

By: Representative Moak

To: Education

## HOUSE BILL NO. 226

1 AN ACT TO AMEND SECTION 29-3-27, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE SALE OF SIXTEENTH SECTION OR LIEU LAND TO CERTAIN  
3 RETIRED AND DISABLED VETERANS OF THE UNITED STATES ARMED FORCES;  
4 TO AMEND SECTION 29-3-29, MISSISSIPPI CODE OF 1972, TO REQUIRE  
5 CERTAIN ACTIONS BY THE BOARD OF EDUCATION AND THE COUNTY BOARD OF  
6 SUPERVISORS BEFORE SIXTEENTH SECTION OR LIEU LANDS MAY BE SOLD TO  
7 THOSE VETERANS; TO AMEND SECTIONS 29-3-1, 29-3-3, 29-3-11,  
8 29-3-25, 29-3-41, 29-3-71, 29-3-73 AND 29-3-111, MISSISSIPPI CODE  
9 OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 19-3-35,  
10 MISSISSIPPI CODE OF 1972, TO REQUIRE THE COUNTY BOARD OF  
11 SUPERVISORS TO PUBLISH A LIST OF ALL SIXTEENTH SECTION OR LIEU  
12 LANDS SOLD; AND FOR RELATED PURPOSES.

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

14 SECTION 1. Section 29-3-27, Mississippi Code of 1972, is  
15 amended as follows:

16 29-3-27. No sixteenth section lands or lands granted in lieu  
17 thereof, in whole or in part, situated within the school district  
18 holding or owning the same shall ever be sold, except that the  
19 board of education may, under the procedures hereinafter provided,  
20 sell such lands:

21 (a) For industrial development, \* \* \* to any persons,  
22 firms, or corporations in fee simple, or any lesser estate, \* \* \*  
23 for a purchase price not less than the fair market value thereof;  
24 or

25 (b) To any legal resident of the State of Mississippi  
26 who is a retired veteran of active duty service in the Armed  
27 Forces of the United States or a veteran rated as having one  
28 hundred percent (100%) permanent service-connected disability by  
29 the Veterans Administration, and who has continuously leased,  
30 improved and actually occupied the specific tract of land for no  
31 less than ten (10) consecutive years as his primary residence.

32 Any sale authorized pursuant to this paragraph shall be in fee  
33 simple or any lesser estate for a purchase price not less than the  
34 fair market value. In no event shall a tract consisting of more  
35 than five (5) acres be sold to one (1) person, and no person may  
36 own more than one (1) tract at any time.

37 When any such sale is made, the deed shall be executed in the  
38 name of the State of Mississippi by the superintendent of  
39 the \* \* \* board of education.

40 As used in this section and in Sections 29-3-29 and 29-3-61,  
41 the term "industrial development" shall include restoration as a  
42 tourist attraction the place where an organization was founded,  
43 which said organization has since been expanded to be national or  
44 international in its membership, scope, and influence.

45 The proceeds of the sale in fee simple of any sixteenth  
46 section, or lands granted in lieu thereof, in whole or in part, or  
47 such part of said proceeds as may be required to purchase acreage  
48 of equivalent fair market value, shall be used by the board of  
49 education, to purchase other land in the county, which land shall  
50 be held and reserved by the State of Mississippi for the support  
51 of the township schools in lieu of the land thus sold, as other  
52 sixteenth section lieu land is held, and shall be subject to all  
53 laws applicable thereto. Every such sale and every such purchase  
54 of land in lieu thereof shall be reported by the secretary of the  
55 board of education to the Secretary of State and to the State  
56 Forestry Commission within ninety (90) days after the consummation  
57 of each such sale and purchase. Any funds from a sale in fee  
58 simple of any sixteenth section land, or land granted in lieu  
59 thereof, in excess of any amount used to purchase said land in  
60 lieu thereof, shall be treated as corpus and shall be invested by  
61 the board of education as provided by law. Only the income from  
62 such investment shall be expended for current operating expenses  
63 of the schools.

