

By: Representatives Frierson, Eure, Bennett, Bounds, Busby, DeLano, Huddleston (15th), Huddleston (30th), Ladner, Monsour, Read, Shows, Staples, Sullivan, Turner To: Appropriations

HOUSE BILL NO. 1657 (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 2017.

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 appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the support and maintenance
8 of the Department of Marine Resources for the fiscal year
9 beginning July 1, 2016, and ending June 30, 2017.....
10\$ 1,051,522.00.

11 SECTION 2. The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in any special fund in
13 the State Treasury to the credit of the Department of Marine
14 Resources for the fiscal year beginning July 1, 2016, and ending
15 June 30, 2017.....\$ 22,969,183.00.

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 this act, the following positions are authorized:

21 AUTHORIZED POSITIONS:

| | | | |
|----|---------------|----------------|-----|
| 22 | Permanent: | Full Time..... | 104 |
| 23 | | Part Time..... | 0 |
| 24 | Time-Limited: | Full Time..... | 78 |
| 25 | | Part Time..... | 1 |

26 Each Marine Conservation Officer and Supervisor shall be
27 furnished an allowance for uniforms not to exceed Six Hundred
28 Dollars (\$600.00) per annum.

29 With the funds herein appropriated, it shall be the agency's
30 responsibility to make certain that funds required to be
31 appropriated for "Personal Services" for Fiscal Year 2018 do not
32 exceed Fiscal Year 2017 funds appropriated for that purpose,
33 unless programs or positions are added to the agency's Fiscal Year
34 2017 budget by the Mississippi Legislature. Based on data
35 provided by the Legislative Budget Office, the State Personnel
36 Board shall determine and publish the projected annual cost to
37 fully fund all appropriated positions in compliance with the
38 provisions of this act. It shall be the responsibility of the
39 agency head to ensure that no single personnel action increases
40 this projected annual cost and/or the Fiscal Year 2017
41 appropriations for "Personal Services" when annualized, with the
42 exception of escalated funds and the award of benchmarks. If, at
43 the time the agency takes any action to change "Personal



44 Services," the State Personnel Board determines that the agency
45 has taken an action which would cause the agency to exceed this
46 projected annual cost or the Fiscal Year 2017 "Personal Services"
47 appropriated level, when annualized, then only those actions which
48 reduce the projected annual cost and/or the appropriation
49 requirement will be processed by the State Personnel Board until
50 such time as the requirements of this provision are met.

51 Any transfers or escalations shall be made in accordance with
52 the terms, conditions and procedures established by law or
53 allowable under the terms set forth within this act. The State
54 Personnel Board shall not escalate positions without written
55 approval from the Department of Finance and Administration. The
56 Department of Finance and Administration shall not provide written
57 approval to escalate any funds for salaries and/or positions
58 without proof of availability of new or additional funds above the
59 appropriated level.

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

64 None of the funds herein appropriated shall be used in
65 violation of Internal Revenue Service's Publication 15-A relating
66 to the reporting of income paid to contract employees, as
67 interpreted by the Office of the State Auditor.



68 **SECTION 4.** It is the intention of the Legislature that the
69 Department of Marine Resources shall maintain complete accounting
70 and personnel records related to the expenditure of all funds
71 appropriated under this act and that such records shall be in the
72 same format and level of detail as maintained for Fiscal Year
73 2016. It is further the intention of the Legislature that the
74 agency's budget request for Fiscal Year 2018 shall be submitted to
75 the Joint Legislative Budget Committee in a format and level of
76 detail comparable to the format and level of detail provided
77 during the Fiscal Year 2017 budget request process.

78 **SECTION 5.** In addition to all other sums heretofore
79 appropriated, the following sum, or so much thereof as may be
80 necessary, is hereby appropriated out of any money in the State
81 Treasury to the credit of the Tidelands Fund No. 3345200000 to the
82 Department of Marine Resources for the purpose of defraying the
83 expenses of the tidelands projects for the fiscal year beginning
84 July 1, 2016, and ending June 30, 2017.....\$ 9,787,443.00.

