SOS APA Form 001

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME		CONTACT PERSON	TELEPHONE NUMBER	
MS Department of Wildlife, Fisheries, and Parks		Annette Clark or Doug Mann	601-432-2020	
ADDRESS		CITY	STATE	ZIP
1505 Eastover Drive		JACKSON	MS	39211
EMAIL	SUBMIT DATE	Name or number of rule(s):		
annettec@mdwfp.state.ms.us dougm@mdwfp.state.ms.us	07/16/14	40 Miss. Admin. Code Part 6, COMPILATION : State Park Rules and Regulations		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Corrections and revisions to rules and slight fee increase.

Specific legal authority authorizing the promulgation of rule: 49-1-29; 49-4-4; 55-3-33

List all rules repealed, amended, or suspended by the proposed rule: 40 Miss. Admin. Code Part 6, Compilation

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	**Action proposed:** _____ New rule(s) _X_ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference **Proposed final effective date:** _X_ 30 days after filing _____ Other (specify): _____	**Date Proposed Rule Filed:** _____ **Action taken:** _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed **Effective date:** _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: W. Douglas Mann, Jr. SAAG

Signature of person authorized to file rules: W. Douglas Mann Jr.

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
	FILED JUL 16 2014 MISSISSIPPI SECRETARY OF STATE	
Accepted for filing by	Accepted for filing by #20651	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

SOS APA Form 002
Rev. 6/12

DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME	CONTACT PERSON		TELEPHONE NUMBER
MS Dept of Wildlife, Fisheries, and Parks	Annette Clark or Doug Mann		601-432-2400
ADDRESS	CITY	STATE	ZIP
1505 Eastover Drive	Jackson	MS	39211
EMAIL	DESCRIPTIVE TITLE OF PROPOSED RULE		
annettec@mdwfp.state.ms.us dougm@mdwfp.state.ms.us	40 Miss. Admin. Code Pt.6, Compilation: State Parks Rules, Regulations and Fees		

Specific Legal Authority Authorizing the promulgation of Rule:	Reference to Rules repealed, amended or suspended by the Proposed Rule:
49-1-29; 49-4-4; 55-3-33	40 Miss. Admin. Code Pt.6: State Park Rules and Regulations

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

   It has been over ten (10) years since the State Parks have increased any entry or amusement fees. However, these fees are subject to MS Sales Tax. The parks have been paying the sales tax on these fees from the amounts collected. In order to increase the amount of revenue generated to the state parks (special funds) and to the state general fund (sales tax revenue) the parks are increasing the fees to pass along the sales tax to the park users. In order to avoid having to keep large amounts of cash on hand, to make change, the fees have been increased so that after adding sales tax, the total amount is a whole dollar amount – thus reducing the parks' liability for maintaining large on-site cash reserves and increased costs in manpower, security and fidelity bonds for cash-handling employees.

2. Briefly describe the need for the proposed rule:

   As stated, above, there has not been a significant increase in fees in ten years, while other costs have been constantly rising. The proposed increase will increase park revenues and sales tax revenues.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

   There will be virtually no impact upon the public health, safety and/or welfare.

4. Estimated Cost of implementing proposed action:
   a. To the agency
      ☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
   b. To other state or local government entities
      ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
   c. Cost:
      ☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
   d. Economic Benefit:
      ☐ Nothing ☐ Minimal ☒ Moderate ☐ Substantial ☐ Excessive

6. Estimated impact on small businesses:
   ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

   a. Estimate of the number of small businesses subject to the proposed regulation: N/A
   b. Projected costs for small businesses to comply: N/A
   c. Statement of probable effect on impacted small businesses: N/A

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
   ☐ substantially less than ☐ moderately less than ☒ minimally less than
   ☐ the same as ☐ minimally more than ☐ moderately more than
   ☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
   ☐ substantially less than ☐ moderately less than ☐ minimally less than
   ☐ the same as ☐ minimally more than ☒ moderately more than
   ☐ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
   ☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

   Staff calculated the lowest base price increase which, when 7% sales tax was added as a surcharge, would yield a whole dollar price increase as close to the base price as possible.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled?

   Interested parties may contact Paul Collins, Director of Parks Operations at 601-432-2400, or go to the agency's website contact page at:
   http://www.mdwfp.com/applications/ContactForm/default.aspx

   Be sure to select "Parks" under the "Divisions" heading.

SIGNATURE W. Douglas Mann Jr.	TITLE Special Assistant Attorney General
DATE 07/16/2014	PROPOSED EFFECTIVE DATE OF RULE 30 days after filing