64 SECTION 2. Section 29-3-29, Mississippi Code of 1972, is  
65 amended as follows:

66 29-3-29. Before any sixteenth section school land or land  
67 granted in lieu thereof may be sold or leased for industrial  
68 development or sold to a veteran of the Armed Forces of the United

69 States under \* \* \* this chapter, the board of education  
70 controlling such land shall first determine that such sale or  
71 lease will be fair market value. In the determination of the fair  
72 market value of said land the comparative sales method shall be  
73 used, and the highest and best use of said sixteenth section lands  
74 shall be determined on the basis of finding that said land shall  
75 be susceptible to any use that comparative land in private  
76 ownership may be used, \* \* \* that the acreage to be sold or leased  
77 is not in excess of the amount of land authorized in Section  
78 29-3-27 or an amount reasonably required for immediate use and for  
79 such future expansion as may be reasonably anticipated, \* \* \* that  
80 such sale or lease will be beneficial to and in the best interest  
81 of the schools of the district for which said land is held and if  
82 sold or leased for industrial development, that there will be  
83 prompt and substantial industrial development on, in, or under  
84 said land after the sale or lease. All of said findings,  
85 including the amount of the sale price or gross rental for said  
86 land, shall be spread on the minutes of the board of education.  
87 Also, if the board of education proposes to sell said land, said  
88 board shall first enter into a contract or obtain a legal option  
89 to purchase, for a specified price not in excess of fair market  
90 value, other land in the county of acreage of equivalent fair  
91 market value, and such contract or option shall be spread on the  
92 minutes of said board. However, not more than one hundred (100)  
93 acres in any one (1) sixteenth section school lands in any county  
94 may be sold under this chapter for the purpose of being made an  
95 industrial park or a part of such industrial park, provided the  
96 provisions of this section and Sections 57-5-1 and 57-5-23 are  
97 fully complied with.

98 A certified copy of the resolution or order of the board of  
99 education, setting out the foregoing findings, together with a  
100 certified copy of the order approving and setting out the terms of  
101 the contract or option to purchase other lands where a sale of

102 land is proposed, \* \* \* shall be forwarded to the county board of  
103 supervisors, which board shall make an independent investigation  
104 of the proposed sale or lease and of the proposed purchase of  
105 other land. If the land is being sold or leased for industrial  
106 development, an application to the Department of Economic and  
107 Community Development for the certificate authorizing said sale or  
108 lease shall be forwarded to the county board of supervisors in  
109 addition to the other items required in this section.

110 If said county board of supervisors shall concur in the  
111 finding of fact of the board of education, and shall find that it  
112 is to the best interests of the schools of the district to enter  
113 into such sale or lease, it may enter on its minutes a resolution  
114 or order approving the action of the board of education.

115 If the said county board of supervisors shall not concur in  
116 the findings of the board of education, or shall find that the  
117 proposed sale or lease will not be in the best interest of the  
118 schools of the district, then it may, by resolution or order,  
119 disapprove the proposed sale or lease, and such action shall be  
120 final.

121 There shall be reserved all minerals in, on, and under any  
122 lands conveyed under the provisions of this section. \* \* \*  
123 However, \* \* \* in any county bordering on the State of Alabama,  
124 traversed by the Tombigbee River, in which U.S. Highway 82  
125 intersects U.S. Highway 45 and in which is situated a state  
126 supported institution of higher learning, upon the sale of any  
127 sixteenth section lands for industrial purposes as provided by  
128 law, the board of education, the superintendent of education and  
129 the Department of Economic and Community Development, may sell and  
130 convey all minerals except oil, gas, sulphur and casinghead gas  
131 on, in and under the said sixteenth section lands so sold for  
132 industrial purposes. Said oil, gas, sulphur and casinghead gas  
133 shall be reserved together with such rights of use, ingress and  
134 egress as shall not unreasonably interfere with the use of the

135 lands by the purchaser. Prior written approval for such use,  
136 ingress and egress, shall be obtained from the surface owner or,  
137 if such approval is unreasonably withheld, may be obtained from  
138 the chancery court of the county in which said land is located.

139 If the land is being sold or leased for industrial  
140 development, certified copies of the resolutions or orders of the  
141 board of supervisors and of the board of education and of the  
142 application to the Department of Economic and Community  
143 Development shall be transmitted to the county superintendent of  
144 education, if there be one in the county, who, if he approves the  
145 proposed sale or lease, shall so certify and forward same to the  
146 Department of Economic and Community Development. If there be no  
147 county superintendent of education in the county, then the board  
148 of education whose district embraces the entire county shall so  
149 certify and transmit said copies to the Department of Economic and  
150 Community Development for further action.

