

By: Representative Franks

To: Conservation and Water
Resources; Appropriations

HOUSE BILL NO. 1185

1 AN ACT TO AMEND SECTION 29-15-9, MISSISSIPPI CODE OF 1972, TO
2 ESTABLISH A SPECIAL ACCOUNT TO BE KNOWN AS THE "COASTAL PRESERVE
3 SYSTEM TIMBER ACCOUNT" WITH THE PUBLIC TRUST TIDELANDS FUND; TO
4 PROVIDE THAT ANY FUNDS RECEIVED FROM THE SALVAGE OR HARVESTING OF
5 TIMBER OR SALE OF OTHER FOREST PRODUCTS FROM LANDS INCLUDED IN OR
6 MANAGED AS A PART OF THE COASTAL PRESERVE SYSTEM SHALL BE CREDITED
7 TO THE ACCOUNT; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 29-15-9, Mississippi Code of 1972, is
10 amended as follows:

11 29-15-9. (1) There is created in the State Treasury a
12 special fund to be known as the "Public Trust Tidelands Fund."
13 The fund shall be administered by the Secretary of State as
14 trustee.

15 (2) Any funds derived from lease rentals of tidelands and
16 submerged lands, except those funds derived from mineral leases,
17 or funds previously specifically designated to be applied to other
18 agencies, shall be transferred to the special fund. However,
19 funds derived from lease rentals may be used to cover the
20 administrative cost incurred by the Secretary of State. Any
21 remaining funds derived from lease rentals shall be disbursed pro
22 rata to the local taxing authorities for the replacement of lost
23 ad valorem taxes, if any. Then, any remaining funds shall be
24 disbursed to the commission for new and extra programs of
25 tidelands management, such as conservation, reclamation,
26 preservation, acquisition, education or the enhancement of public
27 access to the public trust tidelands or public improvement
28 projects as they relate to those lands.

29 (3) Any funds that are appropriated as separate line items
30 in an appropriation bill for tideland programs or projects
31 authorized under this section for political subdivisions or other
32 agencies shall be disbursed as provided in this subsection.

33 (a) The Department of Marine Resources shall make
34 progress payments in installments based on the work completed and
35 material used in the performance of a tidelands project only after
36 receiving written verification from the political subdivision or
37 agency. The political subdivision or agency shall submit
38 verification of the work completed or materials in such detail and
39 form that the department may require.

40 (b) The Department of Marine Resources shall make funds
41 available for the purpose of using such funds as a match or
42 leverage for federal or other funds that are available for the
43 designated tidelands project.

44 (4) There is established a special account to be known as
45 the "Coastal Preserve System Timber Account" with the Public Trust
46 Tidelands Fund. Any funds received from the salvage or harvesting
47 of timber or sale of other forest products from lands included in
48 or managed as a part of the Coastal Preserve System shall be
49 credited to the account. Any unexpended funds remaining in the
50 account at the end of the year shall not lapse into the Public
51 Trust Tidelands Fund, but shall remain in the account. The
52 account shall be treated as a special trust fund and interest
53 earned on the principal shall be credited to the fund. Any funds
54 in the account may be expended, subject to the approval of the
55 Legislature, for the management, improvement and acquisition of
56 coastal preserves.

57 **SECTION 2.** This act shall take effect and be in force from
58 and after July 1, 2006.