

By: McBride

To: Education

HOUSE BILL NO. 737

1 AN ACT TO AMEND SECTION 29-3-41, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT THE LEASING OF HUNTING AND FISHING RIGHTS ON SIXTEENTH
3 SECTION LANDS TO STATE OR FEDERAL GOVERNMENTAL AGENCIES; AND FOR
4 RELATED PURPOSES.

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

6 SECTION 1. Section 29-3-41, Mississippi Code of 1972, is
7 amended as follows:

8 29-3-41. After any parcels of sixteenth section lands have
9 been classified as hereinabove provided, all land which has been
10 classified as forest land and which is not now under lease shall
11 hereafter not be leased. The lands classified as forest lands
12 which may be under a lease that has a fixed date of expiration
13 shall not be re-leased when the lease expires; nor shall the
14 lessee be permitted to cut or remove any timber therefrom except
15 according to the terms of his lease. Such lands shall be reserved
16 and kept as forest lands. However, the mineral rights in all such
17 lands may be leased for oil, gas, or mineral purposes, and the
18 board of education may grant leases to the surface of sixteenth
19 section lands classified as forest, which are limited to hunting
20 and fishing rights and activities in relation thereto, and which
21 shall not extend for a period longer than fifteen (15) years. It
22 shall be the duty of the board of education to lease the hunting

23 and fishing rights at public contract after having advertised same
24 for rent in a newspaper published in the county or, if no
25 newspaper is published in the county, then in a newspaper having a
26 general circulation therein, for two (2) successive weeks, the
27 first being at least ten (10) days prior to the public contract.
28 The hunting and fishing rights shall be leased to the person or
29 entity other than a state or federal governmental agency offering
30 the highest annual rental.

31 However, if the board of education receives an acceptable
32 bid, the most recent holder of the hunting and fishing rights, if
33 it has made an offer, shall have the final right to extend its
34 lease for the term advertised at the annual rental equal to the
35 highest offer received by the board of education.

36 If no bid acceptable to the board of education is received
37 after the advertisement, the board of education * * *, within
38 ninety (90) days, may lease same by private contract for an amount
39 greater than the highest bid previously rejected.

40 If the board of education determines to lease the land by
41 private contract, the most recent holder of the hunting and
42 fishing rights, if it has made an offer, shall have the final
43 right to extend its lease on the same terms and conditions as
44 those contained in the private contract proposed to be accepted by
45 the board of education.

46 SECTION 2. This act shall take effect and be in force from
47 and after July 1, 2000.