HOUSE BILL NO. 1155

AN ACT TO AMEND SECTION 49-5-13, MISSISSIPPI CODE OF 1972, TO ALLOW HORSE TRAFFIC IN WILDLIFE MANAGEMENT AREAS EXCEPT DURING LARGE GAME HUNTING SEASONS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-5-13, Mississippi Code of 1972, is amended as follows:

49-5-13. (1) (a) The commission may adopt rules and regulations regulating public hunting and fishing in any wildlife conservation management projects or wildlife conservation hunting and fishing refuges constructed under this chapter, and may prescribe and collect fees for the privilege of hunting and fishing in such projects and shall have general authority to operate such wildlife conservation management areas or refuges.

(b) The commission shall allow equestrian traffic in all areas where persons are allowed to walk in any wildlife management project or refuge except during large game hunting seasons.

(2) The commission may adopt such rules and regulations that may be necessary for the management and control of such wildlife conservation management areas or refuges.

(3) The Department of Finance and Administration may lease any lands other than woodlands owned by the state within wildlife conservation management areas as long as such lands are not within the boundaries of the used portions of such areas and so long as such lands are leased as provided for in subsections (4) and (5) of this section. The rental from any such lease is to be paid to the commission and expended as hereinafter provided.
(4) The commission shall recommend to the Department of Finance and Administration the number of acres of land within wildlife conservation management areas which should be leased to private entities. The Department of Finance and Administration shall have the authority to lease for agricultural purposes that land so recommended for not less than one (1) nor more than five years. The Department of Finance and Administration shall lease the lands for cash rent only. The Department of Finance and Administration shall reserve and exclude from any such lands the hunting rights on the lands at all times after the crops are harvested and until the lands are again planted.

(5) It shall be the duty of the Department of Finance and Administration to lease such lands at public contract upon the submission of two (2) or more sealed bids to the Department of Finance and Administration after having advertised such land for rent in a newspaper of general circulation published in the county in which the land is located, or if no newspaper be published in said county, then in a newspaper having a general circulation therein, for a period of not less than two (2) successive weeks. The first publication shall be made not less than ten (10) days prior to the date of such public contract, and the last publication shall be made not more than seven (7) days prior to such date. The Department of Finance and Administration shall have the authority to reject any and all bids. If all bids on a tract or parcel of land are rejected, the Department of Finance and Administration may then advertise for new bids on that tract or parcel of land. Successful bidders shall take possession of their leaseholds at such time authorized by the Department of Finance and Administration. Provided, however, rent shall be due no later than the day upon which the lessee shall assume possession of the leasehold, and shall be due on the anniversary date for each following year of the lease. The Department of Finance and Administration shall have the rights and remedies for
the security and collection of such rents given by law to landlords. Upon the execution of the leases as authorized by this section, the leased land shall be liable to be taxed as other lands are taxed during the continuance of the lease, but in case of sale thereon for taxes, only the title of the leaseholder or his heirs or assigns shall pass by the sale.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.