

Senate Amendments to House Bill No. 1783

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, 2024, and ending June 30, 2025.....
10\$ 3,388,239.00.

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, 2024, and ending
15 June 30, 2025.....\$ 170,843,519.00.

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: 106

23 Time-Limited: 65

24 With the funds herein appropriated, it shall be the agency's
25 responsibility to make certain that funds required for Personal
26 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
27 appropriated for that purpose unless programs or positions are
28 added to the agency's Fiscal Year 2025 budget by the Mississippi
29 Legislature. The Legislature shall determine the agency's personal
30 services appropriation, which the State Personnel Board shall
31 publish. In accordance with applicable laws, if an agency
32 determines that its personal services amount is insufficient, the
33 agency must contact the State Personnel Board. Any adjustment to
34 the personal services amount must be approved by the State
35 Personnel Director and the State Fiscal Officer after consultation
36 with the Legislative Budget Office. Any adjustment shall be
37 reported to the Legislative Budget Office and the House and Senate
38 Appropriations Chairmen. The agency's personal services
39 appropriation may consist of restricted funds for approved
40 vacancies for Fiscal Year 2025 that may not be utilized for active
41 Fiscal Year 2024 headcount. It shall be the agency's
42 responsibility to ensure that the funds provided for vacancies are
43 used to increase headcount and not for promotions, title changes,
44 in-range salary adjustments, or any other mechanism for increasing
45 salaries for current employees. If the State Personnel Board
46 determines that an agency has used provided vacancy funds for any
47 of the mechanisms previously listed, the State Personnel Board

48 shall not process any additional salary actions for the agency in
49 the current fiscal year, except for new hires determined by the
50 State Personnel Board to be essential for the agency. It is the
51 Legislature's intention that no employee salary falls below the
52 minimum salary established by the Mississippi State Personnel
53 Board.

54 Additionally, the State Personnel Board shall determine and
55 publish the projected annualized payroll costs based on current
56 employees. It shall be the responsibility of the agency head to
57 ensure that actual personnel expenditures for Fiscal Year 2025 do
58 not exceed the data provided by the Legislative Budget Office. If
59 the agency's projected cost for Fiscal Year 2025 exceeds the
60 annualized costs, no salary actions shall be processed by the
61 State Personnel Board except for new hires determined to be
62 essential for the agency.

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

72 No general funds authorized to be expended herein shall be
73 used to replace federal funds and/or other special funds used for

74 salaries authorized under the provisions of this act and which are
75 withdrawn and no longer available.

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

80 **SECTION 4.** It is the intention of the Legislature that the
81 Department of Marine Resources shall maintain complete accounting
82 and personnel records related to the expenditure of all funds
83 appropriated under this act and that such records shall be in the
84 same format and level of detail as maintained for Fiscal Year
85 2024. It is further the intention of the Legislature that the
86 agency's budget request for Fiscal Year 2026 shall be submitted to
87 the Joint Legislative Budget Committee in a format and level of
88 detail comparable to the format and level of detail provided
89 during the Fiscal Year 2025 budget request process.

90 **SECTION 5.** Each Marine Conservation Officer and Supervisor
91 shall be furnished an allowance for uniforms not to exceed Six
92 Hundred Dollars (\$600.00) per annum.

93 **SECTION 6.** In addition to all other sums heretofore
94 appropriated, the following sum, or so much thereof as may be
95 necessary, is hereby appropriated out of any money in the State
96 Treasury to the credit of the Tidelands Fund No. 3345200000 to the
97 Department of Marine Resources for the purpose of defraying the
98 expenses of the tidelands projects for the fiscal year beginning
99 July 1, 2024, and ending June 30, 2025\$ 12,455,247.00.

100 This amount is allocated as follows:

101	Total Public Access Projects.....	\$	4,951,275.00
102	Total Management Projects.....	\$	4,951,275.00
103	Bond Repayment	\$	1,552,697.00
104	Prior Year Projects.....	\$	1,000,000.00

105 Each political subdivision receiving funds authorized in this
106 section shall be held responsible for complying with Section
107 29-15-9, Mississippi Code of 1972, and shall be subject to an
108 audit by the State Auditor and shall submit detailed reports
109 beginning June 30, and every six (6) months thereafter for the
110 duration of the project to the Department of Marine Resources on
111 how funds authorized in this section were expended.

