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Chapter No. 412
10/HR40/R1781SG
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HOUSE BILL NO. 1440

Originated in House Don Richardson Clerk

HOUSE BILL NO. 1440

AN ACT TO AMEND SECTION 49-27-61, MISSISSIPPI CODE OF 1972,
TO REVISE THE REQUIREMENTS FOR PARTICIPATION IN THE BENEFICIAL USE
OF DREDGING MATERIALS PROGRAM; AND FOR RELATED PURPOSES.

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

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

49-27-61. (1) (a) The commission shall charge Fifty Cents (50¢) per cubic yard for any sand or gravel removed from wetlands and Twenty-five Cents (25¢) per cubic yard for any other materials removed from coastal wetlands by a permittee or his agent under the terms of any permit issued.

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

(c) The commission may waive these charges on any project of a governmental agency or any project wherein expenditures are made as the result of a governmental grant or governmental bond proceeds.

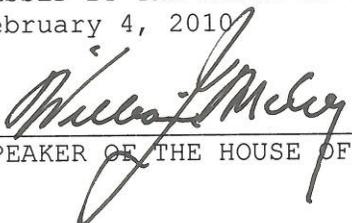
(d) Any party participating in the beneficial use of dredge materials programs under subsection (2) shall be exempt from these charges.

(2) The department shall require any party permitted to conduct dredging activities of over two thousand five hundred (2,500) cubic yards to participate in the department programs involving beneficial use of dredge materials, provided the material is suitable and a beneficial use site is available. If

approved by the executive director, or his designee, a party may deposit acceptable dredge materials in a designated location for a fee not to exceed fifty percent (50%) of the fair market cost to transport and dispose of the material in an approved upland site. The department shall consider in-kind services for offsetting depositional charges.

SECTION 2. This act shall take effect and be in force from and after July 1, 2010.

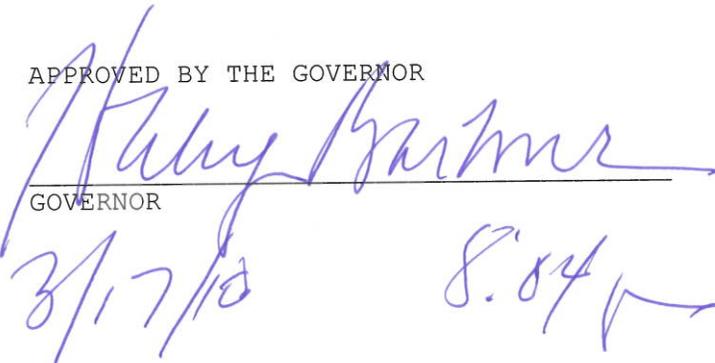
PASSED BY THE HOUSE OF REPRESENTATIVES
February 4, 2010


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 3, 2010


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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