

**No Action
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 819

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

13 **SECTION 1.** There is created the "Mississippi Gulf Producing
14 States Trust Fund," hereafter referred to as the "trust fund" to
15 be held as a separate fund within the State Treasury to be
16 administered by the Department of Marine Resources, hereinafter
17 referred to as the "department." The fund shall consist of monies
18 received by the state from monies allocated to it pursuant to the
19 "Gulf of Mexico Energy Security Act of 2006" being a part of the
20 "Tax Relief and Health Care Act of 2006" (Public Law No. 109-432).
21 The principal of the fund shall remain inviolate and shall be
22 invested as provided by law. Interest earned on the principal
23 therein shall be credited by the treasurer to the fund. Only the
24 interest and income derived from investment of principal of the
25 trust fund may be expended. Unexpended and unencumbered amounts
26 in the trust fund at the end of each fiscal year shall not lapse.

27 **SECTION 2.** (1) The interest and income derived from the
28 monies in the trust shall be appropriated by the Legislature
29 directly to the department as administrator of the trust fund,
30 which shall formulate a plan of spending subject to approval of
31 the Commission on Marine Resources to be effectuated in a manner

32 consistent to ensure compliance with all federal laws and
33 regulations for one or more of the following purposes:

34 (a) Projects and activities for the purposes of coastal
35 protection, including conservation, coastal restoration, hurricane
36 protection and infrastructure directly affected by coastal wetland
37 losses.

38 (b) Mitigation of damage to fish, wildlife or natural
39 resources.

40 (c) Implementation of a federally approved marine,
41 coastal or comprehensive conservation management plan.

42 (d) Mitigation of the impact of outer continental shelf
43 activities through the funding of onshore infrastructure projects.

44 (e) Not more than three percent (3%) of the amounts
45 received for planning assistance and the administrative costs of
46 complying with this act.

47 (2) Allocation of funds received from revenues generated
48 from the lease of properties on the Outer-Continental Shelf shall
49 be deposited to the credit of the department in amounts as
50 follows:

51 (a) In the first year of funds disbursement, fifty
52 percent (50%) of the amount of incoming payments, interest and
53 investment income;

54 (b) In the second year of funds disbursement, forty
55 percent (40%) of the amount of incoming payments, interest and
56 investment income;

57 (c) In the third year of funds disbursement, thirty
58 percent (30%) of the amount of incoming payments, interest and
59 investment income;

60 (d) In the fourth year of funds disbursement, twenty
61 percent (20%) of the amount of incoming payments, interest and
62 investment income;

63 (e) In the fifth year of funds disbursement, ten
64 percent (10%) of the amount of incoming payments, interest and
65 investment income; and

66 (f) In the sixth and subsequent years thereto of funds
67 disbursement, one hundred percent (100%) of funds received shall
68 be deposited in the fund until the trust funds reaches a balance
69 of Five Hundred Million Dollars (\$500,000,000.00), at which time
70 the Legislature may disburse twenty-five percent (25%) of incoming
71 funds together with interest and investment income for use in
72 accordance with subsection (1) of this section.

73 (3) If any provision of this act is in conflict with any
74 federal laws or regulations, then federal laws or regulations
75 shall control.

76 **SECTION 3.** This act shall take effect and be in force from
77 and after July 1, 2007; and shall stand repealed after June 30,
78 2007.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE THE MISSISSIPPI GULF PRODUCING STATES TRUST
2 FUND; TO PROVIDE THAT MONEY IN THE TRUST FUND SHALL BE
3 APPROPRIATED BY THE LEGISLATURE TO ASSIST IN THE DEVELOPMENT,
4 REHABILITATION AND PRESERVATION OF COASTAL RESOURCES, PREPAREDNESS
5 AND FOR OTHER PURPOSES CONSISTENT WITH THIS ACT AND THE "GULF OF
6 MEXICO ENERGY SECURITY ACT OF 2006" BEING A PART OF THE "TAX
7 RELIEF AND HEALTH CARE ACT OF 2006," PUBLIC LAW NO. 109-432, THAT
8 PROVIDES FOR THE DISPOSITION AND ALLOCATION OF QUALIFIED OUTER
9 CONTINENTAL SHELF REVENUES TO GULF PRODUCING STATES AND COASTAL
10 POLITICAL SUBDIVISIONS; TO PROVIDE FOR THE REPEAL OF THIS ACT; AND
11 FOR RELATED PURPOSES.