

Senate Amendments to House Bill No. 1624

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 funds
 32 appropriated for that purpose unless programs or positions are
 33 added to the agency's Fiscal Year 2023 budget by the Mississippi
 34 Legislature. The Legislature shall determine the agency's
 35 personal services appropriation, which shall be published by the
 36 State Personnel Board. Additionally, the State Personnel Board
 37 shall determine and publish the projected annualized payroll costs
 38 based on current employees. It shall be the responsibility of the
 39 agency head to ensure that actual personnel expenditures for
 40 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

Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

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

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

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2022. It is further the intention of the Legislature that the

agency's budget request for Fiscal Year 2024 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2023 budget request process.

SECTION 5. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2022, and ending June 30, 2023.....\$ 11,455,247.00.

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

Department of Marine Resources Programs:

Total Public Access Projects	\$ 5,127,624.00
------------------------------	-----------------

Total Management Projects	\$ 5,127,623.00
---------------------------	-----------------

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

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the

subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2022. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

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

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

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

SECTION 8. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental

Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

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

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

(a) To assist the University of Southern Mississippi with the Ocean Enterprise Project.....	\$ 4,390,075.00
(b) To assist the City of Biloxi with the East Biloxi Boardwalk.....	\$ 1,192,850.00
(c) To assist the City of Biloxi with the East Biloxi Boardwalk sand re-nourishment.....	\$ 978,300.00
(d) To assist the Department of Marine 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...\$ 480,774.00
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

utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

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

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

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

287 **SECTION 16.** This act shall take effect and be in force from
288 and after July 1, 2022, and shall stand repealed June 29, 2022.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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

SS15\HB1624A.J

Eugene S. Clarke
Secretary of the Senate