

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

House Bill NO. 1532

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, 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..... \$ 5,319,273.00.

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

88 PROJECT NO.	PUBLIC ACCESS PROJECTS:	FINAL ACTION
		FY 2004
	McLeod Water Park	\$ 100,000.00
91 P12A	East Pascagoula River Boat Launch	
	and Pier	150,000.00
93 P34A	Bayhead Swamp & Bayou, Public	
94	Access to.	80,350.00

95	P31A	Fountain Beach Access & Learning	
96		Center	150,000.00
97	P02A	Hiller Park Recreational Pier.	150,000.00
98	P22A	Pearlington Pier Extension, Hancock	
99		County	100,000.00
100	P14A	Garfield-Ladner Pier, Phase IV	100,000.00
101	P24A	Washington Street Pier	100,000.00
102	P08A	Long Beach Harbor Improvements	100,000.00
103	P19A	Old Spanish Fort Boat Launching Ramp	
104		and Pier	40,000.00
105	P20A	Lake Mars Boat Launching & Parking	120,000.00
106	P03A	City Park Community Center	150,000.00
107	P28A	Schooner Pier Project.	325,000.00
108	P01A	Rutherford Pier Improvement,	
109		Phase II	150,000.00
110	P07A	Gulfport Small Craft Harbor	
111		Dredging	300,000.00
112		Derelict Vessels/Offshore Artificial	
113		Reefs	250,000.00
114	P10A	Ocean Springs Fishing Bridge	
115		Expansion	125,000.00
116		Mississippi Sound Maritime Museum.	100,000.00
117		WRANPS Wildlife Rehabilitation and	
118		Preservation Society, Inc.	25,000.00
119		Gulf Coast Research Lab Projects	300,000.00
120	P18A	Racetrack Road Boat Launch,	
121		Phase 1.	150,000.00
122	P15A	Tchoutacabouffa River Boat Launch.	<u>150,000.00</u>
123	TOTAL PUBLIC ACCESS:		3,215,350.00
124	TOTAL MANAGEMENT:		1,037,523.00
125	Deer Island Payment		<u>1,066,400.00</u>
126	TOTAL TIDELANDS:		5,319,273.00

127 Each political subdivision receiving funds authorized in this
128 section shall be held responsible for complying with Section
129 29-15-9, Mississippi Code of 1972, and shall be subject to an

130 audit by the State Auditor and shall submit detailed reports
131 beginning June 30, and every six (6) months thereafter for the
132 duration of the project to the Department of Marine Resources on
133 how funds authorized in this section were expended.

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

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

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

155 Notwithstanding the amount reappropriated under the
156 provisions of this section, in no event shall the amount expended
157 exceed the balance as of June 30, 2003, or change the purpose for
158 which the funds were originally authorized except as otherwise
159 stated in this bill.

160 **SECTION 7.** It is the intention of the Legislature that the
161 Tidelands funds provided for the "D'Iberville Marina Complex Phase
162 IV" project authorized in House Bill No. 1633, 1999 Regular
163 Session, and Tidelands funds provided for the "D'Iberville Marina
164 Complex Phase V" project authorized in House Bill No. 1636,

165 Regular Session of 2000, shall be used for the "D'Iberville Port
166 Commission Habitat Educational Park" project.

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

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

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

182 **SECTION 11.** It is the intention of the Legislature that the
183 Department of Marine Resources be allowed to make necessary
184 transfers from the Subsidies, Loans and Grants major object of
185 expenditure to any other major object of expenditure for the
186 purpose of expending Tidelands funds as appropriated in House Bill
187 No. 1756, Regular Session of 2002.

188 **SECTION 12.** It is the intention of the Legislature that the
189 commission shall place any special trust funds appropriated to the
190 department in a special trust fund and the interest earned on the
191 principal shall be credited to the special trust fund. Monies in
192 the fund at the end of the fiscal year shall be retained in the
193 special trust fund for use in the next succeeding fiscal year.
194 The department may use the interest earned on the fund to pay
195 reasonable costs for administering the fund and related projects.

196 **SECTION 13.** It is the intention of the Legislature that
197 Tidelands Funds not otherwise appropriated shall be used for
198 additional funding of tideland projects and the administration
199 thereof by the Department of Marine Resources. Expenditures of

200 excess Tidelands Funds by the Department of Marine Resources for
201 supplemental and additional funding and administration of
202 tidelands projects heretofore or hereafter proposed is authorized
203 and approved. The Department of Marine Resources may escalate the
204 Tidelands Fund in an amount not to exceed Eight Hundred Thousand
205 Dollars (\$800,000.00) for the purposes outlined in this section.

206 **SECTION 14.** The money herein appropriated shall be paid by
207 the State Treasurer out of any money in the State Treasury to the
208 credit of the proper fund or funds as set forth in this act, upon
209 warrants issued by the State Fiscal Officer; and the State Fiscal
210 Officer shall issue his warrants upon requisitions signed by the
211 proper person, officer or officers, in the manner provided by law.

212 **SECTION 15.** This act shall take effect and be in force from
213 and after July 1, 2003.