

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

To: Appropriations

HOUSE BILL NO. 1624
(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 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\$ 2,715,364.00.

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.....\$ 118,827,144.00.

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 HEADCOUNT:

22 Permanent: 103

23 Time-Limited: 74

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

27 With the funds herein appropriated, it shall be the agency's
28 responsibility to make certain that funds required for Personal
29 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds
30 appropriated for that purpose unless programs or positions are
31 added to the agency's Fiscal Year 2023 budget by the Mississippi
32 Legislature. The Legislature shall determine the agency's
33 personal services appropriation, which shall be published by the
34 State Personnel Board. Additionally, the State Personnel Board
35 shall determine and publish the projected annualized payroll costs
36 based on current employees. It shall be the responsibility of the
37 agency head to ensure that actual personnel expenditures for
38 Fiscal Year 2023 do not exceed the data provided by the
39 Legislative Budget Office. If the agency's Fiscal Year 2023
40 projected cost exceeds the annualized costs, no salary actions
41 shall be processed by the State Personnel Board with the exception
42 of new hires that are determined to be essential for the agency.



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

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55 act and which are withdrawn and no longer available.

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

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

66 **SECTION 4.** It is the intention of the Legislature that the
67 Department of Marine Resources shall maintain complete accounting



68 and personnel records related to the expenditure of all funds
 69 appropriated under this act and that such records shall be in the
 70 same format and level of detail as maintained for Fiscal Year
 71 2022. It is further the intention of the Legislature that the
 72 agency's budget request for Fiscal Year 2024 shall be submitted to
 73 the Joint Legislative Budget Committee in a format and level of
 74 detail comparable to the format and level of detail provided
 75 during the Fiscal Year 2023 budget request process.

76 **SECTION 5.** In addition to all other sums heretofore
 77 appropriated, the following sum, or so much thereof as may be
 78 necessary, is hereby appropriated out of any money in the State
 79 Treasury to the credit of the Tidelands Fund No. 3345200000 to the
 80 Department of Marine Resources for the purpose of defraying the
 81 expenses of the tidelands projects for the fiscal year beginning
 82 July 1, 2022, and ending June 30, 2023.....\$ 12,455,247.00.

83	PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
84	<u>Harrison County:</u>		
85	FY23-P603-11	Richards Bayou Dredging Project	
86		- City of Gulfport.....	\$ 500,000.00
87	FY23-P999-10	Broadwater Marina Public Access	
88		and Marina Basin Restoration	
89		- Secretary of State.....	\$ 150,000.00
90	FY23-P601-13	Kuhn St. Boat Ramp Parking Project	
91		Phase II	
92		- City of Biloxi.....	\$ 500,000.00



93	FY23-P511-08	D'lberville Working Waterfront Harbor	
94		and Marina Public Access	
95		-City of D'lberville.....	\$ 400,000.00
96	FY23-P613-08	Long Beach Harbor Improvements	
97		-City of Long Beach.....	\$ 500,000.00
98	FY23-P600-05	Secure Concrete Fillers at East	
99		Small Craft Harbor	
100		-City of Pass Christian.....	\$ 175,000.00
101	FY23-P626-30	20 th Avenue and Hwy. 90 Beach Side	
102		Parking Improvements- Phase I	
103		-Harrison County Board of	
104		Supervisors.....	\$ 300,000.00
105	FY23-P626-36	West Biloxi Boat Launch	
106		-Harrison County.....	\$ 100,000.00
107		Removable Restroom Units for the West Side of the	
108		Gulfport Small Craft Harbor	
109		-City of Gulfport.....	\$ 100,000.00
110		Seafood Museum Repairs Caused by Hurricane Ida	
111		-City of Biloxi.....	\$ 200,000.00
112		Dredging Project at Parker's Creek	
113		-City of Biloxi.....	\$ 375,000.00
114		Long Beach Park Volley-Ball Court Improvements	
115		-Harrison Cnty Brd of Supervisors....	\$ 100,000.00
116		Hiller Park Boat Launch	
117		-City of Biloxi.....	\$ 200,000.00



