

By: Representatives Read, Eure, Barton,  
Bennett, Busby, Clarke, Haney, Anderson  
(110th)

To: Appropriations

HOUSE BILL NO. 1412  
(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 2022.

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, 2021, and ending June 30, 2022.....  
10 ..... \$ 1,079,426.00.

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, 2021, and ending  
15 June 30, 2022 ..... \$ 92,536,490.00.

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 .....	75
25		Part Time .....	0

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 2023 do not  
32 exceed Fiscal Year 2022 funds appropriated for that purpose unless  
33 programs or positions are added to the agency's Fiscal Year 2022  
34 budget by the Mississippi Legislature. Based on data provided by  
35 the Legislative Budget Office, the State Personnel Board shall  
36 determine and publish the projected annual cost to fully fund all  
37 appropriated positions in compliance with the provisions of this  
38 act. Absent a special situation or circumstance approved by the  
39 State Personnel Board, or unless otherwise authorized by this act,  
40 no state agency shall take any action to promote or otherwise  
41 award salary increases through reallocation or realignment. If  
42 the State Personnel Board determines a special situation or  
43 circumstance exists and approves an action, then the agency and



44 the State Personnel Board shall provide a monthly report of each  
45 action approved by the State Personnel Board to the chairmen of  
46 the Accountability, Efficiency and Transparency Committees of the  
47 Senate and House of Representatives and the chairmen of the  
48 Appropriations Committees of the Senate and House of  
49 Representatives. It shall be the responsibility of the agency  
50 head to ensure that no single personnel action increases this  
51 projected annual cost and/or the Fiscal Year 2022 appropriations  
52 for "Personal Services" when annualized, with the exception of  
53 escalated funds and the award of benchmarks. If, at the time the  
54 agency takes any action to change "Personal Services," the State  
55 Personnel Board determines that the agency has taken an action  
56 which would cause the agency to exceed this projected annual cost  
57 or the Fiscal Year 2022 "Personal Services" appropriated level,  
58 when annualized, then only those actions which reduce the  
59 projected annual cost and/or the appropriation requirement will be  
60 processed by the State Personnel Board until such time as the  
61 requirements of this provision are met.

62 Any transfers or escalations shall be made in accordance with  
63 the terms, conditions and procedures established by law or  
64 allowable under the terms set forth within this act. The State  
65 Personnel Board shall not escalate positions without written  
66 approval from the Department of Finance and Administration. The  
67 Department of Finance and Administration shall not provide written  
68 approval to escalate any funds for salaries and/or positions



69 without proof of availability of new or additional funds above the  
70 appropriated level.

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

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

79 Funds have been appropriated herein for the purpose of  
80 implementation and funding Project SEC2 of the Colonel Guy Groff  
81 State Variable Compensation Plan beginning January 1, 2022, and  
82 ending June 30, 2022. It shall be the agency's responsibility to  
83 make certain that each person, excluding executive directors,  
84 agency heads, and elected judges, shall receive no more than a 3%  
85 annual increase in salary which shall not exceed the market rate  
86 established by the State Personnel Board pursuant to the Colonel  
87 Guy Groff State Variable Compensation Plan for each  
88 classification.

89 **SECTION 4.** It is the intention of the Legislature that the  
90 Department of Marine Resources shall maintain complete accounting  
91 and personnel records related to the expenditure of all funds  
92 appropriated under this act and that such records shall be in the  
93 same format and level of detail as maintained for Fiscal Year



94 2021. It is further the intention of the Legislature that the  
 95 agency's budget request for Fiscal Year 2023 shall be submitted to  
 96 the Joint Legislative Budget Committee in a format and level of  
 97 detail comparable to the format and level of detail provided  
 98 during the Fiscal Year 2022 budget request process.

99 **SECTION 5.** In addition to all other sums heretofore  
 100 appropriated, the following sum, or so much thereof as may be  
 101 necessary, is hereby appropriated out of any money in the State  
 102 Treasury to the credit of the Tidelands Fund No. 3345200000 to the  
 103 Department of Marine Resources for the purpose of defraying the  
 104 expenses of the tidelands projects for the fiscal year beginning  
 105 July 1, 2021, and ending June 30, 2022..... \$ 12,226,497.00.

