

By: Ellington

To: Conservation and
Water Resources

HOUSE BILL NO. 1084

1 AN ACT TO CREATE SECTION 49-15-14, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO PURCHASE REAL
3 PROPERTY FOR THE PRESERVATION OF COASTAL WETLANDS; AND FOR RELATED
4 PURPOSES.

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

6 SECTION 1. The following shall be codified as Section
7 49-15-14, Mississippi Code of 1972:[LTR1]

8 49-15-14. (1) The department is hereby authorized to
9 acquire interests in real estate and personal property through
10 purchase, donation, bequest or devise in furtherance of the
11 purposes of Chapter 27 of Title 49 of the Mississippi Code of 1972
12 for the preservation of the coastal wetlands.

13 (2) Before real estate is purchased or leased, the fair
14 market value of the real estate shall be determined by the
15 averaging of at least two (2) appraisals by Mississippi Certified
16 General Appraisers. The appraisals shall be paid for by the State
17 of Mississippi.

18 (3) The department is hereby authorized to obtain abstracts
19 and surveys, and to engage the services of attorneys or other
20 professionals to conduct the above described transactions. The
21 department is authorized to obtain title insurance on property
22 purchased if, in the opinion of the executive director, the best
23 interests of the State of Mississippi would be served.

24 (4) In order to carry out its management responsibilities
25 over all state lands which are now or may hereafter come under its
26 jurisdiction, the department is authorized to grant easements and
27 rights-of-way over and across any part of such state lands.

28 Easements and rights-of-way may be granted for such consideration,
29 and upon such terms and conditions, as the department may deem to
30 be in the best interest of the state, consistent with the use of
31 such lands for preservation and recreational purposes. Any
32 easement for a utility line shall be granted for that period of
33 time that the department deems to be in the best interest of the
34 management of such lands.

35 SECTION 2. This act shall take effect and be in force from
36 and after its passage.