

By: Representative Masterson

To: Local and Private
Legislation; Ways and Means

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, TO LEVY, ASSESS AND COLLECT SUCH TAXES ON THE AREA
17 SO BENEFITED AS WILL BE NECESSARY, TO SAVE AND HOLD THE UNITED
18 STATES FREE FROM ALL DAMAGES DUE TO THE CONSTRUCTION OF THE WORKS,
19 TO MAINTAIN SUCH WORKS AFTER COMPLETION AND TO ACCEPT AGREEMENTS
20 FOR LANDOWNERS BENEFITED BY SUCH PROJECT TO SAVE THE CITY HARMLESS
21 ON ACCOUNT OF ASSURANCES GIVEN BY THE CITY TO THE UNITED STATES OF
22 AMERICA; AND FOR RELATED PURPOSES.

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

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

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

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

34 (c) Maintain and operate all of the works after
35 completion in accordance with regulations prescribed pursuant to
36 the terms of any federal law relating to navigation or to
37 navigable streams.



38 (2) The governing authorities of the City of Vicksburg,
39 Mississippi, are hereby authorized and empowered to accept the
40 conveyance of any lands, easements and rights-of-way over and on
41 behalf of any lands that may be benefited by the maintenance of
42 such project, to accept assurances from landowners whose property
43 is benefited by such project, to levy, assess and collect such
44 taxes on the area so benefited as will be necessary, to save and
45 hold the United States free from all damages due to the
46 construction of the works, to maintain such works after completion
47 and generally to accept agreements for landowners benefited by
48 such project to save the city harmless on account of assurances
49 given by the city to the United States of America, or any agency
50 thereof, including the Secretary of Defense.

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

