

By: Senator(s) Cuevas

To: Appropriations

SENATE BILL NO. 2275

1 AN ACT TO AMEND HOUSE BILL NO. 1532, CHAPTER 90, LAWS OF  
2 2003, TO PROVIDE THAT CERTAIN PREVIOUSLY AUTHORIZED TIDELANDS  
3 FUNDS SHALL BE USED FOR THE BAY SAINT LOUIS PROPERTY ACQUISITION  
4 AND IMPROVEMENTS FOR PARKING, FOR FISCAL YEAR 2004.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. House Bill No. 1532, Chapter 90, Laws of 2003, is  
7 amended as follows:

8 Section 1. The following sum, or so much thereof as may be  
9 necessary, is hereby appropriated out of any money in the State  
10 General Fund not otherwise appropriated, for the support and  
11 maintenance of the Department of Marine Resources for the fiscal  
12 year beginning July 1, 2003, and ending June 30, 2004.....  
13 ..... \$ 1,928,625.00.

14 Section 2. The following sum, or so much thereof as may be  
15 necessary, is hereby appropriated out of any money in any special  
16 fund in the State Treasury to the credit of the Department of  
17 Marine Resources for the fiscal year beginning July 1, 2003, and  
18 ending June 30, 2004..... \$ 8,105,903.00.

19 Of the funds appropriated in this section, Three Million  
20 Fifty Thousand Dollars (\$3,050,000.00) is derived from the state  
21 excise taxes upon gasoline, oil and other petroleum products.

22 Section 3. Of the funds appropriated under the provisions of  
23 Sections 1 and 2, not more than the amounts set forth below shall  
24 be expended for the respective major objects or purpose of  
25 expenditure:

26 MAJOR OBJECTS OF EXPENDITURE:

27 Personal Services:

28 Salaries, Wages and Fringe Benefits.. \$ 6,015,768.00

29	Travel and Subsistence.....	100,000.00
30	Contractual Services.....	1,900,000.00
31	Commodities.....	600,000.00
32	Capital Outlay:	
33	Other Than Equipment.....	218,760.00
34	Equipment.....	900,000.00
35	Subsidies, Loans and Grants.....	<u>300,000.00</u>
36	Total.....	\$ 10,034,528.00

37 FUNDING:

38	General Funds.....	\$ 1,928,625.00
39	Special Funds.....	<u>8,105,903.00</u>
40	Total.....	\$ 10,034,528.00

41 AUTHORIZED POSITIONS:

42	Permanent: Full Time.....	107
43	Part Time.....	0
44	Time-Limited: Full Time.....	33
45	Part Time.....	4

46 Each Marine Conservation Officer and Supervisor shall be  
47 furnished an allowance for uniforms not to exceed Four Hundred  
48 Fifty Dollars (\$450.00) per annum.

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

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

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

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

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

82 Section 5. In addition to all other sums heretofore  
83 appropriated, the following sum, or so much thereof as may be  
84 necessary, is hereby appropriated out of any money in the State  
85 Treasury to the credit of the Tidelands Fund No. 3452 to the  
86 Department of Marine Resources for the purpose of defraying the  
87 expenses of the Tidelands projects for the fiscal year beginning  
88 July 1, 2003, and ending June 30, 2004..... \$ 5,819,273.00.

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

91 Public Access Projects:

92	PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
93		McLeod Water Park	\$ 100,000.00
94	P13A	Pass Christian, Harbor Improvements	200,000.00

95	P12A	East Pascagoula River Boat Launch	
96		and Pier	150,000.00
97	P34A	Bayhead Swamp and Bayou, Public	
98		Access to	80,350.00
99	P31A	Fountain Beach Access and Learning	
100		Center	150,000.00
101	P02A	Hiller Park Recreational Pier	150,000.00
102	P09A	Pelican Landing, Phase II	200,000.00
103	P22A	Pearlington Pier Extension,	
104		Hancock County	100,000.00
105	P14A	Garfield-Ladner Pier, Phase IV	200,000.00
106	P24A	Washington Street Pier	200,000.00
107	P08A	Long Beach Harbor Improvements	100,000.00
108	P19A	Old Spanish Fort Boat Launching	
109		Ramp and Pier	40,000.00
110	P20A	Lake Mars Boat Launching and	
111		Parking	120,000.00
112	P03A	City Park Community Center	300,000.00
113	P28A	Schooner Pier Project	325,000.00
114	P01A	<u>Bay Saint Louis Ulman</u>	
115		<u>Avenue Pier</u>	50,000.00
116	P07A	Gulfport Small Craft Harbor	
117		Dredging	200,000.00
118		Derelict Vessels/Offshore	
119		Artificial Reefs	250,000.00
120	P10A	Ocean Springs Fishing Bridge	
121		Expansion	125,000.00
122		Gulf Coast Research Lab Projects	300,000.00
123	P18A	Racetrack Road Boat Launch,	
124		Phase I	150,000.00
125	P15A	Tchoutacabouffa River Boat Launch	150,000.00
126		Mississippi Sound Maritime Museum	100,000.00
127		WRANPS Wildlife Rehabilitation and	

128	Preservation Society, Inc.	<u>25,000.00</u>
129	Total Public Access Projects:	3,765,350.00
130	Total Management Projects:	987,523.00
131	Deer Island Payment . . . . .	<u>1,066,400.00</u>
132	Total Tidelands Funds:	5,819,273.00

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

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

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

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

161 Notwithstanding the amount reappropriated under the  
162 provisions of this section, in no event shall the amount expended  
163 exceed the balance as of June 30, 2003, or change the purpose for  
164 which the funds were originally authorized except as otherwise  
165 stated in this bill.

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

174 Section 8. It is the intention of the Legislature that the  
175 Tidelands funds provided for the "Bay Saint Louis Ulman Avenue  
176 Pier" project authorized in House Bill No. 1569, 2001 Regular  
177 Session, and Tidelands funds provided for the "Bay Saint Louis  
178 Ulman Avenue Pier" project authorized in House Bill No. 1756, 2002  
179 Regular Session, shall be used for the "Bay Saint Louis Property  
180 Acquisition and Improvements for Parking" project.

181 Section 9. It is the intention of the Legislature that  
182 Tidelands funds not otherwise appropriated shall be used for  
183 additional funding of tideland projects and the administration  
184 thereof by the Department of Marine Resources. Expenditures of  
185 excess Tidelands funds by the Department of Marine Resources for  
186 supplemental and additional funding and administration of tideland  
187 projects heretofore or hereafter proposed is authorized and  
188 approved. The Department of Marine Resources may escalate the  
189 Tidelands Fund in an amount not to exceed Eight Hundred Thousand  
190 Dollars (\$800,000.00) for the purposes outlined in this section.

191 Section 10. The money herein appropriated shall be paid by  
192 the State Treasurer out of any money in the State Treasury to the  
193 credit of the proper fund or funds as set forth in this act, upon

194 warrants issued by the State Fiscal Officer; and the State Fiscal  
195 Officer shall issue his warrants upon requisitions signed by the  
196 proper person, officer or officers, in the manner provided by law.

197 Section 11. This act shall take effect and be in force from  
198 and after July 1, 2003.

199 **SECTION 2.** This act shall take effect and be in force from  
200 and after its passage.