112 It is the intention of the Legislature that any political
113 subdivision seeking to qualify for tidelands funds for the
114 subsequent fiscal year shall submit a proposal to the Department
115 of Marine Resources no later than July 1, 2024. All proposals
116 submitted will be reviewed and evaluated by the Department of
117 Marine Resources in accordance to department plans and procedures.
118 Multiphased projects, multiyear projects, proposed projects with
119 high dollar value and projects that have a record of stacking
120 funds shall be considered as low priority projects when evaluated.

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

126 **SECTION 7.** It is the intention of the Legislature that the
127 department shall place any special trust funds appropriated to the
128 department in a special trust fund and the interest earned on the
129 principal shall be credited to the special trust fund. Monies in
130 the fund at the end of the fiscal year shall be retained in the
131 special trust fund for use in the next succeeding fiscal year.
132 The department may use the interest earned on the fund to pay
133 reasonable costs for administering the fund and related projects.

134 **SECTION 8.** It is the intention of the Legislature that the
135 Department of Marine Resources has the authorization to move
136 tidelands funds between approved projects upon request from entity
137 and proper completion of Form TTF-6 documentation.

138 **SECTION 9.** It is the intention of the Legislature for the
139 Department of Marine Resources and the Department of Environmental
140 Quality to continue with any agency partnerships, including grant
141 agreements, that provide environmental projects to restore
142 Mississippi's natural resources in the wake of the Deepwater
143 Horizon Oil Spill.

144 **SECTION 10.** It is the intention of the Legislature that
145 whenever two (2) or more bids are received by this agency for the
146 purchase of commodities or equipment, and whenever all things
147 stated in such received bids are equal with respect to price,
148 quality and service, the Mississippi Industries for the Blind
149 shall be given preference. A similar preference shall be given to
150 the Mississippi Industries for the Blind whenever purchases are
151 made without competitive bids.

152 **SECTION 11.** Of the funds appropriated in Section 2,
153 Eighty-seven Million Five Hundred Sixty Thousand Seven Hundred
154 Five Dollars (\$87,560,705.00) is provided for the funding of the
155 following Gulf of Mexico Energy Security Act (GOMESA) projects for
156 FY 2025:

157 Of the funds appropriated in Section 2, Eighty Seven Million
158 Five Hundred Sixty Thousand Seven Hundred Five Dollars
159 (\$87,560,705.00) is provided for the funding of the following Gulf
160 of Mexico Energy Security Act (GOMESA) projects for FY 2025:

161 (a) To assist the City of Pascagoula with the
162 Live Oak Corridor Drainage to Remedy Flooding.....\$ 2,000,000.00

163 (b) To assist the City of Gulfport with the
164 North Gulfport Wastewater Treatment Plant UV
165 Disinfection \$ 1,200,000.00

166 (c) To assist the Hancock County Utility
167 Authority with the Stennis Space Center Wastewater
168 Conveyance Project \$ 10,588,400.00

169 (d) To assist the City of Long Beach with
170 the Small Craft Harbor Eastern Bulkhead
171 Improvements \$ 2,693,000.00

172 (e) To assist the City of Pass Christian
173 with the West Breakwater Wall Hurricane
174 Mitigation Improvements \$ 2,590,000.00

175 (f) To assist the Department of Marine
176 Resources with Oyster Spat..... \$ 2,000,000.00

177 (g) To assist the Institute for Marine Mammal

178	Studies with Monitoring and Evaluation of Sea		
179	Turtle Nesting in Mississippi	\$	997,142.00
180	(h) To assist the University of Southern		
181	Mississippi with the Mississippi Coastal Fishery		
182	Resource Assessment	\$	505,437.00
183	(i) To assist the Hancock County Port and		
184	Harbor Commission with Bank Mitigation	\$	1,749,220.00
185	(j) To assist the University of Southern		
186	Mississippi with Oak Island Oyster Company in the		
187	Development and Testing of an Off Bottom Oyster		
188	Structure	\$	1,195,571.00
189	(k) To assist Jackson County with Coastal		
190	Roadway Hurricane Protection	\$	750,000.00
191	(l) To assist the Institute for Marine		
192	Mammal Studies with Monitoring/Gauging Habitat		
193	Suitability for Dolphins and Turtles.....	\$	1,496,817.00
194	(m) To assist the Kiln Utility District		
195	with Jourdan River Shores Sewer Improvements		
196	Phase II	\$	2,255,600.00
197	(n) To assist Harrison County with Sand		
198	Beach Outfall Coordination.....	\$	1,600,000.00
199	(o) To assist the City of Ocean Springs		
200	With Sewer Rehabilitation	\$	1,960,000.00
201	(p) To assist the Department of Marine		
202	Resources with Oyster Cultch	\$	1,000,000.00
203	(q) To assist the City of Pass Christian		

