

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 1494

By Senator(s) Committee

7 **Amend by striking all after the enacting clause and inserting**
8 **in lieu thereof the following:**

9

10 SECTION 1. Section 65-1-51, Mississippi Code of 1972, is
11 amended as follows:

12 65-1-51. The Mississippi Transportation Commission may
13 acquire by gift, purchase or otherwise, and may have the
14 Mississippi Department of Transportation improve and maintain
15 strips of land necessary for the restoration, preservation and
16 enhancement of scenic beauty adjacent to the state highway
17 rights-of-way. The commission may acquire and have the
18 Transportation Department develop publicly owned and controlled
19 rest and recreation areas and sanitary and other facilities within
20 or adjacent to the highway right-of-way reasonably necessary to
21 accommodate the traveling public.

22 The Mississippi Transportation Commission, in its discretion,
23 may acquire by gift, purchase or otherwise, including the exercise
24 of eminent domain, public or privately owned wetlands and other
25 lands suitable for creation as wetlands for the purpose of
26 mitigating wetland losses and replacing those wetlands purchased
27 and damaged or eliminated by development and use, on a basis not
28 to exceed that required by the Federal Highway Administration as a
29 condition for receiving federal aid funds, provided that some

30 governmental agency or approved organization agrees, without
31 compensation, to accept title to the lands acquired and maintain
32 such lands as wetlands in perpetuity. However, the commission
33 shall replace those coastal wetlands purchased and damaged or
34 eliminated by development and use on the basis required by the
35 "Coastal Wetlands Protection Law" and regulations promulgated
36 thereunder by the Mississippi Commission on Marine Resources.

37 The Mississippi Transportation Commission, in its discretion,
38 may acquire by gift, purchase or otherwise, wetlands credits from
39 an approved organization with a plan establishing a wetland
40 mitigation bank. The commission shall, if possible, acquire
41 credits on wetlands within the State of Mississippi before
42 acquiring credits on wetlands located outside the State of
43 Mississippi.

44 SECTION 2. This act shall take effect and be in force from
45 and after July 1, 2000.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 65-1-51, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO ACQUIRE BY
3 GIFT, PURCHASE OR OTHERWISE, WETLANDS CREDITS FROM AN APPROVED
4 ORGANIZATION WITH A PLAN ESTABLISHING A WETLAND MITIGATION BANK;
5 AND FOR RELATED PURPOSES.