

By: Representative McBride

To: Education; Game and Fish

HOUSE BILL NO. 76

1 AN ACT TO AMEND SECTION 29-3-41, MISSISSIPPI CODE OF 1972, TO  
2 PROHIBIT LOCAL SCHOOL BOARDS FROM LEASING HUNTING AND FISHING  
3 RIGHTS ON SIXTEENTH SECTION LANDS TO STATE OR FEDERAL GOVERNMENTAL  
4 AGENCIES; AND FOR 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 \* \* \* provided in this chapter, all land which  
10 has been classified as forest land and which is not now under  
11 lease shall hereafter not be leased. The lands classified as  
12 forest lands which may be under a lease that has a fixed date of  
13 expiration shall not be re-leased when the lease expires; nor  
14 shall the lessee be permitted to cut or remove any timber  
15 therefrom except according to the terms of his lease. Such lands  
16 shall be reserved and kept as forest lands. However, the mineral  
17 rights in all such lands may be leased for oil, gas, or mineral  
18 purposes, and the board of education may grant leases to the  
19 surface of sixteenth section lands classified as forest, which are  
20 limited to hunting and fishing rights and activities in relation  
21 thereto, and which shall not extend for a period longer than  
22 fifteen (15) years. It shall be the duty of the board of  
23 education to lease the hunting and fishing rights at public  
24 contract after having advertised same for rent in a newspaper  
25 published in the county or, if no newspaper is published in the  
26 county, then in a newspaper having a general circulation therein,  
27 for two (2) successive weeks, the first being at least ten (10)  
28 days prior to the public contract. The hunting and fishing rights



29 shall be leased to the person or entity other than a state or  
30 federal governmental agency offering 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, 2001.

