

By: Senator(s) Dawkins

To: Ports and Marine Resources

SENATE BILL NO. 2755

1 AN ACT TO AMEND SECTION 49-27-61, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE FEE FOR THE REMOVAL OF MATERIALS FROM COASTAL
3 WETLANDS UNDER PERMIT FROM COMMISSION ON MARINE RESOURCES; AND FOR
4 RELATED PURPOSES.

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

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

8 49-27-61. (1) (a) The commission shall charge One Dollar
9 (\$1.00) per cubic yard for any sand or gravel removed from
10 wetlands and Fifty Cents (50¢) per cubic yard for any other
11 materials removed from coastal wetlands by a permittee or his
12 agent under the terms of any permit issued.

13 (b) There shall be no charge levied by the commission
14 for the removal of one hundred (100) cubic yards or less of any
15 material removed from wetlands by a permittee or his agent under
16 the terms of any permit issued.

17 (c) The commission shall waive these charges on any
18 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 (d) Any party participating in the beneficial use of
22 dredge materials programs under subsection (2) shall be exempt
23 from these charges.

24 (2) The department may allow any party permitted to conduct
25 dredging activities to participate in the department programs
26 involving beneficial use of dredge materials. If approved by the
27 executive director, or his designee, a party may deposit
28 acceptable dredge materials in a designated location for a fee not

29 to exceed fifty percent (50%) of the fair market cost to transport
30 and dispose of the material in an approved upland site. The
31 department shall consider in-kind services for offsetting
32 depositional charges.

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