85 Of the funds appropriated within this section, the following
86 projects are authorized:

| 87 | PROJECT NO. | PROJECT ACCESS PROJECTS | AMOUNT |
|----|------------------|--|--------------|
| 88 | Harrison County: | | |
| 89 | FY17 P501-06 | Brodie Bayou Public Access | |
| 90 | | and Restoration Phase I | |
| 91 | | - City of D'Iberville | \$200,000.00 |
| 92 | FY17 P501-03 | West Biloxi Festival Boardwalk (Phase 1) | |



93 and Boat Ramp

94 -City of Biloxi\$700,000.00

95 FY17 P626-01 Sand Beach Boardwalk Project (Phase 1)

96 -City of Biloxi\$300,000.00

97 FY17 P999-01 FY2017 - Harbor Improvements

98 - City of Long Beach\$325,000.00

99 FY17 P603-01 Improvements to Bert Jones Yacht

100 Basin & Adjacent Areas

101 - City of Gulfport\$250,000.00

102 FY17 P603-03 Bulkhead Repairs at Gulfport Lake

103 Boat Launch Facility

104 - City of Gulfport\$45,000.00

105 FY17 P600-03 2017 Small Craft Harbor Improvements-

106 Day Pier Extension

107 - City of Pass Christian\$125,000.00

108 FY17 P626-03 Long Beach Gateway

109 - City of Long Beach\$75,000.00

110 Jackson County:

111 FY17 P602-03 Bayou Cumbest Boat Launch Phase II

112 -Jackson County Board of

113 Supervisors\$225,000.00

114 FY17 P602-02 Fort Bayou Boat Launch

115 Improvements - Phase III

116 - City of Ocean Springs\$225,000.00

117 FY17 P606-01 EEC Interpretive Nature Trail Program



| | | | | |
|-----|-----------------|---------|---|--------------|
| 118 | | | - City of Gautier | \$230,000.00 |
| 119 | FY17 | P412-01 | GCRL - Public Access Improvements | |
| 120 | | | - City of Ocean Springs | \$175,000.00 |
| 121 | FY17 | P618-01 | Gautier's Mary Walker Bayou | |
| 122 | | | Parks Project | |
| 123 | | | -City of Gautier | \$200,000.00 |
| 124 | FY17 | P501-04 | City of Moss Point - River Front | |
| 125 | | | Boardwalk | |
| 126 | | | -City of Moss Point | \$100,000.00 |
| 127 | FY17 | P604-01 | Point Park Piers and Piling | |
| 128 | | | Restoration | |
| 129 | | | - City of Pascagoula | \$100,000.00 |
| 130 | FY17 | P602-01 | Pascagoula Bulkhead Improvement | |
| 131 | | | - City of Pascagoula | \$230,000.00 |
| 132 | Hancock County: | | | |
| 133 | FY17 | P610-04 | McLeod Park RV Campsites at the | |
| 134 | | | Jordan River (Phase 1) | |
| 135 | | | -City of Bay St. Louis | \$400,000.00 |
| 136 | FY17 | P646-03 | Comfort Stations | |
| 137 | | | -City of Waveland | \$100,000.00 |
| 138 | FY17 | P646-01 | Lighthouse and Pavilion (Phase 1) | |
| 139 | | | -City of Waveland | \$300,000.00 |
| 140 | FY17 | P614-01 | Montjoy Creek Improvements Project | |
| 141 | | | -City of Diamondhead | \$204,666.00 |
| 142 | FY17 | P401-01 | Jimmy Rutherford Fishing Pier Extension | |



| | | |
|-----|---|-----------------|
| 143 | -City of Bay St. Louis | \$100,000.00 |
| 144 | LaPointe Crest House - Pascagoula, MS | \$50,000.00 |
| 145 | Total Public Access Projects..... | \$ 4,659,666.00 |
| 146 | Total Management Projects..... | \$ 4,127,777.00 |
| 147 | Bond Repayment..... | \$ 1,000,000.00 |
| 148 | Total Tidelands Funds: | \$ 9,787,443.00 |

149 Each political subdivision receiving funds authorized in this
150 section shall be held responsible for complying with Section
151 29-15-9, Mississippi Code of 1972, and shall be subject to an
152 audit by the State Auditor and shall submit detailed reports
153 beginning June 30, and every six (6) months thereafter for the
154 duration of the project to the Department of Marine Resources on
155 how funds authorized in this section were expended.

