4/16/19 11:50 A.M

Chapter No. 49
19/HR43/A450SG
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HOUSE BILL NO. 1656

Originated in House _____ Clerk

HOUSE BILL NO. 1656

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2020.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2019, and ending June 30, 2020 ..... $ 1,101,802.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2019, and ending June 30, 2020 ..... $ 28,428,139.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars ($3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	104
	Part Time	0
Time-Limited:	Full Time	78
	Part Time	1

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

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2021 do not exceed Fiscal Year 2020 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2020 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2020 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal

Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2020 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Funds are provided herein for all full-time employees to receive up to a Three Percent (3%) pay increase to the realignment component of the Variable Compensation Plan, excluding head of agencies, board members and commission members.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or 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.

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 2019. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2021 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 2020 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, 2019, and ending June 30, 2020 ..... $ 11,000,000.00.

Of the funds appropriated within this section, the following projects are authorized:

PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
Harrison County:		

FY20-P999-03 Golden Fisherman Phase 2
-Maritime & Seafood Industry Museum.... $50,000.00.

FY20-P601-01 W. Biloxi Boardwalk and Boat Launch,
Phase 2 -City of Biloxi..... $350,000.00.

FY20-P603-02 Gulfport Boat Launch Improvement
-City of Gulfport..... $150,000.00.

FY20-P603-01 Brickyard Bayou Educational
Trail/Outdoor Classroom
-City of Gulfport..... $200,000.00.

FY20-P613-04 Long Beach Harbor Improvements
-City of Long Beach..... $500,000.00.

FY20-P600-01 East Harbor Repairs to the Water
Distribution System
-City of Pass Christian..... $60,000.00.

FY20-P600-02 West Harbor Electrical Improvements
-City of Pass Christian..... $150,000.00.

FY20-P511-05 Tchoutacabouffa River Park, Phase II
-City of D'Iberville..... $400,000.00.

FY15-P501-05HR Biloxi River Boat Launch
-Harrison County Board of
Supervisors..... $150,000.00.

FY20-P626-11 West Biloxi Boardwalk/Boat Launch
-Harrison County Board of
Supervisors..... $600,000.00.

FY20-P911-05 Lynn Meadows Discovery Center Building

Restoration II -City of Gulfport..... $150,000.00.

Jackson County:

FY20-P412-02 East Beach Accessibility
-City of Ocean Springs..... $225,000.00.

FY20-P412-01 Front Beach Living Shoreline Phase II
-City of Ocean Springs..... $150,000.00.

FY20-P618-01 Gautier's Mary Walker Bayou Parks Project
-City of Gautier..... $250,000.00.

FY20-P618-02 Shepard State Park Upgrades
-City of Gautier..... $250,000.00.

FY20-P604-06 Lighthouse Park Improvements Project
-City of Pascagoula..... $450,000.00.

FY20-P602-09 Fort Bayou Boat Launch Improvements
Phase IV -Jackson County Board of
Supervisors..... $200,000.00.

FY20-P501-02 Highway 613 Sunset Pier and Sidewalk
Extension -City of Moss Point..... $225,000.00.

FY20-P648-29 GCRL Public Access Enhancement
-University of Southern Mississippi... $100,000.00.

Hancock County:

FY20-P401-02 Rutherford Fishing Pier Extension
-City of Bay St. Louis..... $250,000.00.

FY20-P646-01 Handicap Accessible Walkway and Ramp
to Water -City of Waveland..... $225,000.00.

FY20-P510-02 Montjoy Creek & Rotten Bayou Public

Access Amenities

-City of Diamondhead..... $250,000.00.

FY20-P610-01 McLeod Park RV Campsite Expansion

and Pier Construction -Hancock County

Board of Supervisors..... $400,000.00.

Biloxi River Park and Restoration at Eagle Point

-City of Biloxi..... $250,000.00.

Biloxi Dredging and Sediment Removal

-City of Biloxi..... $100,000.00.

IMMS Education and Outreach Program

-City of Gulfport..... $200,000.00.

Jourdan River Shores Canal Dredging Project

-Hancock County Board of Supervisors... $75,000.00.

Gulf of Mexico Alliance Coastal Resilience

Coordinator -Mississippi Department

of Marine Resources..... $45,000.00.

Total Public Access Projects ..... $6,405,000.00.

Total Management Projects ..... $3,508,641.00.

Bond Repayment ..... $1,086,359.00.

Total Tidelands Funds: ..... $11,000,000.00.

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, 2019. 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 commission 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. It is the intention of the Legislature that none 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 11. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Thirty Million Dollars ($30,000,000.00) from funds for the Gulf of Mexico Energy Security Act that may become available to the agency in fiscal year 2020 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 12. 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 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 27, 2019

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 28, 2019

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

GOVERNOR

April 16, 2019
11:50 Am