151 Upon receipt of the aforesaid application and certified  
152 copies of the said resolution and orders, the Department of  
153 Economic and Community Development shall make investigation to  
154 determine whether or not the proposed sale or lease of said land  
155 for industrial development will promote prompt and substantial  
156 industrial development thereon, therein, or thereunder. If the  
157 department finds that such sale or lease will promote prompt and  
158 substantial industrial development, \* \* \* and further finds that  
159 the person, firm or corporation who proposes to establish said  
160 industry is financially responsible, and that the acreage to be  
161 sold or leased is not in excess of the amount of land reasonably  
162 required for immediate use and for such future expansion as may be  
163 reasonably anticipated, then the department, in its discretion,  
164 may issue a certificate to the board of education of said district  
165 so certifying, and said certificate shall be the authority for the  
166 board of education to enter into the proposed sale or lease. If  
167 the Department of Economic and Community Development does not so

168 find, then it shall decline to issue said certificate which action  
169 shall be final.

170       The Department of Economic and Community Development, when  
171 issuing a certificate to the county board of education certifying  
172 its findings and authorizing said sale or lease for industrial  
173 development, \* \* \* in its discretion, may make such sale or lease  
174 conditioned on and subject to the vote of the qualified electors  
175 of said district. Upon receipt of a certificate so conditioned  
176 upon an election, or upon a petition as hereinafter provided for,  
177 the board of education, by resolution spread upon its minutes,  
178 shall forward a copy of the certificate to the board of  
179 supervisors who by resolution upon its minutes, shall call an  
180 election to be held in the manner now provided by law for holding  
181 county elections, and shall fix in such resolution a date upon  
182 which such an election shall be held, of which not less than three  
183 (3) weeks notice shall be given by the clerk of said board of  
184 supervisors by publishing a notice in a newspaper published in  
185 said county once each week for three (3) consecutive weeks  
186 preceding the same, or if no newspaper is published in said  
187 county, then in a newspaper having a general circulation therein,  
188 and by posting a notice for three (3) weeks preceding said  
189 election at three (3) public places in said county. At such  
190 election, all qualified voters of the county may vote, and the  
191 ballots used shall have printed thereon a brief statement of the  
192 proposed sale or lease of said land, including the description and  
193 price, together with the words "For the proposed sale or lease"  
194 and the words "Against the proposed sale or lease," and the voter  
195 shall vote by placing a cross (x) or check (v) opposite his choice  
196 of the proposition. Should the election provided for herein  
197 result in favor of the proposed sale or lease by at least  
198 two-thirds (2/3) of the votes cast being in favor of the said  
199 proposition, the board of supervisors shall notify the board of  
200 education who may proceed forthwith to sell or lease said land in

201 accordance with the proposition so submitted to the electors. If  
202 less than two-thirds (2/3) of those voting in such special  
203 election vote in favor of the said sale or lease, then said land  
204 shall not be sold or leased.

205 The board of education shall \* \* \* be required, prior to  
206 passing of a resolution expressing its intent to sell said land  
207 for industrial development or to a veteran of the Armed Forces of  
208 the United States, to publish a notice of intent to sell said land  
209 for three (3) consecutive weeks in a newspaper published in said  
210 county or, if there be none, in a newspaper having a general  
211 circulation in said county, and to post three (3) notices thereof  
212 in three (3) public places in said county, one (1) of which shall  
213 be at the courthouse, for said time. If within the period of  
214 three (3) weeks following the first publication of said intent, a  
215 petition signed by twenty percent (20%) of the qualified electors  
216 of said county shall be filed with the board of supervisors  
217 requesting an election concerning the sale, then an election shall  
218 be called as hereinabove provided.

219 SECTION 3. Section 29-3-1, Mississippi Code of 1972, is  
220 amended as follows:

221 29-3-1. (1) Sixteenth section school lands, or lands  
222 granted in lieu thereof, constitute property held in trust for the  
223 benefit of the public schools and must be treated as such. The  
224 board of education under the general supervision of the Secretary  
225 of State, shall have control and jurisdiction of said school trust  
226 lands and of all funds arising from any disposition thereof  
227 heretofore or hereafter made. It shall be the duty of the board  
228 of education to manage the school trust lands and all funds  
229 arising therefrom as trust property. Accordingly, the board shall  
230 assure that adequate compensation is received for all sales and  
231 uses of the trust lands, except for uses by the public schools.

