

By: Representatives Frierson, Read, Janus

To: Marine Resources

HOUSE BILL NO. 662

1 AN ACT TO AMEND SECTION 49-27-61, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES MAY ALLOW ANY
3 PARTIES PERMITTED TO CONDUCT DREDGING ACTIVITIES TO BECOME
4 INVOLVED IN BENEFICIAL USE OF DREDGE MATERIALS; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 49-27-61, Mississippi Code of 1972, is
8 amended as follows:

9 49-27-61. (1) The commission shall charge Fifty Cents (50¢)
10 per cubic yard for any sand or gravel removed from wetlands and
11 Twenty-five Cents (25¢) per cubic yard for any other materials
12 removed from coastal wetlands by a permittee or his agent under
13 the terms of any permit issued. There shall be no charge levied
14 by the commission for the removal of one hundred (100) cubic yards
15 or less of any material removed from wetlands by a permittee or
16 his agent under the terms of any permit issued. The commission
17 shall waive the herein specified charges within this subsection on
18 any project of a governmental agency or any project wherein
19 expenditures are made as the result of a governmental grant or
20 governmental bond proceeds.

21 (2) The department may allow any parties permitted to
22 conduct dredging activities to participate in the Department of
23 Marine Resources programs involving beneficial use of dredge
24 materials. Said parties may, upon approval by the executive
25 director of the department or his designee, apply for approval to
26 deposit acceptable dredge materials into a designated location for
27 a fee not to exceed fifty percent (50%) of the fair market cost to
28 transport and dispose of the material in an approved upland site.

29 In-kind services shall be considered for offsetting deposition
30 charges. Any party participating in the beneficial use programs
31 shall be exempt from the charges provided in subsection (1) of
32 this section.

33 **SECTION 2.** This act shall take effect and be in force from
34 and after July 1, 2005.