118 Jackson County:

119	FY23-P412-06	Washington Avenue at Front Beach Access		
120		-City of Ocean Springs.....	\$	362,500.00
121	FY23-P618-05	Shepard State Park Upgrades		
122		-City of Gautier.....	\$	250,000.00
123	FY23-P618-06	Mary Walker Bayou Parks Project		
124		-City of Gautier.....	\$	250,000.00
125	FY23-P604-10	Public Safety Improvements to River		
126		Parks Piers		
127		- City of Pascagoula.....	\$	350,000.00
128	FY23-P501-05	Rhodes Bayou Watershed Improvements		
129		Phase I		
130		-City of Moss Point.....	\$	300,000.00
131	FY23-P602-13	Lake Mars Pier Expansion Project		
132		-Jackson County Board		
133		of Supervisors.....	\$	296,930.00
134	FY23-P602-14	Race-Track Road Boat Launch Phase II		
135		-Jackson County Board		
136		of Supervisors.....	\$	198,000.00
137		Study to Analyze a Jetty System to Prevent Erosion		
138		Of the Ocean Springs Front Beach		
139		-Jackson County Board		
140		of Supervisors.....	\$	100,000.00

141 Hancock County:

142 FY23-P510-10 Noma Drive Public Access Projects



143		-City of Diamondhead.....	\$ 400,000.00
144	FY23-P401-15	Downtown Boardwalk Assistance	
145		-City of Bay St. Louis.....	\$ 350,000.00
146	FY23-P626-05	Marina Planning and Design Assistance	
147		-City of Waveland.....	\$ 350,000.00
148	FY23-P610-05	McLeod Park Bulkhead Improvements	
149		-Hancock County Board of	
150		Supervisors.....	\$ 400,000.00
151		Total Public Access Projects.....	\$ 7,207,430.00
152		Total Management Projects.....	\$ 3,047,817.00
153		Bond Repayment.....	\$ 1,200,000.00
154		Prior Year Projects.....	\$ 1,000,000.00
155		Total Tidelands Funds:.....	\$12,455,247.00

156 Each political subdivision receiving funds authorized in this
157 section shall be held responsible for complying with Section
158 29-15-9, Mississippi Code of 1972, and shall be subject to an
159 audit by the State Auditor and shall submit detailed reports
160 beginning June 30, and every six (6) months thereafter for the
161 duration of the project to the Department of Marine Resources on
162 how funds authorized in this section were expended.

163 It is the intention of the Legislature that any political
164 subdivision seeking to qualify for tidelands funds for the
165 subsequent fiscal year shall submit a proposal to the Department
166 of Marine Resources no later than July 1, 2022. All proposals
167 submitted will be reviewed and evaluated by the Department of



168 Marine Resources in accordance to department plans and procedures.
169 Multiphased projects, multiyear projects, proposed projects with
170 high dollar value and projects that have a record of stacking
171 funds shall be considered as low priority projects when evaluated.

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

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

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

189 **SECTION 8.** It is the intention of the Legislature for the
190 Department of Marine Resources and the Department of Environmental
191 Quality to continue with any agency partnerships, including grant
192 agreements, that provide environmental projects to restore



193 Mississippi's natural resources in the wake of the Deepwater
194 Horizon Oil Spill.

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

203 **SECTION 10.** Of the funds appropriated in Section 2,
204 Sixty-two Million Eight Hundred Ninety Thousand Forty-eight
205 Dollars (\$62,890,048.00) is provided for the funding of the
206 following Gulf of Mexico Energy Security Act (GOMESA) projects for
207 FY 2023:

- 208 (a) To assist the University of Southern
209 Mississippi with the Ocean Enterprise Project..... \$ 4,390,075.00
- 210 (b) To assist the City of Biloxi with the
211 East Biloxi Boardwalk.....\$ 1,192,850.00
- 212 (c) To assist the City of Biloxi with the
213 East Biloxi Boardwalk sand re-nourishment.....\$ 978,300.00
- 214 (d) To assist the Department of Marine
215 Resources with the Coffee Creek Outfall.....\$ 1,979,408.00
- 216 (e) To assist the Department of Marine
217 Resources with the Coffee Creek water quality.....\$ 102,241.00