232 (2) In the event the board of supervisors declines to  
233 approve the rental value of the land set by the board of

234 education, the board of education shall within ten (10) days  
235 appoint one (1) appraiser, the board of supervisors shall within  
236 twenty (20) days appoint one (1) appraiser and the two (2)  
237 appraisers so appointed shall within twenty (20) days appoint a  
238 third appraiser whose duty it shall be to appraise the land,  
239 exclusive of buildings and improvements, the title to which is not  
240 held in trust for the public schools, and to file a written report  
241 with each board setting forth their recommendation for the rental  
242 value of the land within thirty (30) days. The cost of the  
243 appraisal shall be paid from any available sixteenth section  
244 school funds or other school funds of the district. If no appeal  
245 is taken within twenty (20) days as provided hereunder, the lease  
246 shall be executed in accordance with said recommended rental value  
247 within thirty (30) days of the receipt of the appraisers' report.  
248 In the event any party is aggrieved by the decision of the  
249 appraisers setting forth the appraised rental value, the party so  
250 aggrieved shall be entitled to an appeal to the chancery court in  
251 which the land is located. Such appeal shall be taken within  
252 twenty (20) days following the decision. The chancery court, on  
253 appeal, may review all of the proceedings, may receive additional  
254 evidence, and make findings of fact, as well as conclusions of law  
255 to insure that a fair and reasonable return may be obtained on the  
256 sixteenth section lands or lands in lieu thereof.

257 SECTION 4. Section 29-3-3, Mississippi Code of 1972, is  
258 amended as follows:

259 29-3-3. The board of education may employ one or more  
260 competent persons to ascertain the true condition of the title and  
261 to institute and prosecute, in the chancery court of the county  
262 where the land lies, all necessary suits to establish and confirm  
263 the title to each parcel of such land and to fix the date of the  
264 expiration of any lease of the same. If any person other than an  
265 individual authorized in Section 29-3-27 to purchase sixteenth  
266 section or lieu lands claims any of said land in fee simple or



267 upon any other terms than that of a lease to expire at a fixed  
268 date with absolute reversion to the state in trust, or if the  
269 title to such lands rest in parol by destruction of records or  
270 otherwise, suit shall be instituted at once or as soon as  
271 practicable to test the legality of such claims or to reestablish  
272 the lost record.

273 SECTION 5. Section 29-3-11, Mississippi Code of 1972, is  
274 amended as follows:

275 29-3-11. It shall likewise be the duty of the board of  
276 education to ascertain whether or not such county has title to all  
277 lieu lands to which it may, by law, be entitled. If it is  
278 determined that such county does not have title to all such lands,  
279 the board of education shall certify the fact to the Secretary of  
280 State who shall institute proper proceedings to secure such lands  
281 for such county unless title to the lieu lands has been conveyed  
282 by a sale authorized under Section 29-3-27.

283 SECTION 6. Section 29-3-25, Mississippi Code of 1972, is  
284 amended as follows:

285 29-3-25. The Secretary of State shall make a report to the  
286 Legislature every year, setting forth a statement of all sixteenth  
287 section and lieu lands sold during that year, and shall maintain a  
288 copy of said report within his office.

289 SECTION 7. Section 29-3-41, Mississippi Code of 1972, is  
290 amended as follows:

291 29-3-41. After any parcels of sixteenth section lands have  
292 been classified as hereinabove provided, all land which has been  
293 classified as forest land and which is not under lease shall \* \* \*  
294 not be sold or leased. The lands classified as forest lands which  
295 may be under a lease that has a fixed date of expiration shall not  
296 be re-leased when said lease expires; nor shall the lessee be  
297 permitted to cut or remove any timber therefrom except according  
298 to the terms of his lease. Such lands shall be reserved and kept  
299 as forest lands. \* \* \* The mineral rights in all such lands may be

300 leased for oil, gas, or mineral purposes, and the board of  
301 education may grant leases to the surface of said lands classified  
302 as forest, which are limited to hunting and fishing rights and  
303 activities in relation thereto, and which shall not extend for a  
304 period longer than fifteen (15) years. It shall be the duty of  
305 the board of education to lease said hunting and fishing rights at  
306 public contract after having advertised same for rent in a  
307 newspaper published in said county or, if no newspaper be  
308 published in said county, then in a newspaper having a general  
309 circulation therein, for two (2) successive weeks, the first being  
310 at least ten (10) days prior to said public contract. Said  
311 hunting and fishing rights shall be leased to the person offering  
312 the highest annual rental.