106 PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
107 <u>Harrison County:</u>		
108 FY22-P601-11	Eagle Point Park	
109	- City of Biloxi .....	\$ 125,000.00
110 FY22-P601-08	Hiller Park Boat Launch	
111	- City of Biloxi .....	\$ 150,000.00
112 FY22-P601-06	Kuhn St. Boat Launch	
113	- City of Biloxi .....	\$ 450,000.00
114 FY22-P601-10	Causeway Park Floating Dock Project	
115	- City of Biloxi .....	\$ 200,000.00
116 FY22-P603-06	Bernard Bayou James Hill Park	
117	Site Improvements	
118	-City of Gulfport .....	\$ 200,000.00



119	FY22-P603-04	Courthouse Rd Boat Launch		
120		Maintenance Dredge		
121		-City of Gulfport .....	\$	250,000.00
122	FY22-P613-05	Long Beach Harbor Improvements		
123		-City of Long Beach .....	\$	25,000.00
124	FY22-P600-03	West Small Craft Harbor Improvements		
125		-City of Pass Christian .....	\$	270,000.00
126	FY22-P511-07	D'Iberville Working Waterfront		
127		Harbor Marina Public Access		
128		-City of D'Iberville .....	\$	400,000.00
129	FY22-P999-07	Applications Maritime Classroom		
130		-Harrison County Board of		
131		Supervisors .....	\$	100,000.00
132	FY22-P999-04	MS Coastal Map		
133		-South Mississippi Planning and		
134		Development District .....	\$	150,000.00
135	<u>Jackson County:</u>			
136	FY22-P412-03	East Beach Accessibility Phase II		
137		-City of Ocean Springs .....	\$	234,000.00
138	FY22-P602-12	Racetrack Road Boat Launch		
139		-Jackson County Board of Supervisors	\$	150,000.00
140	FY22-P618-05	Shepard State Park Upgrades Project		
141		- City of Gautier .....	\$	250,000.00
142	FY22-P618-04	Mary Walker Bayou Parks Project		
143		-City of Gautier .....	\$	250,000.00



144	FY22-P604-08	Improvements to Point Park		
145		Boardwalk and Piers		
146		-City of Pascagoula .....	\$	400,000.00
147	FY22-P501-03	Highway 613 Sunset Pier and		
148		Sidewalk Extension		
149		-City of Moss Point .....	\$	403,450.00
150	FY22-P606-03	Estuarine Education Center Comfort		
151		Station		
152		-Mississippi Gulf Coast Community		
153		College.....	\$	100,000.00
154	FY22-M648-32	USM/GCRL Marine Education Center		
155		Pier and Kayak Launch		
156		-University of Southern		
157		Mississippi .....	\$	335,000.00
158	<u>Hancock County:</u>			
159	FY22-P401-03	Bayou La Croix Boat Launch Ward 6		
160		-City of Bay St. Louis .....	\$	200,000.00
161	FY22-P626-04	Boat Launch Marina Planning		
162		Assistance		
163		-City of Waveland .....	\$	300,000.00
164	FY22-P510-03	Diamondhead Noma Drive Public		
165		Access Improvements		
166		-City of Diamondhead .....	\$	400,000.00
167	FY22-P610-04	Clermont Harbor Pier Expansion		
168		-Hancock County Board of		



169	Supervisors .....	\$ 451,000.00
170	Seafood Museum Hurricane Zeta Schooner Pier Repair	
171	-City of Biloxi .....	\$ 241,000.00
172	Long Beach Pavilion, Harbor and Volleyball Area	
173	-Harrison County Board of	
174	Supervisors .....	\$ 375,000.00
175	Marine Patrol Equipment	
176	-Department of Marine Resources .....	\$ 200,000.00
177	Oceans Springs Sidewalk Project	
178	-City of Ocean Springs .....	\$ 200,000.00
179	Total Public Access Projects .....	\$ 6,809,450.00
180	Total Management Projects .....	\$ 3,217,047.00
181	Bond Repayment .....	\$ 1,200,000.00
182	Prior Year Projects .....	\$ 1,000,000.00
183	Total Tidelands Funds: .....	\$12,226,497.00

184 Each political subdivision receiving funds authorized in this  
185 section shall be held responsible for complying with Section  
186 29-15-9, Mississippi Code of 1972, and shall be subject to an  
187 audit by the State Auditor and shall submit detailed reports  
188 beginning June 30, and every six (6) months thereafter for the  
189 duration of the project to the Department of Marine Resources on  
190 how funds authorized in this section were expended.

191 It is the intention of the Legislature that any political  
192 subdivision seeking to qualify for tidelands funds for the  
193 subsequent fiscal year shall submit a proposal to the Department





194 of Marine Resources no later than July 1, 2021. All proposals  
195 submitted will be reviewed and evaluated by the Department of  
196 Marine Resources in accordance to department plans and procedures.  
197 Multiphased projects, multiyear projects, proposed projects with  
198 high dollar value and projects that have a record of stacking  
199 funds shall be considered as low priority projects when evaluated.

