

By: Representatives Read, Eure, Barton,  
Beckett, Busby, Clarke, Haney

To: Appropriations

HOUSE BILL NO. 1624

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
2 MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL  
3 YEAR 2023.

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, 2022, and ending June 30, 2023.....  
10 .....\$ 1,257,684.00.

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, 2022, and ending  
15 June 30, 2023.....\$ 91,320,449.00.

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.....	87
23		Part Time.....	0
24	Time-Limited:	Full Time.....	74
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 for "Personal  
31 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023  
32 funds appropriated for that purpose unless programs or positions  
33 are added to the agency's Fiscal Year 2023 budget by the  
34 Mississippi Legislature. The Legislature shall determine the  
35 agency's personal services appropriation, which shall be published  
36 by the State Personnel Board. Additionally, the State Personnel  
37 Board shall determine and publish the projected annualized payroll  
38 costs based on current employees. It shall be the responsibility  
39 of the agency head to ensure that actual personnel expenditures  
40 for Fiscal Year 2023 do not exceed the data provided by the  
41 Legislative Budget Office. If the agency's Fiscal Year 2023  
42 projected cost exceeds the annualized costs, no salary actions



43 shall be processed by the State Personnel Board with the exception  
44 of new hires that are determined to be essential for the agency.

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

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57 act and which are withdrawn and no longer available.

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

62 Funds have been appropriated herein for the purpose of  
63 funding Project SEC2 minimum salaries for all employees covered  
64 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
65 Plan. It shall be the agency's responsibility to ensure that the  
66 funds are used to increase all employees' salaries up to the  
67 minimum level as determined by the State Personnel Board.



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 2022. It is further the intention of the Legislature that the  
74 agency's budget request for Fiscal Year 2024 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 2023 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, 2022, and ending June 30, 2023.....\$     11,455,247.00.

85           Of the funds appropriated within this section, One Million  
86 Two Hundred Thousand Dollars (\$1,200,000) shall be designated for  
87 bond repayment.

88           Department of Marine Resources Programs:

89           Total Public Access Projects	\$ 5,127,624.00
90           Total Management Projects	\$ 5,127,623.00

91           Each political subdivision receiving funds authorized in this  
92 section shall be held responsible for complying with Section



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

98 It is the intention of the Legislature that any political  
99 subdivision seeking to qualify for tidelands funds for the  
100 subsequent fiscal year shall submit a proposal to the Department  
101 of Marine Resources no later than July 1, 2022. All proposals  
102 submitted will be reviewed and evaluated by the Department of  
103 Marine Resources in accordance to department plans and procedures.  
104 Multiphased projects, multiyear projects, proposed projects with  
105 high dollar value and projects that have a record of stacking  
106 funds shall be considered as low priority projects when evaluated.

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

112 **SECTION 6.** It is the intention of the Legislature that the  
113 department shall place any special trust funds appropriated to the  
114 department in a special trust fund and the interest earned on the  
115 principal shall be credited to the special trust fund. Monies in  
116 the fund at the end of the fiscal year shall be retained in the  
117 special trust fund for use in the next succeeding fiscal year.



118 The department may use the interest earned on the fund to pay  
119 reasonable costs for administering the fund and related projects.

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

124 **SECTION 8.** It is the intention of the Legislature for the  
125 Department of Marine Resources and the Department of Environmental  
126 Quality to continue with any agency partnerships, including grant  
127 agreements, that provide environmental projects to restore  
128 Mississippi's natural resources in the wake of the Deepwater  
129 Horizon Oil Spill.

130 **SECTION 9.** It is the intention of the Legislature that  
131 whenever two (2) or more bids are received by this agency for the  
132 purchase of commodities or equipment, and whenever all things  
133 stated in such received bids are equal with respect to price,  
134 quality and service, the Mississippi Industries for the Blind  
135 shall be given preference. A similar preference shall be given to  
136 the Mississippi Industries for the Blind whenever purchases are  
137 made without competitive bids.