313 \* \* \* If the board of education receives an acceptable bid,  
314 the most recent holder of said hunting and fishing rights, if it  
315 shall have made an offer, shall have the final right to extend its  
316 lease for the term advertised at the annual rental equal to said  
317 highest offer received by the board of education.

318 If no bid acceptable to the board of education is received  
319 after said advertisement, the board of education may, within  
320 ninety (90) days, lease same by private contract for an amount  
321 greater than the highest bid previously rejected.

322 If the board of education determines to lease the land by  
323 private contract, the most recent holder of said hunting and  
324 fishing rights, if it shall have made an offer, shall have the  
325 final right to extend its lease on the same terms and conditions  
326 as those contained in the private contract proposed to be accepted  
327 by the board of education.

328 SECTION 8. Section 29-3-71, Mississippi Code of 1972, is  
329 amended as follows:

330 29-3-71. Sixteenth section lands reserved for the use of  
331 schools, or lands reserved or granted in lieu of or as a  
332 substitute for the sixteenth sections, shall be liable, after the

333 same shall have been sold or leased, to be taxed as other lands  
334 are taxed. \* \* \* In case of sale thereof for taxes, only the title  
335 of the lessee or his heirs or assigns shall pass by the sale.

336 SECTION 9. Section 29-3-73, Mississippi Code of 1972, is  
337 amended as follows:

338 29-3-73. Where any school land, generally known as sixteenth  
339 sections, reserved for the use of schools, or land reserved or  
340 granted in lieu of or substituted for sixteenth sections lies  
341 within or partly within any drainage district created under the  
342 laws of this state, and will be benefited by such drainage  
343 district, such land so benefited shall be liable for its pro rata  
344 share of the costs, expenses, taxes and assessments relating to  
345 said district as if owned by an individual, and shall be assessed  
346 accordingly, as other lands are assessed. But in case of a sale  
347 of such lands for such taxes or assessments, only the title of the  
348 lessee holding such lands under lease at the time of the sale  
349 shall pass by the sale.

350 If title to any sixteenth section or lieu land lying within a  
351 drainage district is conveyed by a sale authorized under Section  
352 29-3-27, the titleholder of the land shall be liable for the pro  
353 rata share of the costs, expenses, taxes and assessments relating  
354 to the district, and the land shall be assessed accordingly.

355 Where such sixteenth section land, or land taken in lieu  
356 thereof, shall be held by any lessee, whether his lease shall have  
357 heretofore been acquired or shall hereafter be acquired, all such  
358 drainage taxes and assessments accruing thereon during such lease  
359 shall, in the discretion of the board of education, either be paid  
360 by the lessee, his grantees or assigns, or by the board of  
361 education, but the liability for such drainage taxes shall be  
362 fixed by the lease contract when said lands are leased. Where  
363 said lands have been leased by the superintendent of education,  
364 with the consent of the board of education in open session, and  
365 said lease contract provides that the lessee shall pay all such

366 drainage taxes and assessments, and the lessee has actually  
367 entered upon and occupied said lands as lessee and is recognized  
368 as such, the school district in which said sixteenth section is  
369 located shall not be liable for such drainage taxes on account of  
370 the negligence of the secretary in failing to enter the order of  
371 the board approving said lease contract on its minutes. All such  
372 drainage taxes and assessments accruing on any such lands that  
373 have not been sold or while the same are not leased shall be paid  
374 by the board of education of the school district in which such  
375 lands are situated, out of any sixteenth section funds belonging  
376 to the township in which such lands are located, which may be on  
377 hand at the time when such drainage taxes or assessments become  
378 due or which may be thereafter at any time collected or acquired.  
379 For the purpose of paying such drainage taxes and assessments, the  
380 board of education may borrow all money necessary to pay the same.  
381 When any such funds are borrowed as aforesaid, for the purposes  
382 aforesaid, the same shall be repaid out of the first sixteenth  
383 section fund thereafter derived from the sixteenth section lands  
384 so taxed and assessed.

