

By: Representatives Read, Eure, Baria,  
Barton, Bennett, Bounds, Busby, DeLano,  
Hines, Huddleston, Ladner, Staples, Sullivan,  
Turner, Willis

To: Appropriations

HOUSE BILL NO. 1656  
(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 2020.

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, 2019, and ending June 30, 2020.....  
10 .....\$ 1,101,802.00.

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, 2019, and ending  
15 June 30, 2020.....\$ 28,428,139.00.

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 2021 do not  
32 exceed Fiscal Year 2020 funds appropriated for that purpose,  
33 unless programs or positions are added to the agency's Fiscal Year  
34 2020 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 2020  
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 2020 "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 Funds are provided herein for all full-time employees to  
52 receive up to a Three Percent (3%) pay increase to the realignment  
53 component of the Variable Compensation Plan, excluding head of  
54 agencies, board members and commission members.

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

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67 act and which are withdrawn and no longer available.



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

72 **SECTION 4.** It is the intention of the Legislature that the  
73 Department of Marine Resources shall maintain complete accounting  
74 and personnel records related to the expenditure of all funds  
75 appropriated under this act and that such records shall be in the  
76 same format and level of detail as maintained for Fiscal Year  
77 2019. It is further the intention of the Legislature that the  
78 agency's budget request for Fiscal Year 2021 shall be submitted to  
79 the Joint Legislative Budget Committee in a format and level of  
80 detail comparable to the format and level of detail provided  
81 during the Fiscal Year 2020 budget request process.

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. 3345200000 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, 2019, and ending June 30, 2020.....\$ 11,000,000.00.

89 Of the funds appropriated within this section, the following  
90 projects are authorized:

91 PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
92 <u>Harrison County:</u>		



93 FY20-P999-03 Golden Fisherman Phase 2  
94 -Maritime & Seafood Industry Museum ....\$50,000.00.  
95 FY20-P601-01 W. Biloxi Boardwalk and Boat Launch,  
96 Phase 2 -City of Biloxi .....\$350,000.00.  
97 FY20-P603-02 Gulfport Boat Launch Improvement  
98 -City of Gulfport .....\$150,000.00.  
99 FY20-P603-01 Brickyard Bayou Educational  
100 Trail/Outdoor Classroom  
101 -City of Gulfport .....\$200,000.00.  
102 FY20-P613-04 Long Beach Harbor Improvements  
103 -City of Long Beach .....\$500,000.00.  
104 FY20-P600-01 East Harbor Repairs to the Water  
105 Distribution System  
106 -City of Pass Christian .....\$60,000.00.  
107 FY20-P600-02 West Harbor Electrical Improvements  
108 -City of Pass Christian .....\$150,000.00.  
109 FY20-P511-05 Tchoutacabouffa River Park, Phase II  
110 -City of D'Iberville .....\$400,000.00.  
111 FY15-P501-05HR Biloxi River Boat Launch  
112 -Harrison County Board of  
113 Supervisors .....\$150,000.00.  
114 FY20-P626-11 West Biloxi Boardwalk/Boat Launch  
115 -Harrison County Board of  
116 Supervisors .....\$600,000.00.  
117 FY20-P911-05 Lynn Meadows Discovery Center Building



118 Restoration II -City of Gulfport .....\$150,000.00.

119 Jackson County:

120 FY20-P412-02 East Beach Accessibility

121 -City of Ocean Springs .....\$225,000.00.

122 FY20-P412-01 Front Beach Living Shoreline Phase II

123 -City of Ocean Springs .....\$150,000.00.

124 FY20-P618-01 Gautier's Mary Walker Bayou Parks Project

125 -City of Gautier .....\$250,000.00.

126 FY20-P618-02 Shepard State Park Upgrades

127 -City of Gautier .....\$250,000.00.

128 FY20-P604-06 Lighthouse Park Improvements Project

129 -City of Pascagoula .....\$450,000.00.

130 FY20-P602-09 Fort Bayou Boat Launch Improvements

131 Phase IV -Jackson County Board of

132 Supervisors .....\$200,000.00.

133 FY20-P501-02 Highway 613 Sunset Pier and Sidewalk

134 Extension -City of Moss Point .....\$225,000.00.

135 FY20-P648-29 GCRL Public Access Enhancement

136 -University of Southern Mississippi ...\$100,000.00.

137 Hancock County:

138 FY20-P401-02 Rutherford Fishing Pier Extension

139 -City of Bay St. Louis .....\$250,000.00.

140 FY20-P646-01 Handicap Accessible Walkway and Ramp

141 to Water -City of Waveland .....\$225,000.00.