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

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

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

217 **SECTION 8.** It is the intention of the Legislature that the  
218 Department of Marine Resources is hereby authorized to pay



219 invoices submitted by the City of Long Beach, MS for reimbursement  
220 for prior fiscal year projects in an amount not to exceed Five  
221 Thousand Seven Hundred Fifty Dollars (\$5,750.00).

222       **SECTION 9.** It is the intention of the Legislature for the  
223 Department of Marine Resources and the Department of Environmental  
224 Quality to continue with any agency partnerships, including grant  
225 agreements, that provide environmental projects to restore  
226 Mississippi's natural resources in the wake of the Deepwater  
227 Horizon Oil Spill.

228       **SECTION 10.** It is the intention of the Legislature that  
229 whenever two (2) or more bids are received by this agency for the  
230 purchase of commodities or equipment, and whenever all things  
231 stated in such received bids are equal with respect to price,  
232 quality and service, the Mississippi Industries for the Blind  
233 shall be given preference. A similar preference shall be given to  
234 the Mississippi Industries for the Blind whenever purchases are  
235 made without competitive bids.

236       **SECTION 11.** Of the funds appropriated in Section 2, Forty-  
237 Three Million One Hundred Eleven Thousand Five Hundred Ninety  
238 Dollars (\$43,111,590.00) is provided for the funding of the  
239 following Gulf of Mexico Energy Security Act (GOMESA) projects for  
240 FY 2022:

241       (a) To assist the University of Southern  
242       Mississippi with the Ocean Enterprise  
243       Project .....\$ 4,990,274.00



244 (b) To assist the Audubon of Mississippi  
 245 through the Department of Marine Resources  
 246 for the Audubon Mississippi Coastal  
 247 Conservation project .....\$ 225,493.00  
 248 (c) To assist the City of Biloxi with the  
 249 East Biloxi Boardwalk .....\$ 1,901,538.00  
 250 (d) To assist the City of Biloxi with the  
 251 East Biloxi Boardwalk sand re-nourishment.....\$ 1,000,000.00  
 252 (e) To assist the Department of Marine  
 253 Resources with the Coffee Creek Outfall.....\$ 1,732,759.00  
 254 (f) To assist the Department of Marine  
 255 Resources with the Coffee Creek water  
 256 quality .....\$ 509,764.00  
 257 (g) To assist the Department of Wildlife,  
 258 Fisheries and Parks with the Buccaneer  
 259 State Park .....\$ 1,957,424.00  
 260 (h) To assist the City of Biloxi with the  
 261 Bayview Avenue Boardwalk .....\$ 2,645,630.00  
 262 (i) To assist the City of Bay St. Louis with  
 263 the Ward 6 Boat Launch, Public Water Access  
 264 and Restroom Facility .....\$ 271,951.00  
 265 (j) To assist Harrison County with the Sea  
 266 Oats and Sand Dunes Creation .....\$ 105,000.00  
 267 (k) To assist the Department of Marine  
 268 Resources with the Infinity Science Center.....\$ 470,267.00



269 (l) To assist Mississippi State University  
 270 with the IMMS Evaluation Study .....\$ 803,657.00  
 271 (m) To assist Jackson County Board of  
 272 Supervisors with the Front Beach Erosion  
 273 Control .....\$ 1,742,568.00  
 274 (n) To assist the University of Southern  
 275 Mississippi with the Aquaculture Depth  
 276 Control Unit .....\$ 12,790.00  
 277 (o) To assist the Department of Marine  
 278 Resources with GOMESA project management,  
 279 development and mitigation .....\$ 218,516.00  
 280 (p) To assist the Department of Marine  
 281 Resources with an oyster plant .....\$ 2,000,000.00  
 282 (q) To assist the Department of Marine  
 283 Resources with the Shellfish Water  
 284 Quality Testing .....\$ 87,598.00  
 285 (r) To assist the Department of Marine  
 286 Resources with artificial reef Construction....\$ 753,014.00  
 287 (s) To assist the Department of Marine  
 288 Resources with the oyster clutch.....\$ 503,384.00  
 289 (t) To assist the Department of Environmental  
 290 Quality with water quality .....\$ 996,285.00  
 291 (u) To assist Hancock County with Water  
 292 Sewer Force Crossing .....\$ 243,223.00  
 293 (v) To assist the Department of Marine