204 with Highway 90 Hurricane Mitigation

205 Improvements \$ 2,540,000.00

206 (r) To assist Coastal Mississippi with

207 the promotion of the Seafood Industry and their

208 Economic Contributions to the State \$ 500,000.00

209 (s) To assist the City of Diamondhead

210 With Drainage, Flood Prevention and Water Quality

211 Improvements Phase II..... \$ 1,999,839.00

212 (t) To assist Jackson County with East Beach

213 Outfalls/Shoreline Protection \$ 1,710,000.00

214 (u) To assist the City of Gautier with

215 Hickory Hills/Lagrange Water Quality and

216 Stormwater Improvements \$ 2,973,981.00

217 (v) To assist the City of Biloxi with Keegan

218 Bayou Restoration \$ 2,520,000.00

219 (w) To assist the Department of Marine

220 Resources with the Coffee Creek Outfall

221 Pavilion \$ 650,000.00

222 (x) To assist the City of Long Beach with

223 Small Craft Harbor Southern Quay Bulkhead

224 Improvements \$ 2,554,000.00

225 (y) To assist the Department of Marine

226 Resources with Bonnet Carre Spillway

227 Mitigation \$ 1,475,000.00

228 (z) To assist the City of D'Iberville with

229 the Working Waterfront and Seafood Harbor

230	Project.....	\$	500,000.00
231	(aa) To assist the University of Southern		
232	Mississippi with the Ocean Enterprise Project.....	\$	1,847,409.00
233	(bb) To assist the Department of Marine		
234	Resources with the Coffee Creek Outfall	\$	71,906.00
235	(cc) To assist the Department of Marine		
236	Resources with the Coffee Creek water quality.....	\$	76,074.00
237	(dd) To assist Jackson County Board of		
238	Supervisors with the Front Beach Erosion		
239	Control	\$	640,243.00
240	(ee) To assist the Department of Marine		
241	Resources with GOMESA project management,		
242	development and mitigation.....	\$	1,304,315.00
243	(ff) To assist the Department of Marine		
244	Resources with artificial reef construction.....	\$	443,351.00
245	(gg) To assist the Department of Environmental		
246	Quality with water quality.....	\$	866,683.00
247	(hh) To assist the Department of Marine		
248	Resources with Bonnet Carre Response	\$	27,134.00
249	(ii) To assist Jackson County with a		
250	Watershed Development Plan.....	\$	28,088.00
251	(jj) To assist the City of Pass Christian		
252	With Sanitary Sewer Pump Station Repairs	\$	967,575.00
253	(kk) To assist Hancock County with Atlantic		
254	Street Sewer Improvements	\$	669,725.00
255	(ll) To assist the City of Long Beach with		

256	Small Craft Harbor SE Bulkhead Improvements	\$	2,188,000.00
257	(mm) To assist the Kiln Utility District		
258	with the Jordan River Shores Sewer Force Main		
259	Relocation	\$	189,828.00
260	(nn) To assist the City of Biloxi with		
261	the Point Cadet Living Shoreline	\$	756,537.00
262	(oo) To assist the Department of Marine		
263	Resources with MS Reef Fish Monitoring and		
264	Assessment	\$	47,657.00
265	(pp) To assist Hancock County Utility		
266	Authority with Oak Harbor Sewer Improvements.....	\$	2,804,082.00
267	(qq) To assist Hancock County Port and Harbor		
268	Commission with Port Bienville Conservation		
269	Management	\$	261,643.00
270	(rr) To assist the City of Gautier with Water		
271	Quality and Infrastructure Sanitary Sewer	\$	38,899.00
272	(ss) To assist the City of Pascagoula with		
273	Buena Vista Area Drainage	\$	490,712.00
274	(tt) To assist the City of Pass Christian		
275	with Gravity Sewer System Improvements Phase I....	\$	1,650,669.00
276	(uu) To assist the City of Pascagoula with		
277	Point Park Pier Repair/Improvements	\$	322,651.00
278	(vv) To assist the Department of Marine		
279	Resources with the Railroad Corner Beneficial Use		
280	Site	\$	57,606.00
281	(ww) To assist the University of Southern		