156 It is the intention of the Legislature that any political
157 subdivision seeking to qualify for tidelands funds for the
158 subsequent fiscal year shall submit a proposal to the Department
159 of Marine Resources no later than July 1, 2016. All proposals
160 submitted will be reviewed and evaluated by the Department of
161 Marine Resources in accordance to department plans and procedures.
162 Multiphased projects, multiyear projects, proposed projects with
163 high dollar value and projects that have a record of stacking
164 funds shall be considered as low priority projects when evaluated.

165 It is the intention of the Legislature that if the amount of
166 the tidelands funds appropriated in this act exceed the actual
167 amount of tidelands funds available, the available funds shall be



168 allocated on a pro rata basis between projects listed in this
169 section.

170 **SECTION 6.** It is the intention of the Legislature that the
171 commission shall place any special trust funds appropriated to the
172 department in a special trust fund and the interest earned on the
173 principal shall be credited to the special trust fund. Monies in
174 the fund at the end of the fiscal year shall be retained in the
175 special trust fund for use in the next succeeding fiscal year.
176 The department may use the interest earned on the fund to pay
177 reasonable costs for administering the fund and related projects.

178 **SECTION 7.** It is the intention of the Legislature that the
179 Department of Marine Resources has the authorization to move
180 tidelands funds between approved projects upon request from entity
181 and proper completion of Form TTF-6 documentation.

182 **SECTION 8.** It is the intention of the Legislature that
183 whenever two (2) or more bids are received by this agency for the
184 purchase of commodities or equipment, and whenever all things
185 stated in such received bids are equal with respect to price,
186 quality and service, the Mississippi Industries for the Blind
187 shall be given preference. A similar preference shall be given to
188 the Mississippi Industries for the Blind whenever purchases are
189 made without competitive bids.

190 **SECTION 9.** It is the intention of the Legislature that none
191 of the funds provided herein shall be used to pay certain
192 utilities for state furnished housing for any employees. Such



193 utilities shall include electricity, natural gas, butane, propane,
194 cable and phone services. Where actual cost cannot be determined,
195 the agency shall be required to provide meters to be in compliance
196 with legislative intent. Such state furnished housing shall
197 include single-family and multi-family residences but shall not
198 include any dormitory residences. Allowances for such utilities
199 shall be prohibited.

200 **SECTION 10.** It is the intention of the Legislature that the
201 funds herein appropriated shall be expended in compliance with
202 Section 27-104-25, Mississippi Code of 1972, that no state agency
203 shall incur obligations or indebtedness in excess of their
204 appropriation and that the responsible officers, either personally
205 or upon their official bonds, shall be held responsible for
206 actions contrary to this provision.

207 **SECTION 11.** Of the funds appropriated under the provisions
208 of Section 2, the amount of Three Million Dollars (\$3,000,000.00)
209 shall be derived out of any money in the State Treasury to the
210 credit of the Budget Contingency Fund, as created in Section
211 27-103-301, Mississippi Code of 1972, and allocated in a manner as
212 determined by the Treasurer's Office, and shall be made available
213 for the Coastal Map Revision Project.

214 The Coastal Map Revision Project is to revise the floodplain
215 maps that encompass Hancock County, Harrison County and Jackson
216 County to reduce the number of properties that are located in
217 special flood hazard areas with Base Flood Elevations and V-Zone



218 designations. The remapping effort will reduce the insurance
219 rates and costs of construction along the Mississippi Gulf Coast.
220 The Southern Mississippi Planning and Development District shall
221 use the money appropriated by this act to contract with an
222 engineering firm to perform the modeling and engineering services
223 required to complete the Coastal Map Revision Project.

224 **SECTION 12.** The money herein appropriated shall be paid by
225 the State Treasurer out of any money in the State Treasury to the
226 credit of the proper fund or funds as set forth in this act, upon
227 warrants issued by the State Fiscal Officer; and the State Fiscal
228 Officer shall issue his warrants upon requisitions signed by the
229 proper person, officer or officers, in the manner provided by law.

230 **SECTION 13.** This act shall take effect and be in force from
231 and after July 1, 2016.

