

By: Representative Masterson

To: Local and Private
Legislation; Ways and Means

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1583

1 AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF
2 VICKSBURG, MISSISSIPPI, FOR A PROJECT TO WIDEN THE YAZOO DIVERSION
3 CANAL, TO GIVE SATISFACTORY ASSURANCES TO THE UNITED STATES OF
4 AMERICA THAT IT WILL PROVIDE, WITHOUT COST TO THE UNITED STATES,
5 ALL LANDS, EASEMENTS AND RIGHTS-OF-WAY NECESSARY FOR THE
6 CONSTRUCTION OF THE PROJECT, THAT IT WILL HOLD AND SAVE THE UNITED
7 STATES FREE FROM DAMAGES DUE TO THE CONSTRUCTION OF THE WORKS AND
8 THAT IT WILL MAINTAIN AND OPERATE ALL OF THE WORKS AFTER
9 COMPLETION IN ACCORDANCE WITH REGULATIONS PRESCRIBED PURSUANT TO
10 THE TERMS OF ANY FEDERAL LAW RELATING TO NAVIGATION OR TO
11 NAVIGABLE STREAMS; TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE
12 CITY OF VICKSBURG, MISSISSIPPI, TO ACCEPT THE CONVEYANCE OF ANY
13 LANDS, EASEMENTS AND RIGHTS-OF-WAY OVER AND ON BEHALF OF ANY LANDS
14 THAT MAY BE BENEFITED BY THE MAINTENANCE OF SUCH PROJECT, TO
15 ACCEPT ASSURANCES FROM LANDOWNERS WHOSE PROPERTY IS BENEFITED BY
16 SUCH PROJECT OR FOR ANY OTHER PROJECTS FUNDED AND/OR CONSTRUCTED,
17 IN WHOLE OR IN PART, BY THE UNITED STATES ARMY CORPS OF ENGINEERS,
18 TO LEVY, ASSESS AND COLLECT SUCH TAXES ON THE AREA SO BENEFITED AS
19 WILL BE NECESSARY, TO SAVE AND HOLD THE UNITED STATES FREE FROM
20 ALL DAMAGES DUE TO THE CONSTRUCTION OF THE WORKS, TO MAINTAIN SUCH
21 WORKS AFTER COMPLETION AND TO ACCEPT AGREEMENTS FOR LANDOWNERS
22 BENEFITED BY ANY SUCH PROJECT TO SAVE THE CITY HARMLESS ON ACCOUNT
23 OF ASSURANCES GIVEN BY THE CITY TO THE UNITED STATES OF AMERICA;
24 AND FOR RELATED PURPOSES.

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

26 **SECTION 1.** (1) The governing authorities of the City of
27 Vicksburg, Mississippi, are hereby authorized and empowered, for a
28 project to widen the Yazoo Diversion Canal, to give satisfactory
29 assurances to the United States of America, or any agency thereof,
30 including the Secretary of Defense, that it will:

31 (a) Provide, without cost to the United States, all
32 lands, easements and rights-of-way necessary for the construction
33 of the project;

34 (b) Hold and save the United States free from damages
35 due to the construction of the works; and

36 (c) Maintain and operate all of the works after
37 completion in accordance with regulations prescribed pursuant to



38 the terms of any federal law relating to navigation or to
39 navigable streams.

40 (2) The governing authorities of the City of Vicksburg,
41 Mississippi, are hereby authorized and empowered to accept the
42 conveyance of any lands, easements and rights-of-way over and on
43 behalf of any lands that may be benefited by the maintenance of
44 the project described in subsection (1) of this section and any
45 other projects funded and/or constructed, in whole or in part, by
46 the United States Army Corps of Engineers, to accept assurances
47 from landowners whose property is benefited by such project, to
48 levy, assess and collect such taxes on the area so benefited as
49 will be necessary, to save and hold the United States free from
50 all damages due to the construction of the works, to maintain such
51 works after completion and generally to accept agreements for
52 landowners benefited by such project to save the city harmless on
53 account of assurances given by the city to the United States of
54 America, or any agency thereof, including the Secretary of
55 Defense.

56 **SECTION 2.** This act shall take effect and be in force from
57 and after its passage.