138 **SECTION 10.** Of the funds appropriated in Section 2, Forty  
139 Million Six Hundred Fifty-three Thousand One Hundred Seventy-eight  
140 Dollars (\$40,653,178.00) is provided for the funding of the  
141 following Gulf of Mexico Energy Security Act (GOMESA) projects for  
142 FY 2023:



143 (a) To assist the University of Southern  
 144 Mississippi with the Ocean Enterprise  
 145 Project.....\$ 4,390,075.00  
 146 (b) To assist the City of Biloxi with the  
 147 East Biloxi Boardwalk.....\$ 1,192,850.00  
 148 (c) To assist the City of Biloxi with the  
 149 East Biloxi Boardwalk sand re-nourishment.....\$ 978,300.00  
 150 (d) To assist the Department of Marine  
 151 Resources with the Coffee Creek Outfall.....\$ 1,979,408.00  
 152 (e) To assist the Department of Marine  
 153 Resources with the Coffee Creek water  
 154 Quality.....\$ 102,241.00  
 155 (f) To assist the Department of Wildlife,  
 156 Fisheries and Parks with the Buccaneer  
 157 State Park.....\$ 1,919,748.00  
 158 (g) To assist the City of Biloxi with the  
 159 Bayview Avenue Boardwalk.....\$ 1,016,944.00  
 160 (h) To assist the City of Bay St. Louis with  
 161 the Ward 6 Boat Launch, Public Water Access  
 162 and Restroom Facility.....\$ 271,951.00  
 163 (i) To assist the Department of Marine  
 164 Resources with the Infinity Science Center.....\$ 465,651.00  
 165 (j) To assist Mississippi State University  
 166 with the IMMS Evaluation Study.....\$ 422,238.00  
 167 (k) To assist Jackson County Board of



168 Supervisors with the Front Beach Erosion  
 169 Control.....\$ 1,114,506.00  
 170 (l) To assist the University of Southern  
 171 Mississippi with the Aquaculture Depth  
 172 Control Unit.....\$ 2,744.00  
 173 (m) To assist the Department of Marine  
 174 Resources with GOMESA project management,  
 175 development and mitigation.....\$ 138,055.00  
 176 (n) To assist the Department of Marine  
 177 Resources with an oyster plant.....\$ 2,000,000.00  
 178 (o) To assist the Department of Marine  
 179 Resources with the Shellfish Water  
 180 Quality Testing.....\$ 3,637.00  
 181 (p) To assist the Department of Marine  
 182 Resources with artificial reef Construction....\$ 752,794.00  
 183 (q) To assist the Department of Marine  
 184 Resources with the oyster clutch.....\$ 3,475.00  
 185 (r) To assist the Department of Environmental  
 186 Quality with water quality.....\$ 990,185.00  
 187 (s) To assist Hancock County with Water  
 188 Sewer Force Crossing.....\$ 206,940.00  
 189 (t) To assist the Department of Marine  
 190 Resources with Bonnet Carre Response.....\$ 200,666.00  
 191 (u) To assist Jackson County with a Watershed  
 192 Development Plan.....\$ 450,000.00





