

By: Representative Taylor

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 7

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 211, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE
3 LEASEHOLDER OF SIXTEENTH SECTION LAND, OR OF LAND GRANTED IN LIEU
4 THEREOF, WHO OWNS A HOME ON THE LAND, MAY PURCHASE A MAXIMUM OF
5 FIVE ACRES OF THE LAND AT A FAIR MARKET PRICE; AND FOR RELATED
6 PURPOSES.

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

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

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

30 payable annually, and in the case of uncleared lands may lease
31 them for such short terms as may be deemed proper in consideration
32 of the improvement thereof, with right thereafter to lease for a
33 term or to hold on payment of ground rent; provided however, that
34 land granted in lieu of sixteenth section lands in this state and
35 situated outside of the county holding or owning same may be sold
36 and the proceeds from such sale may be invested in a manner to be
37 prescribed by the Legislature; but provided further, however, that
38 the Legislature, for industrial development thereon, may authorize
39 the sale, in whole or in part for a gross sum or otherwise, of
40 sixteenth section lands, or lands granted in lieu thereof situated
41 within the county; and the Legislature shall either provide for
42 the purchase of other lands within the county to be held for the
43 benefit of the township schools in lieu of the lands sold or shall
44 provide for the investment of the proceeds of such sale for the
45 benefit of the township schools, or the Legislature may provide
46 for both purchase of other lands to be so held and investment of
47 proceeds for the benefit of the township schools; and the
48 Legislature, for industrial development thereon, may authorize the
49 granting of leases on sixteenth section lands, or lands granted in
50 lieu thereof, in whole or in part, for a gross sum or otherwise,
51 for terms not to exceed ninety-nine (99) years, and the
52 Legislature shall provide for the investment of the proceeds of
53 such leases for the benefit of the township schools. The
54 Legislature may authorize the lease of not more than three (3)
55 acres of sixteenth section lands or lands granted in lieu thereof
56 for a term not exceeding ninety-nine (99) years for a ground
57 rental, payable annually, to any church, having its principal
58 place of worship situated on such lands, which has been in
59 continuous operation at that location for not less than
60 twenty-five (25) years at the time of the lease.

61 (2) Notwithstanding any limitation on the terms of leases
62 provided in subsection (1) of this section, the Legislature may

63 provide, by general law, for leases on liquid, solid or gaseous
64 minerals with terms coextensive with the operations to produce
65 such minerals.

66 (3) A leaseholder of sixteenth section land, or of land
67 granted in lieu thereof, who owns a home on the land, may purchase
68 a maximum of five (5) acres of the land at a fair market price."

69 BE IT FURTHER RESOLVED, That this proposed amendment shall be
70 submitted by the Secretary of State to the qualified electors at
71 an election to be held on the first Tuesday after the first Monday
72 of November 2004, as provided by Section 273 of the Constitution
73 and by general law.

74 BE IT FURTHER RESOLVED, That the explanation of this proposed
75 amendment for the ballot shall read as follows: "This proposed
76 constitutional amendment provides that a leaseholder of sixteenth
77 section land, or of land granted in lieu thereof, who owns a home
78 on the land, may purchase a maximum of five acres of the land at a
79 fair market price."