listed in this  
 150 section.

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

158 Notwithstanding the amount reappropriated under the  
 159 provisions of this section, in no event shall the amount expended



160 exceed the balance as of June 30, 2003, or change the purpose for  
161 which the funds were originally authorized except as otherwise  
162 stated in this bill.

163         **SECTION 7.** It is the intention of the Legislature that the  
164 commission shall place any special trust funds appropriated to the  
165 department in a special trust fund and the interest earned on the  
166 principal shall be credited to the special trust fund. Monies in  
167 the fund at the end of the fiscal year shall be retained in the  
168 special trust fund for use in the next succeeding fiscal year.  
169 The department may use the interest earned on the fund to pay  
170 reasonable costs for administering the fund and related projects.

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

181         **SECTION 9.** The money herein appropriated shall be paid by  
182 the State Treasurer out of any money in the State Treasury to the  
183 credit of the proper fund or funds as set forth in this act, upon  
184 warrants issued by the State Fiscal Officer; and the State Fiscal  
185 Officer shall issue his warrants upon requisitions signed by the  
186 proper person, officer or officers, in the manner provided by law.

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

