

By: Representatives Read, Eure, Baria,
Bennett, Bounds, Busby, DeLano, Huddleston
(15th), Huddleston (30th), Ladner, Monsour,
Staples, Sullivan, Turner

To: Appropriations

HOUSE BILL NO. 1518
(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 2018.

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, 2017, and ending June 30, 2018.....
10\$ 922,150.00.

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, 2017, and ending
15 June 30, 2018.....\$ 19,756,477.00.

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.....	104
23		Part Time.....	0
24	Time-Limited:	Full Time.....	78
25		Part Time.....	1

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 to be
31 appropriated for "Personal Services" for Fiscal Year 2019 do not
32 exceed Fiscal Year 2018 funds appropriated for that purpose,
33 unless programs or positions are added to the agency's Fiscal Year
34 2018 budget by the Mississippi Legislature. Based on data
35 provided by the Legislative Budget Office, the State Personnel
36 Board shall determine and publish the projected annual cost to
37 fully fund all appropriated positions in compliance with the
38 provisions of this act. It shall be the responsibility of the
39 agency head to ensure that no single personnel action increases
40 this projected annual cost and/or the Fiscal Year 2018
41 appropriations for "Personal Services" when annualized, with the
42 exception of escalated funds and the award of benchmarks. If, at
43 the time the agency takes any action to change "Personal



44 Services," the State Personnel Board determines that the agency
45 has taken an action which would cause the agency to exceed this
46 projected annual cost or the Fiscal Year 2018 "Personal Services"
47 appropriated level, when annualized, then only those actions which
48 reduce the projected annual cost and/or the appropriation
49 requirement will be processed by the State Personnel Board until
50 such time as the requirements of this provision are met.

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

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

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



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 2017. It is further the intention of the Legislature that the
74 agency's budget request for Fiscal Year 2019 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 2018 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, 2017, and ending June 30, 2018.....\$ 18,000,000.00.

85 Of the funds appropriated in this section, the following
86 projects are authorized:

87 PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
88 <u>Harrison County:</u>		
89 FY18-P626-09	West Biloxi Boardwalk/Bike Path	
90	-Harrison County	\$ 300,000.00
91 FY18-P601-08	West Biloxi Festival Boardwalk and	
92	Boat Ramp	



93		-City of Biloxi.....\$	700,000.00
94	FY18-P101-01DI	Brodie Bayou Public Access &	
95		Restoration Phase 2	
96		-City of D'Iberville\$	200,000.00
97	FY18-P600-06	2018 Mooring Pile Upgrades	
98		-City of Pass Christian.....\$	307,500.00
99	FY18-P613-03	FY2018 - Harbor Improvements	
100		-Long Beach Port Commission\$	300,000.00
101	FY18-P627-03	Preservation/Restoration Biloxi	
102		Schooners & Pier Complex & Camp	
103		Maritime & Seafood Industry Museum...\$	75,000.00
104	<u>Jackson County:</u>		
105	FY18-P602-06	Ocean Springs Harbor - Inner Harbor	
106		Boat Slips Phase I	
107		-Jackson Co. Board of Supervisors\$	273,000.00
108	FY18-P604-06Pax	Point Bark - Boardwalk and Piers	
109		-City of Pascagoula\$	200,000.00
110	FY18-P911-04	LA Pointe - Krebs House Restoration	
111		Project	
112		-LA Pointe Krebs Foundation\$	146,860.00
113	FY18-P201-01MP	Sawmill Landing	
114		-City of Moss Point\$	270,000.00
115	FY18-P618-04	Gautier's Mary Walker Bayou Parks	
116		Project	
117		- City of Gautier.....\$	250,000.00



118	FY18-P501-05OS	OS Front Beach Living Shoreline		
119		Outfall Production		
120		-City of Ocean Springs	\$	150,000.00
121	FY18-P606-04	Gulf Coast History Ecosystem Trail		
122		-MGCCC - Jefferson Davis	\$	200,000.00
123	FY18-P648-36	GCRL Public Access Enhancement		
124		-USM	\$	100,000.00
125	<u>Hancock County:</u>			
126	FY18-P646-4WV	Waveland Beach Pogodas		
127		-City of Waveland	\$	200,000.00
128	FY18-P701-03BS	Day Pier Extension & South End		
129		Comfort Station		
130		-City of Bay St. Louis	\$	200,000.00
131	FY18-P614-02DH	Montjoy Creek Sediment Management		
132		Project		
133		-City of Diamondhead	\$	250,000.00
134	Hancock County Working Waterfront Development			
135		-Hancock County	\$	300,000.00
136	Lynn Meadows Building Restoration			
137		-Gulfport, MS	\$	300,000.00
138	Total Public Access Projects		\$	4,722,360.00
139	Total Management Projects		\$	3,965,083.00
140	Bond Repayment.....		\$	1,100,000.00
141	Total Tidelands Funds.....		\$	9,787,443.00



142 Each political subdivision receiving funds authorized in this
143 section shall be held responsible for complying with Section
144 29-15-9, Mississippi Code of 1972, and shall be subject to an
145 audit by the State Auditor and shall submit detailed reports
146 beginning June 30, and every six (6) months thereafter for the
147 duration of the project to the Department of Marine Resources on
148 how funds authorized in this section were expended.

149 It is the intention of the Legislature that any political
150 subdivision seeking to qualify for tidelands funds for the
151 subsequent fiscal year shall submit a proposal to the Department
152 of Marine Resources no later than July 1, 2017. All proposals
153 submitted will be reviewed and evaluated by the Department of
154 Marine Resources in accordance to department plans and procedures.
155 Multiphased projects, multiyear projects, proposed projects with
156 high dollar value and projects that have a record of stacking
157 funds shall be considered as low priority projects when evaluated.

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

163 **SECTION 6.** It is the intention of the Legislature that the
164 commission shall place any special trust funds appropriated to the
165 department in a special trust fund and the interest earned on the
166 principal shall be credited to the special trust fund. Monies in



167 the fund at the end of the fiscal year shall be retained in the
168 special trust fund for use in the next succeeding fiscal year.
169 The department may use the interest earned on the fund to pay
170 reasonable costs for administering the fund and related projects.

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

175 **SECTION 8.** It is the intention of the Legislature for the
176 Department of Marine Resources and the Department of Environmental
177 Quality to continue with any agency partnerships, including grant
178 agreements, that provide environmental projects to restore
179 Mississippi's natural resources in the wake of the Deepwater
180 Horizon Oil Spill.

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

189 **SECTION 10.** It is the intention of the Legislature that none
190 of the funds provided herein shall be used to pay certain
191 utilities for state furnished housing for any employees. Such



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

199 **SECTION 11.** It is the intention of the Legislature that the
200 funds herein appropriated shall be expended in compliance with
201 Section 27-104-25, Mississippi Code of 1972, that no state agency
202 shall incur obligations or indebtedness in excess of their
203 appropriation and that the responsible officers, either personally
204 or upon their official bonds, shall be held responsible for
205 actions contrary to this provision.

206 **SECTION 12.** The money herein appropriated shall be paid by
207 the State Treasurer out of any money in the State Treasury to the
208 credit of the proper fund or funds as set forth in this act, upon
209 warrants issued by the State Fiscal Officer; and the State Fiscal
210 Officer shall issue his warrants upon requisitions signed by the
211 proper person, officer or officers, in the manner provided by law.

212 **SECTION 13.** This act shall take effect and be in force from
213 and after July 1, 2017, except Sections 5 and 8 which shall take
214 effect and be in force from and after the passage and through the
215 fiscal year June 30, 2018.

