

By: Representatives Bowles, Clarke,
Frierson, Horne, Stevens

To: Conservation and
Water Resources

HOUSE BILL NO. 1078

1 AN ACT TO AMEND SECTION 29-25-9, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE COMMISSION ON MARINE RESOURCES TO EVALUATE ANNUALLY
3 THOSE PROJECTS PROPOSED FOR TIDELANDS FUNDING; TO REQUIRE THAT THE
4 COMMISSION ANNUALLY REPORT TO THE LEGISLATURE ALL PROJECT GRANTEEES
5 NOT IN COMPLIANCE WITH THEIR GRANT AGREEMENTS; TO DISALLOW THE
6 LEGISLATIVE APPROPRIATION OF ADDITIONAL FUNDS TO AGENCIES,
7 ENTITIES AND ORGANIZATIONS THAT HAVE NOT COMPLIED WITH THE TERMS
8 OF THEIR GRANT AGREEMENTS; AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 29-15-9, Mississippi Code of 1972, is
11 amended as follows:

12 29-15-9. (1) There is hereby created in the State Treasury
13 a special fund to be known as the "Public Trust Tidelands Fund."

14 The fund shall be administered by the Secretary of State as
15 trustee.

16 Any funds derived from lease rentals of tidelands and
17 submerged lands, except those funds derived from mineral leases,
18 or funds heretofore specifically designated to be applied to other
19 agencies, shall be transferred to the special fund. However,
20 funds derived from lease rentals may be used to cover the
21 administrative cost incurred by the Secretary of State. Any
22 remaining funds derived from lease rentals shall be disbursed pro
23 rata to the local taxing authorities for the replacement of lost
24 ad valorem taxes, if any. Then, any remaining funds shall be
25 disbursed to the commission for new and extra programs of
26 tidelands management, such as conservation, reclamation,
27 preservation, acquisition, education or the enhancement of public
28 access to the public trust tidelands or public improvement
29 projects as they relate to such lands.

30 (2) With respect to tidelands management programs funded
31 from remaining tidelands funds, the commission shall utilize
32 objective criteria to review all proposals from state agencies,
33 local entities and other organizations for tidelands projects.
34 Based on this review, the commission shall compile a comprehensive
35 list, in priority order, for funding of such projects, and shall
36 submit the list to the Legislature by January 1 of each year. The
37 Legislature may use the list as a point of reference for
38 appropriating funds. Should other projects be considered for
39 funding, the Legislature at each regular legislative session shall
40 submit these projects to the commission for evaluation of the
41 merits of such projects in accordance with the same evaluation
42 criteria used to compile the comprehensive list referred to
43 herein. The commission shall report to the Legislature the
44 results of these evaluations no later than ten (10) days before
45 the scheduled sine die date for that session.

46 (3) The commission shall prepare an annual report to be
47 submitted with the comprehensive list referred to in subsection
48 (2), of prior years projects' compliance with grant agreement
49 provisions, and shall certify a list of all agencies, entities and
50 organizations which are not in compliance with the terms of their
51 grant agreements. The Legislature shall not appropriate any funds
52 to any agency, entity or organization that has not complied with
53 the terms of any grant agreement for tidelands funds made in
54 previous years.

55 SECTION 2. This act shall take effect and be in force from
56 and after July 1, 1999.