To: Appropriations

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2018

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

HOUSE BILL NO. 1606
(As Sent to Governor)


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

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019..................

$    1,065,130.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2018, and ending June 30, 2019..................

$    28,103,092.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars ($3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.
SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

<table>
<thead>
<tr>
<th>Position</th>
<th>Full Time</th>
<th>Part Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Time</td>
<td>104</td>
<td>0</td>
</tr>
<tr>
<td>Part Time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Time-Limited</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Time</td>
<td>78</td>
<td>1</td>
</tr>
<tr>
<td>Part Time</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2020 do not exceed Fiscal Year 2019 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2019 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2019 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal
Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2019 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

None of the funds herein appropriated shall be used in violation of Internal Revenue Service’s Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.
SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2018. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2020 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2019 budget request process.

SECTION 5. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2018, and ending June 30, 2019........$ 10,000,000.00.

Of the funds appropriated in this section, the following projects are authorized:

<table>
<thead>
<tr>
<th>PROJECT NO.</th>
<th>PROJECT NAME</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harrison County:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY19-P613-02</td>
<td>Harbor Improvements</td>
<td></td>
</tr>
<tr>
<td>FY19-P600-06</td>
<td>Redecking of Existing Piers</td>
<td></td>
</tr>
<tr>
<td>-City of Long Beach</td>
<td></td>
<td>$300,000.00</td>
</tr>
<tr>
<td>-City of Pass Christian</td>
<td></td>
<td>$275,000.00</td>
</tr>
</tbody>
</table>
93  FY19-P603-05  Bernard and Brickyard Bayou
94                  Blueway Kayak Launch Project
95                  -City of D'Iberville ................. $275,000.00
96  FY19-P601-05  Point Cadet Marina and Water's
97                  Edge Boardwalk -City of Biloxi ....... $700,000.00
98  FY19-P511-07  Fountain Beach Public Access
99                  Phase 1 & 2 -City of D'Iberville ...... $275,000.00
100 FY19-P999-06  Gulf of Mexico Fish Exhibit,
101                  Signage, and Pier Improvements
102                  -Maritime & Seafood Industry Museum .... $75,000.00
103  Jackson County:
104 FY19-P412-01  Front Beach Infrastructure
105                  Stabilization Improvement
106                  -City of Ocean Springs .................. $240,000.00
107 FY19-P602-05  Brittany Avenue Boat Launch
108                  -Parking Lot Expansion Project
109                  -Jackson County Board of Supervisors .. $275,000.00
110 FY19-P618-04  Shepard State Park Upgrades
111                  -City of Gautier ......................... $250,000.00
112 FY19-P501-01  Dantzler Street Alignment
113                  -City of Moss Point ....................... $150,000.00
114 FY19-P604-05  Point Park Amenities
115                  -City of Pascagoula ....................... $200,000.00
116  Hancock County:
117 FY19-P401-04  Harbor Pier 5
- City of Bay St. Louis .................. $375,000.00
FY19-P646-04 Removal or Derelict Piers and
- City of Waveland ............. $200,000.00
FY19-P510-04 Montjoy Creek Restoration and
- City of Diamondhead ............... $200,000.00
Jourdan River Shores Canal Dredging Project
- Hancock County Board of Supervisors .. $100,000.00
McLeod Park Bathhouse Improvement Project
- Hancock County Board of Supervisors .. $100,000.00
Point Cadet Engineering and Development Project
- City of Biloxi ....................... $350,000.00
Total Public Access Projects...................... $4,340,000.00
Total Management Projects.......................... $4,560,000.00
Bond Repayment........................................ $1,100,000.00
Total Tidelands Funds:.......................... $10,000,000.00

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

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the
subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2018. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

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

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

SECTION 7. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.
SECTION 8. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi’s natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Tidelands Fund No. 3345200000, for the Department of Marine Resources for the purpose of reauthorizing the expenditure of Tidelands Funds 3345200000, as authorized in House Bill 1518, 2017 Regular Session, for the fiscal year beginning July 1, 2018, and ending June 30, 2019. $300,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2018.

Of the funds appropriated in this act, the following projects are authorized:

PUBLIC ACCESS PROJECTS

<table>
<thead>
<tr>
<th>Hancock County:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jourdan River Shores Canal Dredging Project</td>
</tr>
<tr>
<td>McLeod Park Bathhouse Improvement Project</td>
</tr>
</tbody>
</table>

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Tidelands Fund No. 3345200000, for the Department of Marine Resources for
the purpose of reauthorizing the expenditure of Tidelands Funds 3345200000, as authorized in previous fiscal year appropriations for the purpose of continuing any existing and approved Tideland Fund projects, for the fiscal year beginning July 1, 2018, and ending June 30, 2019..........................$4,200,000.00.

Notwithstanding the amount reappropriated under the provisions of this act, in no event shall the amount expended exceed the unexpended balance of June 30, 2018.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not
include any dormitory residences. Allowances for such utilities shall be prohibited.

**SECTION 13.** It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

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

**SECTION 15.** This act shall take effect and be in force from and after July 1, 2018.