193 (v) To assist the City of Diamondhead with  
 194 Marsh Erosion Prevention.....\$ 495,000.00  
 195 (w) To assist the City of Diamondhead with  
 196 Sewer Improvements.....\$ 831,600.00  
 197 (x) To assist the City of Pass Christian with  
 198 Sanitary Sewer Pump Station Repairs.....\$ 967,575.00  
 199 (y) To assist Hancock County with Atlantic  
 200 Street Sewer Improvements.....\$ 2,721,150.00  
 201 (z) To assist the City of Long Beach with  
 202 Small Craft Harbor SE Bulkhead Improvements....\$ 2,188,000.00  
 203 (aa) To assist the Kiln Utility District with  
 204 the Jordan River Shores Sewer Force Main  
 205 Relocation.....\$ 410,000.00  
 206 (bb) To assist the City of Biloxi with  
 207 the Point Cadet Living Shoreline.....\$ 800,000.00  
 208 (cc) To assist the Department of Marine  
 209 Resources for Oyster Restoration and  
 210 Enhancement.....\$ 675.00  
 211 (dd) To assist the Department of Marine  
 212 Resources with MS Reef Fish Monitoring and  
 213 Assessment.....\$ 112,031.00  
 214 (ee) To assist Hancock County Utility  
 215 Authority with Oak Harbor Sewer Improvements...\$ 2,811,548.00  
 216 (ff) To assist Hancock County Port and Harbor  
 217 Commission with Port Bienville Conservation



218	Management.....	\$	510,200.00
219	(gg) To assist the City of Gautier with Water		
220	Quality and Infrastructure Sanitary Sewer.....	\$	2,573,466.00
221	(hh) To assist the City of Pascagoula with		
222	Buena Vista Area Drainage.....	\$	915,000.00
223	(ii) To assist the City of Pass Christian with		
224	Gravity Sewer System Improvements Phase I.....	\$	1,744,319.00
225	(jj) To assist the City of Pascagoula with		
226	Point Park Pier Repair/Improvements.....	\$	510,000.00
227	(kk) To assist the Department of Marine		
228	Resources with the Railroad Corner Beneficial		
229	Use Site.....	\$	236,860.00
230	(ll) To assist the University of Southern		
231	Mississippi with Collection of Fishery-Dependent		
232	information on Blue Crabs.....	\$	244,223.00
233	(mm) To assist the National Oceans and		
234	Applications Research Center with the Cat		
235	Island Baseline Inventory of Seagrass Habitat...\$		480,744.00
236	(nn) To assist the National Oceans and		
237	Applications Research Center with the Inventory		
238	Of Wetlands Habitats.....	\$	779,442.00
239	(oo) To assist the National Oceans and		
240	Applications Research Center with the Pelican		
241	Key Baseline Hydrographic Survey.....	\$	244,334.00
242	(pp) To assist Mississippi State University		



243 with the Evaluation and Monitoring of Marine  
244 Mammal and Sea Turtles after Bonnet Carre  
245 Spillway Opening.....\$ 2,474,573.00

246 **SECTION 11.** It is the intent of the Legislature that the  
247 Department of Marine Resources shall have the authority to expend  
248 funds in an amount not to exceed Seventeen Million Dollars  
249 (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security  
250 Act (GOMESA) that may become available to the agency in fiscal  
251 year 2023 in accordance with the rules and regulations of the  
252 Department of Finance and Administration in a manner consistent  
253 with the escalation of federal funds.

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

264 **SECTION 13.** It is the intention of the Legislature that the  
265 funds herein appropriated shall be expended in compliance with  
266 Section 27-104-25, Mississippi Code of 1972, that no state agency  
267 shall incur obligations or indebtedness in excess of their



268 appropriation and that the responsible officers, either personally  
269 or upon their official bonds, shall be held responsible for  
270 actions contrary to this provision.

271 With the funds appropriated herein, the Department of Marine  
272 Resources is authorized to make payment for expenses incurred  
273 during Fiscal Year 2020 and Fiscal Year 2021 as follows:

274	Vendor	Fiscal Year	Amount
275	University of Southern Mississippi	2020	\$ 795.66
276	University of Southern Mississippi	2020	\$ 12,658.83
277	University of Southern Mississippi	2020	\$ 14,507.00
278	City of Bay St. Louis	2021	\$ 1,041.25
279	City of Bay St. Louis	2020	\$ 1,492.50

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

286 **SECTION 15.** This act shall take effect and be in force from  
287 and after July 1, 2022, and shall stand repealed June 30, 2022.

