

By: Representative Frierson

To: Marine Resources;
Appropriations

HOUSE BILL NO. 1468

1 AN ACT TO AMEND SECTION 57-15-5, MISSISSIPPI CODE OF 1972, TO
2 ESTABLISH THE "COAST PRESERVE SYSTEM TIMBER ACCOUNT"; TO PROVIDE
3 THAT ANY UNEXPENDED FUNDS SHALL NOT LAPSE INTO THE STATE GENERAL
4 FUND; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 57-15-5, Mississippi Code of 1972, is
7 amended as follows:

8 57-15-5. (1) It is hereby declared to be the intent of the
9 Legislature by this chapter that the policy of the council hereby
10 created shall be conducted according to the following guidelines:
11 the council shall have the general purpose and policy of studying
12 and developing plans, proposals, reports and recommendations for
13 the development and utilization of the coastal and offshore lands,
14 waters and marine resources of this state in order to insure that
15 all future plans and/or programs of the State of Mississippi
16 involving the field of marine resources and sciences,
17 oceanographic research, and related studies, will be coordinated
18 with comparable functions and programs of agencies of the United
19 States government. The council shall further have the purpose and
20 policy to help coordinate, as hereinabove provided, all plans of
21 other agencies of this state engaged in similar activities and of
22 the various states of the United States of America, and also with
23 all private agencies whose purpose is marine science and resource
24 development. The council is further authorized to enter into
25 contract with any state or federal agency as may be necessary and
26 requisite to carry out the purposes of this chapter. The council
27 shall have the responsibility for the general management of the
28 state's wetlands.

29 (2) The council is authorized and empowered to solicit and
30 accept financial support from sources other than the state,
31 including private or public sources or foundations. All funds
32 received by or appropriated to the council shall be deposited upon
33 receipt thereof into a special fund in the State Treasury to be
34 known and designated as the "Mississippi Marine Resources Fund."
35 Expenditures from said fund shall be made in the following manner:
36 expenditures by and for the council for the purpose of carrying
37 out its functions as provided by law shall be made with the
38 approval of the council at any meeting upon requisitions presented
39 to the State Auditor in the manner provided by law, and paid by
40 the State Treasurer. Full and complete accounting shall be kept
41 and made by the council for all funds received and expended by it.
42 Representatives of the office of the State Auditor of Public
43 Accounts annually shall audit the expenditure of funds received by
44 the council from all sources and the said auditor shall make a
45 complete and detailed report of such audit to the Legislature. It
46 is further provided that all state appropriated funds expended
47 shall conform to all requirements of law as provided for
48 expenditures.

49 (3) The council may solicit, receive and expend
50 contributions, matching funds, gifts, bequests and devises from
51 any source, whether federal, state, public or private, as
52 authorized by annual appropriations therefor.

53 (4) The council may enter into agreements with federal,
54 state, public or private agencies, departments, institutions,
55 firms, corporations or persons to carry out its policies as
56 provided for in this chapter. To accomplish these goals, the
57 council may expend any such sums from any source as herein
58 provided.

59 The agreements provided for in this subsection shall include,
60 but not be limited to, the following provisions:

61 (a) The duration of the agreement;

62 (b) The purpose of the agreement;

63 (c) A description of the procedures to be used in
64 carrying out the purpose of the agreement; and

65 (d) Provisions for termination of the agreement.

66 Any entity entering into such an agreement shall comply with
67 the provisions therein.

68 (5) The council is authorized and empowered to accept
69 financial support from any federal outer continental shelf revenue
70 sharing programs. All funds received from such programs shall be
71 deposited upon receipt thereof into a special trust fund in the
72 State Treasury to be known and designated as the "Outer
73 Continental Shelf Trust Fund." Expenditures from said fund shall
74 be made for the benefit of any project affecting any county in the
75 State of Mississippi which borders on the Gulf of Mexico with the
76 approval of the Legislature.

77 (6) The council may contract with other governmental
78 agencies and third parties for the acquisition and management of
79 lands and properties for inclusion in the "Coastal Preserve
80 System." For purposes of these contracts with other governmental
81 agencies or third parties and the expenditure of funds pursuant to
82 the contracts, the "Coastal Preserve System" as defined by the
83 council shall be deemed to be a part of the ecosystems of the
84 Public Trust Tidelands. Contracts authorized under this section
85 may provide funds for the management of properties included in the
86 "Coastal Preserve System."

87 (7) There is established a special account to be known as
88 the "Coastal Preserve System Timber Account" within the
89 "Mississippi Marine Resources Fund." Any funds received from the
90 salvage or harvesting of timber or sale of other forest products
91 from lands included in, or managed as part of the Coastal Preserve
92 System shall be credited to the "Coastal Preserve System Timber
93 Account."

94 Any unexpended funds remaining in the account at the end of
95 the fiscal year shall not lapse into the General Fund, but shall
96 remain in the account. The account shall be treated as a special
97 trust fund and interest earned on the principal shall be credited
98 to the fund. Any funds in the account may be expended, subject to
99 the approval of the Legislature, for the management and
100 improvement of the Coastal Preserve System consistent with its
101 purposes or for the acquisition of additional lands for inclusion
102 in the Coastal Preserve System.

103 **SECTION 2.** This act shall take effect and be in force from
104 and after July 1, 2007.