294	Resources with Bonnet Carre Response.....	\$ 250,000.00
295	(w) To assist Jackson County with a Watershed	
296	Development Plan .....	\$ 450,000.00
297	(x) To assist the City of Diamondhead with	
298	Marsh Erosion Prevention .....	\$ 495,000.00
299	(y) To assist the City of Diamondhead with	
300	Sewer Improvements .....	\$ 831,600.00
301	(z) To assist the City of Pass Christian with	
302	Sanitary Sewer Pump Station Repairs.....	\$ 967,575.00
303	(aa) To assist Hancock County with Atlantic	
304	Street Sewer Improvements .....	\$ 2,721,150.00
305	(bb) To assist the City of Long Beach with	
306	Small Craft Harbor SE Bulkhead Improvements....	\$ 2,188,000.00
307	(cc) To assist the Kiln Utility District with	
308	the Jordan River Shores Sewer Force Main	
309	Relocation .....	\$ 410,000.00
310	(dd) To assist the City of Biloxi with	
311	the Point Cadet Living Shoreline .....	\$ 800,000.00
312	(ee) To assist the Department of Marine	
313	Resources for Oyster Restoration and	
314	Enhancement .....	\$ 466,675.00
315	(ff) To assist the Department of Marine	
316	Resources with MS Reef Fish Monitoring and	
317	Assessment .....	\$ 120,000.00
318	(gg) To assist Hancock County Utility	



319 Authority with Oak Harbor Sewer Improvements...\$ 2,811,548.00  
 320 (hh) To assist Hancock County Port and Harbor  
 321 Commission with Port Bienville Conservation  
 322 Management .....\$ 510,200.00  
 323 (ii) To assist the City of Gautier with Water  
 324 Quality and Infrastructure Sanitary Sewer.....\$ 2,668,265.00  
 325 (jj) To assist the City of Pascagoula with  
 326 Buena Vista Area Drainage .....\$ 915,000.00  
 327 (kk) To assist the City of Pass Christian with  
 328 Gravity Sewer System Improvements Phase I.....\$ 1,744,319.00  
 329 (ll) To assist the City of Pascagoula with  
 330 Point Park Pier Repair/Improvements.....\$ 510,000.00  
 331 (mm) To assist the Department of Marine  
 332 Resources with the Railroad Corner Beneficial  
 333 Use Site .....\$ 236,900.00  
 334 (nn) To assist the University of Southern  
 335 Mississippi with Collection of  
 336 Fishery-Dependent information on Blue Crabs....\$ 244,223.00  
 337 (oo) To assist the Department of Marine  
 338 Resources with administrative expenses.....\$ 600,000.00

339 **SECTION 12.** It is the intent of the Legislature that the  
 340 Department of Marine Resources shall have the authority to expend  
 341 funds in an amount not to exceed Seventeen Million Dollars  
 342 (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security  
 343 Act (GOMESA) that may become available to the agency in fiscal



344 year 2022 in accordance with the rules and regulations of the  
345 Department of Finance and Administration in a manner consistent  
346 with the escalation of federal funds.

347       **SECTION 13.** It is the intention of the Legislature that none  
348 of the funds provided herein shall be used to pay certain  
349 utilities for state furnished housing for any employees. Such  
350 utilities shall include electricity, natural gas, butane, propane,  
351 cable and phone services. Where actual cost cannot be determined,  
352 the agency shall be required to provide meters to be in compliance  
353 with legislative intent. Such state furnished housing shall  
354 include single-family and multi-family residences but shall not  
355 include any dormitory residences. Allowances for such utilities  
356 shall be prohibited.

357       **SECTION 14.** It is the intention of the Legislature that the  
358 funds herein appropriated shall be expended in compliance with  
359 Section 27-104-25, Mississippi Code of 1972, that no state agency  
360 shall incur obligations or indebtedness in excess of their  
361 appropriation and that the responsible officers, either personally  
362 or upon their official bonds, shall be held responsible for  
363 actions contrary to this provision.

364       **SECTION 15.** The money herein appropriated shall be paid by  
365 the State Treasurer out of any money in the State Treasury to the  
366 credit of the proper fund or funds as set forth in this act, upon  
367 warrants issued by the State Fiscal Officer; and the State Fiscal



368 Officer shall issue his warrants upon requisitions signed by the  
369 proper person, officer or officers, in the manner provided by law.

370         **SECTION 16.** This act shall take effect and be in force from  
371 and after July 1, 2021.

