HOUSE CONCURRENT RESOLUTION NO. 3

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 211, MISSISSIPPI CONSTITUTION OF 1890, TO AUTHORIZE THE SALE OF SIXTEENTH SECTION LANDS AT A FAIR MARKET VALUE TO CERTAIN RETIRED OR 100% DISABLED VETERANS OF THE UNITED STATES ARMED FORCES; AND FOR RELATED PURPOSES.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI, That the following amendment to the Mississippi Constitution of 1890 is proposed to the qualified electors of the state:

Amend Section 211, Mississippi Constitution of 1890, to read as follows:

"Section 211. (1) The Legislature shall enact such laws as may be necessary to ascertain the true condition of the title to the sixteenth section lands in this state, or lands granted in lieu thereof, in the Choctaw Purchase, and shall provide that the sixteenth section lands reserved for the support of township schools, except as hereinafter provided, shall not be sold nor shall they be leased for a longer term than ten (10) years for lands situated outside municipalities and for lands situated within municipalities for a longer term than ninety-nine (99) years, for a gross sum; provided further, that existing leases of the sixteenth section lands situated in the municipalities of the state may, for a gross sum, be extended for a term of years not exceeding ninety-nine (99) years from the date of such extension, but the Legislature may provide for the lease of sixteenth section lands for a term of years not exceeding twenty-five (25) years for forest and agricultural lands and not exceeding forty (40) years for all other classifications of such lands for a ground rental,
payable annually, and in the case of uncleared lands may lease
them for such short terms as may be deemed proper in consideration
of the improvement thereof, with right thereafter to lease for a
term or to hold on payment of ground rent; provided however, that
land granted in lieu of sixteenth section lands in this state and
situated outside of the county holding or owning same may be sold
and the proceeds from such sale may be invested in a manner to be
prescribed by the Legislature; but provided further, however, that
the Legislature, for industrial development thereon, may authorize
the sale, in whole or in part for a gross sum or otherwise, of
sixteenth section lands, or lands granted in lieu thereof situated
within the county; and the Legislature shall either provide for
the purchase of other lands within the county to be held for the
benefit of the township schools in lieu of the lands sold or shall
provide for the investment of the proceeds of such sale for the
benefit of the township schools, or the Legislature may provide
for both purchase of other lands to be so held and investment of
proceeds for the benefit of the township schools; and the
Legislature, for industrial development thereon, may authorize the
granting of leases on sixteenth section lands, or lands granted in
lieu thereof, in whole or in part, for a gross sum or otherwise,
for terms not to exceed ninety-nine (99) years, and the
Legislature shall provide for the investment of the proceeds of
such leases for the benefit of the township schools. The
Legislature may authorize the lease of not more than three (3)
acres of sixteenth section lands or lands granted in lieu thereof
for a term not exceeding ninety-nine (99) years for a ground
rental, payable annually, to any church, having its principal
place of worship situated on such lands, which has been in
continuous operation at that location for not less than
twenty-five (25) years at the time of the lease.

(2) Notwithstanding any limitation on the terms of leases
provided in subsection (1) of this section, the Legislature may
provide, by general law, for leases on liquid, solid or gaseous minerals with terms coextensive with the operations to produce such minerals.

(3) Notwithstanding any other provisions of this section to the contrary, the Legislature, by general law, may authorize the Secretary of State to sell individual tracts of sixteenth section land, or lands granted in lieu thereof, not exceeding five (5) acres, to any legal resident of the State of Mississippi who is a retired veteran of active duty service in the Armed Forces of the United States or a veteran rated as having one hundred percent (100%) permanent service-connected disability by the Veterans Administration, and who has continuously leased, improved and actually occupied the specific tract of land as his primary residence for no less than ten (10) years. Any sale authorized pursuant to this subsection may be in fee simple or any lesser estate and shall be for a purchase price of not less than the fair market value.

BE IT FURTHER RESOLVED, That this proposed amendment shall be submitted by the Secretary of State to the qualified electors at an election to be held on the first Tuesday after the first Monday of November 2003, as provided by Section 273 of the Constitution and by general law.

BE IT FURTHER RESOLVED, That the explanation of this proposed amendment for the ballot shall read as follows: "This proposed constitutional amendment authorizes the sale of sixteenth section lands, or lands granted in lieu thereof, for a fair market value to a retired or one hundred percent (100%) disabled veteran of the United States Armed Forces after that person has continuously leased and occupied a tract of sixteenth section land, or land granted in lieu thereof, for no less than ten (10) years as his primary residence."