385 SECTION 10. Section 29-3-111, Mississippi Code of 1972, is  
386 amended as follows:

387 29-3-111. All moneys heretofore or hereafter derived from  
388 the leasing of said lands for oil, gas and mineral purposes,  
389 including any bonus or delay rental payable under such leases, and  
390 all moneys derived from the annual payment of rents from the  
391 leasing of said lands for agricultural, residential, commercial,  
392 industrial, grazing or other purposes, or derived as interest upon  
393 loans or investments of principal funds, and all moneys heretofore  
394 or hereafter derived from the sale of sixteenth section or lieu  
395 lands or the sale of timber, may be expended for any of the  
396 purposes authorized by law. In cases where said moneys have been  
397 transferred to the principal fund and it is determined to expend  
398 same for any of the purposes authorized by law, such moneys shall

399 be transferred to the proper fund for expenditure upon order of  
400 the board of education.

401 SECTION 11. Section 19-3-35, Mississippi Code of 1972, is  
402 amended as follows:

403 19-3-35. The board of supervisors after each meeting shall  
404 have an itemized statement made of allowances, to whom, for what,  
405 and the amounts; a list of all contracts providing for the  
406 expenditure of money and the terms of payment thereof; a statement  
407 of all loans from sixteenth section funds, lieu land funds, and  
408 sinking, and other trust funds, setting forth to whom made, the  
409 amount, and the kind of security approved; a statement or list of  
410 all sales of timber, of all leases upon, including all leases for  
411 oil, gas and minerals upon, sixteenth section or lieu lands  
412 situated in the county or belonging to the county, showing to whom  
413 sold or made, description of land involved, the length of the term  
414 of any such lease, and the consideration therefor; a statement or  
415 list of all sales of sixteenth section or lieu lands situated in  
416 the county or belonging to the county, showing to whom sold, a  
417 description of the land involved and the consideration therefor;  
418 and it shall also publish a recapitulation of all expenditures  
419 according to districts and also the county as a whole, and in such  
420 recapitulation the total expenses for each item shall be listed  
421 for each district, and in the total county recapitulation the  
422 total expended from each item shall be listed and same shall be  
423 published within fifteen (15) days after adjournment in some  
424 newspaper of general circulation published in the county, and if  
425 no such newspaper is published in the county, then in a newspaper  
426 published elsewhere in the state and having a general circulation  
427 in such county. The cost of publishing the same shall be paid for  
428 out of the general fund of the county. The cost of such  
429 publication shall not exceed one-half (1/2) of the rate now fixed  
430 by law for publishing legal notices, and in no event shall the  
431 cost of such publication exceed One Hundred Dollars (\$100.00) in

432 any one (1) month, save, however, in counties of Classes 1 and 2  
433 the board of supervisors may expend an amount not to exceed One  
434 Hundred Seventy-five Dollars (\$175.00) per month for the  
435 publication of said cumulative digest of its proceedings as  
436 provided for above. If there be more than one (1) newspaper  
437 published in the county, the board of supervisors shall advertise,  
438 as provided by law, for contracts for publishing such proceedings,  
439 and shall award the contract to the lowest bidder for a period of  
440 two (2) years. If no bid be made for the price above mentioned,  
441 then the proceedings shall be posted at the courthouse door as  
442 hereinafter provided. If there be no newspaper published in such  
443 county, then such proceedings shall be posted at the front  
444 courthouse door.

445 If any member of a board of supervisors or the chancery clerk  
446 shall fail, refuse or neglect to comply with the provisions of  
447 this section, he shall, upon conviction, be guilty of a  
448 misdemeanor and shall be fined not more than Five Hundred Dollars  
449 (\$500.00) for such failure, refusal or neglect for each offense  
450 and, in addition thereto, shall be liable to a penalty of Five  
451 Hundred Dollars (\$500.00), recoverable on his official bond by  
452 suit filed by any county or district attorney or any interested  
453 citizen, upon his official bond.

454 This shall not be construed to repeal Section 19-3-33, and  
455 where the verbatim proceedings are published as therein provided,  
456 this section shall not apply, it being intended hereby to provide  
457 a method of publishing the proceedings of the board of supervisors  
458 in addition to that now provided for by Section 19-3-33. Where  
459 publication is made under Section 19-3-33, this section shall not  
460 be construed so as to require any other and additional  
461 publication, or notice.

462 SECTION 12. This act shall take effect and be in force from  
463 and after ratification by the electorate of the amendment to the  
464 Mississippi Constitution of 1890 set forth in House Concurrent

465 Resolution No. \_\_\_\_\_, 1999 Regular Session.