AN ACT TO AMEND SECTION 55-3-33, MISSISSIPPI CODE OF 1972, TO WAIVE THE PARK ENTRANCE FEE FOR PERSONS OVER SIXTY-FIVE YEARS OF AGE OR DISABLED; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 55-3-33, Mississippi Code of 1972, is amended as follows:

55-3-33. (1) The Mississippi Department of Wildlife, Fisheries and Parks shall have the power and authority, and it shall be its duty to:

(a) Take charge and have full jurisdiction and control over all state parks, which shall be operated for the purpose of providing outdoor recreational activities and enjoyment for the citizens of the State of Mississippi and for the purpose of attracting visitors to the state.

(b) Set up a uniform accounting procedure for the state parks and prescribe the manner in which books, records and accounts shall be kept. The procedure shall account for all moneys taken in and expended by the various parks and shall provide for periodic audits of such books.

(c) Accept gifts, bequests of money or other property, real or personal, to be used for the purpose of advancing the recreation and conservation interests in state parks. The department is authorized, subject to approval by the State Legislature, to purchase property, real or personal, to be used for state park purposes.

(d) Contract with the State Transportation Commission,
locating, constructing and maintaining roads and other
improvements in state parks and for payment of a part of the costs
thereof; however, no county or municipality more than twenty-five
(25) miles distant from a state park may contract for, or do, or
pay for any such work for a state park other than the
International Gardens of Mississippi. Any county or municipality
authorized to assist financially under * * * Sections 55-3-31
through 55-3-51 is authorized, in the discretion of its respective
governing authority, to set aside, appropriate and expend moneys
from the General Fund for the purpose of defraying such expense
after a mandatory election is held on the question within the
county or municipality.

(e) Designate employees as peace officers with power to
make arrests for infraction of the rules and regulations of the
department. Such officers are authorized to carry weapons and to
enforce the laws of the State of Mississippi within the confines
of a state park.

(f) Enforce and delegate the responsibility to enforce
all reasonable rules and regulations governing the occupancy and
use of lands and waters in state parks under its jurisdiction,
supply recreational and conservation facilities and charge fees
for the use of same; review all rates and charges for facilities
and accommodations furnished at the various state parks annually,
making such charges as are justified; and establish fees for
entrance to state parks. Persons sixty-five (65) years of age or
older and disabled persons shall be exempt from entrance fees.
The park entrance fee for a car shall be waived if every person in
the car is sixty-five (65) years of age or older, or is disabled.

Each park shall retain from revenues generated therein, a sum
sufficient to pay necessary expenses of operation, but in no event
to be less than seventy-five percent (75%) of such revenues.

(2) The department shall have the authority to lease to any
entity, sell and convey or otherwise transfer to any county or
municipality, or close any state park or historical site within its jurisdiction which received a General Fund subsidy in Fiscal Year 1985 in excess of Two Dollars ($2.00) per visitor to such state park or historical site; provided, however, that this authority shall not include the authority to sell, lease or convey any park that was not in operation under the jurisdiction of the department for a full fiscal year prior to fiscal year 1986.

(3) The department may execute agreements with rails-to-trails and recreational districts by which the department will assume responsibility for the operation and maintenance of trails developed under Sections 55-25-1 through 55-25-15.

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