

By: Representative Robinson (84th)

To: Wildlife, Fisheries and
ParksCOMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 910

1 AN ACT TO AMEND SECTION 49-5-71, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO SELL
3 SURPLUS PROPERTY; TO PROVIDE THAT PROCEEDS FROM THE SALE OF
4 PROPERTIES BY THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS
5 SHALL BE DEPOSITED TO THE CREDIT OF THE DEPARTMENT; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 49-5-71, Mississippi Code of 1972, is
9 amended as follows:

10 49-5-71. (1) The Mississippi Commission on Wildlife,
11 Fisheries and Parks is hereby authorized to acquire interests in
12 real estate and personal property through purchase, donation,
13 bequest or devise in furtherance of the purposes of Sections
14 49-5-61 through 49-5-85 and otherwise in accordance with the
15 provisions of law.

16 (2) Before such real estate is purchased or leased, the fair
17 market value of such real estate shall be determined by the
18 averaging of at least two (2) appraisals by Mississippi Certified
19 General Appraisers. Such appraisals shall be paid for by the
20 State of Mississippi.

21 (3) The commission is hereby authorized to obtain abstracts
22 and surveys, and to engage the services of attorneys to conduct
23 the above described transactions. The commission is authorized to
24 obtain title insurance on property purchased if, in the opinion of
25 the commission, the best interests of the State of Mississippi
26 would be served.

27 (4) In order to carry out its management responsibilities
28 over all state lands which are now or may hereafter come under its
29 jurisdiction, the Department of Wildlife, Fisheries and Parks is

30 authorized to grant easements and rights-of-way over and across
31 any part of such state lands. Such easements and rights-of-way
32 may be granted for such consideration, and upon such terms and
33 conditions, as the department may deem to be in the best interest
34 of the state, consistent with the use of such lands for
35 recreational purposes. Any easement for a utility line shall be
36 granted for that period of time which the department deems to be
37 in the best interest of the management of such lands.

38 (5) Whenever any lands, lakes or any other real property has
39 been deemed surplus or no longer needed to meet the needs or
40 mission of the Department of Wildlife, Fisheries and Parks, the
41 Commission may authorize the department to sell the property. The
42 property may be sold by sealed bids or at public auction after
43 three (3) weeks of advertisement in a newspaper in the county
44 where the property is located or by a newspaper of general
45 circulation. Before any such sale, the department shall obtain at
46 least two (2) separate and independent appraisals of the land to
47 be sold and may not accept any bid lower than the average of all
48 the appraisals made. The department may reject any and all bids.
49 The advertisement shall give the time and place of sale, and the
50 property shall be sold to the highest and best bidder for cash.
51 The proceeds from the sale shall be deposited to the credit of the
52 Mississippi Department of Wildlife, Fisheries and Parks in the
53 appropriate fund or account, and such funds may be expended by the
54 department, upon legislative appropriation, for the benefit of the
55 department. This paragraph shall stand repealed on July 1, 2009.

56 **SECTION 2.** This act shall take effect and be in force from
57 and after July 1, 2007.