

By: Representatives Capps, Stevens, Bailey

To: Conservation and Water
Resources; Ways and Means

HOUSE BILL NO. 1107

1 AN ACT TO AMEND SECTION 51-8-43, MISSISSIPPI CODE OF 1972, TO
2 EXPAND THE AUTHORIZED USES OF FUNDS GENERATED FROM THE SPECIAL TAX
3 LEVY OF THE YAZOO-MISSISSIPPI DELTA JOINT WATER MANAGEMENT
4 DISTRICT; TO ALLOW THE DISTRICT TO EXPEND TAX FUNDS ON PROJECTS
5 RELATED TO THE MISSISSIPPI DELTA STUDY; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 51-8-43, Mississippi Code of 1972, is
8 amended as follows:

9 51-8-43. (1) Except as otherwise provided in subsection
10 (2), the governing body of any local governmental unit which is a
11 member of any such district may, according to the terms of the
12 resolution, levy a special tax, not to exceed two (2) mills, on
13 all of the taxable property in such district, the avails of which
14 shall be paid over to the board of commissioners of the district
15 to be used for preparation and implementation of the district's
16 water management plan, exclusive of capital expenditures, and
17 operation of the administrative office of the district. Provided,
18 however, that such special tax shall not be levied against any
19 property in any portion of such district where the district has
20 relinquished and surrendered its prior right to provide a
21 particular service, as provided elsewhere in this chapter.

22 (2) The Board of Commissioners of the Yazoo-Mississippi
23 Joint Water Management District is authorized to expend funds
24 generated from the special tax levy under subsection (1) in
25 connection with projects under the USDA, NRCS Mississippi Delta
26 Comprehensive, Multipurpose Water Resource Plan hereinafter
27 referred to as the "Mississippi Delta Study." Such projects
28 include low flows, interbasin transfers of new water supplies,

29 on-farm storage reservoirs or conservation, and implementation
30 activities such as the Sunflower River Low Flow Project and Well
31 Field Project in Coahoma County, Mississippi. Expenditures under
32 this subsection may include in-kind expenditures as well as direct
33 expenditures, the cost and expenses of construction, operation and
34 maintenance of the projects, and the cost and expenses of an
35 indirect nature, such as technological assistance, engineering and
36 scientific evaluation and analysis by technical personnel, labor,
37 transportation and any expenditure that is intended to satisfy the
38 districts' in-kind obligations in connection with the projects.
39 However, the expenditures authorized by this subsection shall not
40 extend to any project that relates to, encompasses or includes
41 effluent treatment facilities or any water supply system to which
42 the Safe Drinking Water Act applies, and any other projects that
43 are determined by the district to be beyond the scope of the
44 Mississippi Delta Study Projects.

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