

By: Senator(s) Stogner

To: Education; Constitution

SENATE CONCURRENT RESOLUTION NO. 517

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 211, MISSISSIPPI CONSTITUTION OF 1890, TO AUTHORIZE LOCAL SCHOOL
3 DISTRICTS TO EXCHANGE SIXTEENTH SECTION SCHOOL LAND OR LIEU LAND
4 CLASSIFIED AS "FOREST LAND" FOR OTHER LAND OF EQUAL OR GREATER
5 VALUE, WHEN IN THE OPINION OF THE STATE FORESTRY COMMISSION THE
6 SALE AND EXCHANGE WILL PRODUCE MORE INCOME FOR THE SCHOOL
7 DISTRICT.

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

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

14 Section 211. (1) The Legislature shall enact such laws as
15 may be necessary to ascertain the true condition of the title to
16 the sixteenth section lands in this state, or lands granted in
17 lieu thereof, in the Choctaw Purchase, and shall provide that the
18 sixteenth section lands reserved for the support of township
19 schools, except as hereinafter provided, shall not be sold nor
20 shall they be leased for a longer term than ten (10) years for
21 lands situated outside municipalities and for lands situated
22 within municipalities for a longer term than ninety-nine (99)
23 years, for a gross sum; provided further, that existing leases of
24 the sixteenth section lands situated in the municipalities of the
25 state may, for a gross sum, be extended for a term of years not
26 exceeding ninety-nine (99) years from the date of such extension,
27 but the Legislature may provide for the lease of sixteenth section
28 lands for a term of years not exceeding twenty-five (25) years for
29 forest and agricultural lands and not exceeding forty (40) years



30 for all other classifications of such lands for a ground rental,
31 payable annually, and in the case of uncleared lands may lease
32 them for such short terms as may be deemed proper in consideration
33 of the improvement thereof, with right thereafter to lease for a
34 term or to hold on payment of ground rent; provided, however, that
35 land granted in lieu of sixteenth section lands in this state and
36 situated outside of the county holding or owning same may be sold
37 and the proceeds from such sale may be invested in a manner to be
38 prescribed by the Legislature; but provided further, however, that
39 the Legislature, for industrial development thereon, may authorize
40 the sale, in whole or in part for a gross sum or otherwise, of
41 sixteenth section lands, or lands granted in lieu thereof situated
42 within the county; and the Legislature may authorize the sale of
43 sixteenth sections or lands granted in lieu thereof classified as
44 "forest land" and the purchase of other lands within the county or
45 adjacent thereto of equal or greater value, when the State
46 Forestry Commission determines that such sale and exchange will
47 produce more income for the school district; and the Legislature
48 shall either provide for the purchase of other lands within the
49 county to be held for the benefit of the township schools in lieu
50 of the lands sold or shall provide for the investment of the
51 proceeds of such sale for the benefit of the township schools, or
52 the Legislature may provide for both purchase of other lands to be
53 so held and investment of proceeds for the benefit of the township
54 schools; and the Legislature, for industrial development thereon,
55 may authorize the granting of leases on sixteenth section lands,
56 or lands granted in lieu thereof, in whole or in part, for a gross
57 sum or otherwise, for terms not to exceed ninety-nine (99) years,
58 and the Legislature shall provide for the investment of the
59 proceeds of such leases for the benefit of the township schools.
60 The Legislature may authorize the lease of not more than three (3)
61 acres of sixteenth section lands or lands granted in lieu thereof
62 for a term not exceeding ninety-nine (99) years for a ground



63 rental, payable annually, to any church, having its principal
64 place of worship situated on such lands, which has been in
65 continuous operation at that location for not less than
66 twenty-five (25) years at the time of the lease.

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

72 BE IT FURTHER RESOLVED, That the amendments in this
73 resolution shall be submitted to the qualified electors as one
74 amendment since the proposed amendments pertain to one subject, at
75 an election to be held on the first Tuesday after the first Monday
76 of November 2003, as provided by Section 273 of the Constitution
77 and by law.

78 BE IT FURTHER RESOLVED, That the explanation of the amendment
79 for the ballot shall read as follows: "The purpose of this
80 amendment is to authorize the sale of sixteenth section or lieu
81 land classified as 'forest land' and the exchange of such land for
82 other land of equal or greater value when in the opinion of the
83 State Forestry Commission such sale and exchange will produce more
84 income for the school district."

85 BE IT FURTHER RESOLVED, That the Attorney General of the
86 State of Mississippi shall submit this resolution, immediately
87 upon adoption by the Legislature of the State of Mississippi, to
88 the Attorney General of the United States or to the United States
89 District Court for the District of Columbia in accordance with the
90 provisions of the Voting Rights Act of 1965, as amended and
91 extended.

