HOUSE BILL NO. 76

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

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

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

29-3-41. After any parcels of sixteenth section lands have
been classified as * * * provided in this chapter, all land which
has been classified as forest land and which is not now under
lease shall hereafter not be leased. The lands classified as
forest lands which may be under a lease that has a fixed date of
expiration shall not be re-leased when the lease expires; nor
shall the lessee be permitted to cut or remove any timber
therefrom except according to the terms of his lease. Such lands
shall be reserved and kept as forest lands. However, the mineral
rights in all such lands may be leased for oil, gas, or mineral
purposes, and the board of education may grant leases to the
surface of sixteenth section lands classified as forest, which are
limited to hunting and fishing rights and activities in relation
thereto, and which shall not extend for a period longer than
fifteen (15) years. It shall be the duty of the board of
education to lease the hunting and fishing rights at public
contract after having advertised same for rent in a newspaper
published in the county or, if no newspaper is published in the
county, then in a newspaper having a general circulation therein,
for two (2) successive weeks, the first being at least ten (10)
days prior to the public contract. The hunting and fishing rights
shall be leased to the person or entity other than a state or federal governmental agency offering the highest annual rental. However, if the board of education receives an acceptable bid, the most recent holder of the hunting and fishing rights, if it has made an offer, shall have the final right to extend its lease for the term advertised at the annual rental equal to the highest offer received by the board of education.

If no bid acceptable to the board of education is received after the advertisement, the board of education may lease same by private contract for an amount greater than the highest bid previously rejected.

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

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.