

By: Ellington

To: Conservation and
Water Resources

HOUSE BILL NO. 1302

1 AN ACT TO CREATE A NEW CODE SECTION TO AUTHORIZE THE
2 DEPARTMENT OF MARINE RESOURCES TO PURCHASE REAL PROPERTY FOR THE
3 PRESERVATION OF COASTAL WETLANDS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. (1) The department may acquire interests in real
6 estate and personal property through purchase, donation, bequest
7 or devise in furtherance of the purposes of Chapter 27 of Title 49
8 of the Mississippi Code of 1972 for the preservation of the
9 coastal wetlands.

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

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

21 (4) In order to carry out its management responsibilities
22 over all state lands which are now or may hereafter come under its
23 jurisdiction, the department may grant easements and rights-of-way
24 over and across any part of those state lands. Easements and
25 rights-of-way may be granted for any consideration, and upon any
26 terms and conditions, as the department may deem to be in the best

27 interest of the state, consistent with the use of the lands for
28 preservation and recreational purposes. Any easement for a
29 utility line shall be granted for that period of time that the
30 department deems to be in the best interest of the management of
31 the lands.

32 SECTION 2. Section 1 of this act shall be codified in
33 Chapter 27, Title 49, Mississippi Code of 1972.

34 SECTION 3. This act shall take effect and be in force from
35 and after its passage.