

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

To: Appropriations

HOUSE BILL NO. 1518

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL  
3 YEAR 2018.

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, 2017, and ending June 30, 2018.....  
10 .....\$ 1,017,876.00.

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, 2017, and ending  
15 June 30, 2018.....\$ 19,756,477.00.

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, not more than the following amount shall be expended for  
21 Salaries, Wages and Fringe Benefits.....\$       8,239,384.00.

22           Of the funds appropriated under the provisions of this act,  
23 the following positions are authorized:

24       AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	104
26		Part Time.....	0
27	Time-Limited:	Full Time.....	75
28		Part Time.....	1

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

32           With the funds herein appropriated, it shall be the agency's  
33 responsibility to make certain that funds required to be  
34 appropriated for "Personal Services" for Fiscal Year 2019 do not  
35 exceed Fiscal Year 2018 funds appropriated for that purpose,  
36 unless programs or positions are added to the agency's Fiscal Year  
37 2018 budget by the Mississippi Legislature. Based on data  
38 provided by the Legislative Budget Office, the State Personnel  
39 Board shall determine and publish the projected annual cost to  
40 fully fund all appropriated positions in compliance with the  
41 provisions of this act. It shall be the responsibility of the  
42 agency head to ensure that no single personnel action increases  
43 this projected annual cost and/or the Fiscal Year 2018



44 appropriations for "Personal Services" when annualized, with the  
45 exception of escalated funds and the award of benchmarks. If, at  
46 the time the agency takes any action to change "Personal  
47 Services," the State Personnel Board determines that the agency  
48 has taken an action which would cause the agency to exceed this  
49 projected annual cost or the Fiscal Year 2018 "Personal Services"  
50 appropriated level, when annualized, then only those actions which  
51 reduce the projected annual cost and/or the appropriation  
52 requirement will be processed by the State Personnel Board until  
53 such time as the requirements of this provision are met.

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

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

67 None of the funds herein appropriated shall be used in  
68 violation of Internal Revenue Service's Publication 15-A relating



69 to the reporting of income paid to contract employees, as  
70 interpreted by the Office of the State Auditor.

71       **SECTION 4.** It is the intention of the Legislature that the  
72 Department of Marine Resources shall maintain complete accounting  
73 and personnel records related to the expenditure of all funds  
74 appropriated under this act and that such records shall be in the  
75 same format and level of detail as maintained for Fiscal Year  
76 2017. It is further the intention of the Legislature that the  
77 agency's budget request for Fiscal Year 2019 shall be submitted to  
78 the Joint Legislative Budget Committee in a format and level of  
79 detail comparable to the format and level of detail provided  
80 during the Fiscal Year 2018 budget request process.

81       **SECTION 5.** In addition to all other sums heretofore  
82 appropriated, the following sum, or so much thereof as may be  
83 necessary, is hereby appropriated out of any money in the State  
84 Treasury to the credit of the Tidelands Fund No. 3345200000 to the  
85 Department of Marine Resources for the purpose of defraying the  
86 expenses of the tidelands projects for the fiscal year beginning  
87 July 1, 2017, and ending June 30, 2018.....\$ 9,787,443.00.

88       Of the funds appropriated within this section, One Million  
89 Dollars (\$1,000,000.00) shall be designated for bond repayment.

90 Department of Marine Resources Programs:

91       Management and Matching.....\$	4,493,722.00.
92       Access Projects.....\$	4,493,721.00.



93 Each political subdivision receiving funds authorized in this  
94 section shall be held responsible for complying with Section  
95 29-15-9, Mississippi Code of 1972, and shall be subject to an  
96 audit by the State Auditor and shall submit detailed reports  
97 beginning June 30, and every six (6) months thereafter for the  
98 duration of the project to the Department of Marine Resources on  
99 how funds authorized in this section were expended.

100 It is the intention of the Legislature that any political  
101 subdivision seeking to qualify for tidelands funds for the  
102 subsequent fiscal year shall submit a proposal to the Department  
103 of Marine Resources no later than July 1, 2017. All proposals  
104 submitted will be reviewed and evaluated by the Department of  
105 Marine Resources in accordance to department plans and procedures.  
106 Multiphased projects, multiyear projects, proposed projects with  
107 high dollar value and projects that have a record of stacking  
108 funds shall be considered as low priority projects when evaluated.

109 It is the intention of the Legislature that if the amount of  
110 the tidelands funds appropriated in this act exceed the actual  
111 amount of tidelands funds available, the available funds shall be  
112 allocated on a pro rata basis between projects listed in this  
113 section.

114 **SECTION 6.** It is the intention of the Legislature that the  
115 commission shall place any special trust funds appropriated to the  
116 department in a special trust fund and the interest earned on the  
117 principal shall be credited to the special trust fund. Monies in



118 the fund at the end of the fiscal year shall be retained in the  
119 special trust fund for use in the next succeeding fiscal year.  
120 The department may use the interest earned on the fund to pay  
121 reasonable costs for administering the fund and related projects.

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

126       **SECTION 8.** It is the intention of the Legislature that  
127 whenever two (2) or more bids are received by this agency for the  
128 purchase of commodities or equipment, and whenever all things  
129 stated in such received bids are equal with respect to price,  
130 quality and service, the Mississippi Industries for the Blind  
131 shall be given preference. A similar preference shall be given to  
132 the Mississippi Industries for the Blind whenever purchases are  
133 made without competitive bids.

134       **SECTION 9.** It is the intention of the Legislature that none  
135 of the funds provided herein shall be used to pay certain  
136 utilities for state furnished housing for any employees. Such  
137 utilities shall include electricity, natural gas, butane, propane,  
138 cable and phone services. Where actual cost cannot be determined,  
139 the agency shall be required to provide meters to be in compliance  
140 with legislative intent. Such state furnished housing shall  
141 include single-family and multi-family residences but shall not



142 include any dormitory residences. Allowances for such utilities  
143 shall be prohibited.

144         **SECTION 10.** It is the intention of the Legislature that the  
145 funds herein appropriated shall be expended in compliance with  
146 Section 27-104-25, Mississippi Code of 1972, that no state agency  
147 shall incur obligations or indebtedness in excess of their  
148 appropriation and that the responsible officers, either personally  
149 or upon their official bonds, shall be held responsible for  
150 actions contrary to this provision.

151         **SECTION 11.** The money herein appropriated shall be paid by  
152 the State Treasurer out of any money in the State Treasury to the  
153 credit of the proper fund or funds as set forth in this act, upon  
154 warrants issued by the State Fiscal Officer; and the State Fiscal  
155 Officer shall issue his warrants upon requisitions signed by the  
156 proper person, officer or officers, in the manner provided by law.

157         **SECTION 12.** This act shall take effect and be in force from  
158 and after July 1, 2017, and shall stand repealed June 30, 2017.

