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From: Mccaleb5thdist@aol.com  
Message-ID: <57.87e3a18.26a33590@aol.com>  
Date: Sun, 16 Jul 2000 11:58:08 EDT  
Subject: Miss-Code Ann section 49-15-301 (1972)  
To: jesse@mail.osa.state.ms.us, GMcWhorter@sos.state.ms.us,  
administrator@sos.state.ms.us  
CC: johnstossel@abcnews.com, roxanne.russell@dmr.state.ms.us,  
governor@govoff.state.ms.us, sfijman@govoff.state.ms.us  
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Secretary of State=20  
Eric Clark

I do not believe the Wildlife Rehabilitation & Nature Preservation Society,=20  
Inc. Located in the wood on land owned by the University of Southern=20  
Mississippi. In Pass Christian, Mississippi is qualified for, "Public Access=  
=20  
projects and 50% be dedicated to Management projects."

MISS. CODE ANN. Section 49-15-301 (1972) provides for the Mississippi=20  
Commission on Marine Resources to be the sole administrator of the Public=20  
Trust Tidelands Act. The commission=E2=80=99s fifteen-year plan proposes tha=  
t 50% of=20  
Tidelands Funds be dedicated to Public Access projects and 50% be dedicated=20  
to Management projects. Public Access projects involve the construction and=20  
acquisition of coastal resources (i.e., boat ramps, breakwaters, marinas,=20  
harbor repairs, piers), while Tidelands Management projects involve the=20  
conservation, reclamation, education, enhancement, preservation, and=20  
acquisition of marine-related coastal resources. The commission annually=20  
provides the Legislature with its recommended funding distribution plan for=20  
Management projects, as well as a list of applicants for Public Access=20  
projects.

In appropriating funds to DMR, the Legislature designates projects to be=20  
funded with Tidelands Funds in accordance with MISS. CODE ANN. Section=20  
29-15-9. Upon receiving the Tidelands Funds from the Secretary of State in=20  
September or October, DMR enters into grant agreements with each local=20  
governing authority or private entity designated by the Legislature and=20  
distributes the appropriated amount of funds to each.

DMR enters into a grant agreement with each local governing authority or=20  
entity designated by the Legislature to receive Tidelands Funds for Public=20  
Access or Management projects. PEER reviewed the thirty-one FY 1998 projects=  
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to determine if local entities=E2=80=99 compliance with DMR grant agreement=20  
provisions.

One hundred percent of local governing authorities or private entities which=  
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received FY 1998 Tidelands Funds for Public Access projects failed to comply=  
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with DMR grant agreement provisions. Only two of the seventeen local=20  
governing authorities or private entities which received FY 1998 Tidelands=20  
Funds for Management projects complied with DMR grant agreement provisions.=20  
Local governing authorities=E2=80=99 and private entities=E2=80=99 failure t=  
o comply with=20

DMR grant agreement provisions decreases the entities' accountability for 20  
Tidelands Funds, and, thus, the state's management of such funds.

Steven A. McCaleb