

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. 1532: 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, 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	PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
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	<u>1,066,400.00</u>
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.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X _____
Charlie Capps, Jr.

X _____
Jack Gordon

X _____
John Read

Tommy A. Gollott

X _____
Diane C. Peranich

X _____
Scottie R. Cuevas