218 (f) To assist the Department of Wildlife,
 219 Fisheries and Parks with the Buccaneer State
 220 Park.....\$ 1,919,748.00
 221 (g) To assist the City of Biloxi with the
 222 Bayview Avenue Boardwalk.....\$ 1,016,944.00
 223 (h) To assist the City of Bay St. Louis with
 224 the Ward 6 Boat Launch, Public Water Access and
 225 Restroom Facility.....\$ 271,951.00
 226 (i) To assist the Department of Marine
 227 Resources with the Infinity Science Center.....\$ 465,651.00
 228 (j) To assist Mississippi State University
 229 with the IMMS Evaluation Study.....\$ 422,238.00
 230 (k) To assist Jackson County Board of
 231 Supervisors with the Front Beach Erosion
 232 Control.....\$ 1,114,506.00
 233 (l) To assist the University of Southern
 234 Mississippi with the Aquaculture Depth Control
 235 Unit.....\$ 2,744.00
 236 (m) To assist the Department of Marine
 237 Resources with GOMESA project management,
 238 development and mitigation.....\$ 1,484,152.00
 239 (n) To assist the Department of Marine
 240 Resources with an oyster plant.....\$ 2,000,000.00
 241 (o) To assist the Department of Marine
 242 Resources with the Shellfish Water Quality



243	Testing.....	\$	3,637.00
244	(p) To assist the Department of Marine		
245	Resources with artificial reef construction.....	\$	752,794.00
246	(q) To assist the Department of Marine		
247	Resources with the oyster clutch.....	\$	3,475.00
248	(r) To assist the Department of Environmental		
249	Quality with water quality.....	\$	990,185.00
250	(s) To assist Hancock County with Water		
251	Sewer Force Crossing.....	\$	206,940.00
252	(t) To assist the Department of Marine		
253	Resources with Bonnet Carre Response.....	\$	200,666.00
254	(u) To assist Jackson County with a Watershed		
255	Development Plan.....	\$	450,000.00
256	(v) To assist the City of Diamondhead with		
257	Marsh Erosion Prevention.....	\$	495,000.00
258	(w) To assist the City of Diamondhead with		
259	Sewer Improvements.....	\$	831,600.00
260	(x) To assist the City of Pass Christian with		
261	Sanitary Sewer Pump Station Repairs.....	\$	967,575.00
262	(y) To assist Hancock County with Atlantic		
263	Street Sewer Improvements.....	\$	2,721,150.00
264	(z) To assist the City of Long Beach with		
265	Small Craft Harbor SE Bulkhead Improvements.....	\$	2,188,000.00
266	(aa) To assist the Kiln Utility District with		
267	the Jordan River Shores Sewer Force Main		



268	Relocation.....	\$	410,000.00
269	(bb) To assist the City of Biloxi with		
270	the Point Cadet Living Shoreline.....	\$	800,000.00
271	(cc) To assist the Department of Marine		
272	Resources for Oyster Restoration and Enhancement....	\$	675.00
273	(dd) To assist the Department of Marine		
274	Resources with MS Reef Fish Monitoring and		
275	Assessment.....	\$	112,031.00
276	(ee) To assist Hancock County Utility		
277	Authority with Oak Harbor Sewer Improvements.....	\$	2,811,548.00
278	(ff) To assist Hancock County Port and Harbor		
279	Commission with Port Bienville Conservation		
280	Management.....	\$	510,200.00
281	(gg) To assist the City of Gautier with Water		
282	Quality and Infrastructure Sanitary Sewer.....	\$	2,573,466.00
283	(hh) To assist the City of Pascagoula with		
284	Buena Vista Area Drainage.....	\$	915,000.00
285	(ii) To assist the City of Pass Christian with		
286	Gravity Sewer System Improvements Phase I.....	\$	1,744,319.00
287	(jj) To assist the City of Pascagoula with		
288	Point Park Pier Repair/Improvements.....	\$	510,000.00
289	(kk) To assist the Department of Marine		
290	Resources with the Railroad Corner Beneficial		
291	Use Site.....	\$	236,860.00
292	(ll) To assist the University of Southern		



