

By: Senator(s) Gollott, Hewes

To: Ports and Marine Resources; Appropriations

SENATE BILL NO. 3039

1 AN ACT TO AMEND SECTION 57-15-5, MISSISSIPPI CODE OF 1972, TO  
2 CREATE A SPECIAL ACCOUNT TO BE KNOWN AS THE "COASTAL PRESERVE  
3 SYSTEM TIMBER ACCOUNT" WITHIN THE "MISSISSIPPI MARINE RESOURCES  
4 FUND"; TO PROVIDE FUNDS RECEIVED FROM THE SALE OR SALVAGE OF  
5 TIMBER FROM LANDS IN OR MANAGED AS PART OF THE COASTAL PRESERVE  
6 SYSTEM SHALL BE CREDITED TO THE ACCOUNT; AND FOR RELATED PURPOSES.

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

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

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

29 shall have the responsibility for the general management of the  
30 state's wetlands.

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

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

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

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

63 (a) The duration of the agreement;

64 (b) The purpose of the agreement;

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

67 (d) Provisions for termination of the agreement.

68 Any entity entering into such an agreement shall comply with  
69 the provisions therein.

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

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

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

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

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