282 Mississippi with collection of Fishery-Dependent
 283 information on Blue Crabs \$ 32,254.00
 284 (xx) To assist the National Oceans and
 285 Applications Research Center with the Cat Island
 286 Baseline Inventory of Seagrass Habitat \$ 9,679.00
 287 (yy) To assist the National Oceans and
 288 Applications Research Center with the Inventory
 289 Of Wetlands Habitats \$ 93,436.00
 290 (zz) To assist Mississippi State University
 291 with the Evaluation and Monitoring of Marine Mammal
 292 and Sea Turtles after Bonnet Carre Spillway
 293 Opening \$ 1,073,767.00
 294 (aaa) To assist the American Shrimp Processors
 295 Association with the Shrimp Processors Feasibility
 296 Study..... \$ 602,728.00
 297 (bbb) To assist the Jackson County Utility
 298 Authority with Septic System Abatements \$ 1,604,708.00
 299 (ccc) To assist the University of Southern
 300 Mississippi with the Mississippi Coastal Fishery
 301 Resource Assessment \$ 43,932.00
 302 (ddd) To assist the Department of Marine
 303 Resources with the Katrina Key Expansion \$ 430,000.00
 304 (eee) To assist the Secretary of State with
 305 the Broadwater Marina Restoration \$ 3,678,850.00
 306 (fff) To assist the City of Pass Christian
 307 with Sewer Pump Station Repairs..... \$ 366,335.00

308 (ggg) To assist the City of Diamondhead
 309 With Drainage, Flood Prevention and Water Quality
 310 Improvements \$ 1,193,447.00
 311 (hhh) To assist the Department of Marine
 312 Resources with the Bonnet Carre and Mid Breton
 313 Response \$ 660,467.00
 314 (iii) To assist the City of Ocean Springs
 315 with the Front Beach Pub Access and Storm Water
 316 Mitigation Improvements \$ 1,992,554.00
 317 (jjj) To assist the City of Pass Christian
 318 with Phase II of the Gravity Sewer System
 319 Improvements \$ 4,524,487.00
 320 (kkk) To assist the Department of Marine
 321 Resources with the Off Bottom Oyster
 322 Aquaculture..... \$ 1,366,785.00
 323 (lll) To assist the Department of Marine
 324 Resources with the Pelican Key Beneficial Use
 325 Site \$ 348,220.00
 326 (mmm) To assist the Department of Marine
 327 Resources with Phase II of the Katrina Key
 328 Expansion \$ 400,000.00
 329 (nnn) To assist the Jackson County Board
 330 of Supervisors with the Pascagoula Beach Open
 331 Channel Outfalls..... \$ 1,339,000.00
 332 (ooo) To assist the Department of Marine
 333 Resources with water testing for Seafood

334 Consumption Safety \$ 45,262.00

335 **SECTION 12.** It is the intent of the Legislature that the
336 Department of Marine Resources shall have the authority to expend
337 funds in an amount not to exceed Seventeen Million Dollars
338 (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security
339 Act (GOMESA) that may become available to the agency in fiscal
340 year 2025 in accordance with the rules and regulations of the
341 Department of Finance and Administration in a manner consistent
342 with the escalation of federal funds.

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

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

360 **SECTION 15.** With the funds appropriated herein, the
361 Mississippi Department of Marine Resources is authorized to make
362 payments for expenses incurred during prior fiscal years for an
363 amount not to exceed One Hundred Forty-four Thousand Six Hundred
364 Fifty-eight Dollars and Fifty-Three Cents (\$144,658.53).

365 **SECTION 16.** The money herein appropriated shall be paid by
366 the State Treasurer out of any money in the State Treasury to the
367 credit of the proper fund or funds as set forth in this act, upon
368 warrants issued by the State Fiscal Officer; and the State Fiscal
369 Officer shall issue his warrants upon requisitions signed by the
370 proper person, officer or officers, in the manner provided by law.

371 **SECTION 17.** This act shall take effect and be in force from
372 and after July 1, 2024, and shall stand repealed June 29, 2024.

**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 2025.

SS15\HB1783A.J

Amanda White
Secretary of the Senate