142 FY20-P510-02 Montjoy Creek & Rotten Bayou Public



143 Access Amenities

144 -City of Diamondhead .....\$250,000.00.

145 FY20-P610-01 McLeod Park RV Campsite Expansion

146 and Pier Construction -Hancock County

147 Board of Supervisors .....\$400,000.00.

148 Biloxi River Park and Restoration at Eagle Point

149 -City of Biloxi .....\$250,000.00.

150 Biloxi Dredging and Sediment Removal

151 -City of Biloxi .....\$100,000.00.

152 IMMS Education and Outreach Program

153 -City of Gulfport .....\$200,000.00.

154 Jourdan River Shores Canal Dredging Project

155 -Hancock County Board of Supervisors ...\$75,000.00.

156 Gulf of Mexico Alliance Coastal Resilience

157 Coordinator -Mississippi Department

158 of Marine Resources .....\$45,000.00.

159 Total Public Access Projects.....\$6,405,000.00.

160 Total Management Projects.....\$3,508,641.00.

161 Bond Repayment.....\$1,086,359.00.

162 Total Tidelands Funds:.....\$11,000,000.00.

163 Each political subdivision receiving funds authorized in this

164 section shall be held responsible for complying with Section

165 29-15-9, Mississippi Code of 1972, and shall be subject to an

166 audit by the State Auditor and shall submit detailed reports

167 beginning June 30, and every six (6) months thereafter for the



168 duration of the project to the Department of Marine Resources on  
169 how funds authorized in this section were expended.

170 It is the intention of the Legislature that any political  
171 subdivision seeking to qualify for tidelands funds for the  
172 subsequent fiscal year shall submit a proposal to the Department  
173 of Marine Resources no later than July 1, 2019. All proposals  
174 submitted will be reviewed and evaluated by the Department of  
175 Marine Resources in accordance to department plans and procedures.  
176 Multiphased projects, multiyear projects, proposed projects with  
177 high dollar value and projects that have a record of stacking  
178 funds shall be considered as low priority projects when evaluated.

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

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





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

196           **SECTION 8.** It is the intention of the Legislature for the  
197 Department of Marine Resources and the Department of Environmental  
198 Quality to continue with any agency partnerships, including grant  
199 agreements, that provide environmental projects to restore  
200 Mississippi's natural resources in the wake of the Deepwater  
201 Horizon Oil Spill.

202           **SECTION 9.** It is the intention of the Legislature that  
203 whenever two (2) or more bids are received by this agency for the  
204 purchase of commodities or equipment, and whenever all things  
205 stated in such received bids are equal with respect to price,  
206 quality and service, the Mississippi Industries for the Blind  
207 shall be given preference. A similar preference shall be given to  
208 the Mississippi Industries for the Blind whenever purchases are  
209 made without competitive bids.

210           **SECTION 10.** It is the intention of the Legislature that none  
211 of the funds provided herein shall be used to pay certain  
212 utilities for state furnished housing for any employees. Such  
213 utilities shall include electricity, natural gas, butane, propane,  
214 cable and phone services. Where actual cost cannot be determined,  
215 the agency shall be required to provide meters to be in compliance  
216 with legislative intent. Such state furnished housing shall



217 include single-family and multi-family residences but shall not  
218 include any dormitory residences. Allowances for such utilities  
219 shall be prohibited.

220         **SECTION 11.** It is the intent of the Legislature that the  
221 Department of Marine Resources shall have the authority to expend  
222 funds in an amount not to exceed Thirty Million Dollars  
223 (\$30,000,000.00) from funds for the Gulf of Mexico Energy Security  
224 Act that may become available to the agency in fiscal year 2020 in  
225 accordance with the rules and regulations of the Department of  
226 Finance and Administration in a manner consistent with the  
227 escalation of federal funds.

228         **SECTION 12.** It is the intention of the Legislature that the  
229 funds herein appropriated shall be expended in compliance with  
230 Section 27-104-25, Mississippi Code of 1972, that no state agency  
231 shall incur obligations or indebtedness in excess of their  
232 appropriation and that the responsible officers, either personally  
233 or upon their official bonds, shall be held responsible for  
234 actions contrary to this provision.

235         **SECTION 13.** The money herein appropriated shall be paid by  
236 the State Treasurer out of any money in the State Treasury to the  
237 credit of the proper fund or funds as set forth in this act, upon  
238 warrants issued by the State Fiscal Officer; and the State Fiscal  
239 Officer shall issue his warrants upon requisitions signed by the  
240 proper person, officer or officers, in the manner provided by law.



241           **SECTION 14.** This act shall take effect and be in force from  
242 and after July 1, 2019.