293 Mississippi with collection of Fishery-Dependent
 294 information on Blue Crabs.....\$ 244,223.00
 295 (mm) To assist the National Oceans and
 296 Applications Research Center with the Cat Island
 297 Baseline Inventory of Seagrass Habitat.....\$ 554,681.00
 298 (nn) To assist the National Oceans and
 299 Applications Research Center with the Inventory
 300 Of Wetlands Habitats.....\$ 957,318.00
 301 (oo) To assist the National Oceans and
 302 Applications Research Center with the Pelican
 303 Key Baseline Hydrographic Survey.....\$ 291,600.00
 304 (pp) To assist Mississippi State University
 305 with the Evaluation and Monitoring of Marine Mammal
 306 and Sea Turtles after Bonnet Carre Spillway
 307 Opening.....\$ 2,474,573.00
 308 (qq) To assist the American Shrimp Processors
 309 Association with the Shrimp Processors Feasibility
 310 Study.....\$ 1,000,000.00
 311 (rr) To assist the Jackson County Utility
 312 Authority with Septic System Abatements.....\$ 1,800,000.00
 313 (ss) To assist the University of Southern
 314 Mississippi with the Mississippi Coastal Fishery
 315 Resource Assessment.....\$ 381,000.00
 316 (tt) To assist the Department of Marine
 317 Resources with the Katrina Key Expansion.....\$ 430,000.00



318 (uu) To assist the Secretary of State with
319 the Broadwater Marina Restoration.....\$ 3,678,850.00

320 (vv) To assist the City of Pass Christian
321 with Sewer Pump Station Repairs.....\$ 366,335.00

322 (ww) To assist the City of Diamondhead
323 With Drainage, Flood Prevention and Water Quality
324 Improvements.....\$ 1,193,447.00

325 (xx) To assist the Department of Marine
326 Resources with the Bonnet Carre and Mid Breton
327 Response.....\$ 874,240.00

328 (yy) To assist the City of Ocean Springs
329 with the Front Beach Pub Access and Storm Water
330 Mitigation Improvements.....\$ 2,728,250.00

331 (zz) To assist the City of Pass Christian
332 with Phase II of the Gravity Sewer
333 System Improvements.....\$ 4,594,986.00

334 (aaa) To assist the Department of Marine
335 Resources with the Off Bottom Oyster
336 Aquaculture.....\$ 1,457,396.00

337 (bbb) To assist the Department of Marine
338 Resources with the Pelican Key Beneficial Use
339 Site.....\$ 348,220.00

340 (ccc) To assist the Department of Marine
341 Resources with Phase II of the Katrina Key
342 Expansion.....\$ 400,000.00



343 (ddd) To assist the Jackson County Board
344 of Supervisors with the Pascagoula Beach Open
345 Channel Outfalls.....\$ 1,339,000.00

346 **SECTION 11.** It is the intent of the Legislature that the
347 Department of Marine Resources shall have the authority to expend
348 funds in an amount not to exceed Seventeen Million Dollars
349 (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security
350 Act (GOMESA) that may become available to the agency in fiscal
351 year 2023 in accordance with the rules and regulations of the
352 Department of Finance and Administration in a manner consistent
353 with the escalation of federal funds.

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

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



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

371 **SECTION 14.** With the funds appropriated herein, the
372 Department of Marine Resources is authorized to make payment for
373 expenses incurred during Fiscal Year 2020 and Fiscal Year 2021 as
374 follows:

375	Vendor	Fiscal Year	Amount
376	University of Southern Mississippi	2020	\$ 795.66
377	University of Southern Mississippi	2020	\$ 12,658.83
378	University of Southern Mississippi	2020	\$ 14,507.00
379	City of Bay St. Louis	2021	\$ 1,041.25
380	City of Bay St. Louis	2020	\$ 1,492.50

381 **SECTION 15.** The money herein appropriated shall be paid by
382 the State Treasurer out of any money in the State Treasury to the
383 credit of the proper fund or funds as set forth in this act, upon
384 warrants issued by the State Fiscal Officer; and the State Fiscal
385 Officer shall issue his warrants upon requisitions signed by the
386 proper person, officer or officers, in the manner provided by law.

387 **SECTION 16.** This act shall take effect and be in force from
388 and after July 1, 2022.

