

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.

