

By: Representative Robinson (84th)

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 1356

1 AN ACT TO AMEND SECTION 49-5-13, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO
3 CHARGE FEES FOR USES OF WILDLIFE MANAGEMENT AREAS IN ADDITION TO
4 FEES FOR THE PRIVILEGE OF HUNTING AND FISHING; AND FOR RELATED
5 PURPOSES.

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

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

9 49-5-13. (1) The commission may adopt rules and regulations
10 regulating public hunting and fishing in any wildlife conservation
11 management projects or wildlife conservation hunting and fishing
12 refuges constructed under this chapter, and may prescribe and
13 collect fees for the privilege of hunting, fishing and other uses
14 in such projects and shall have general authority to operate such
15 wildlife conservation management areas or refuges.

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

19 (3) The Department of Finance and Administration may lease
20 any lands other than woodlands owned by the state within wildlife
21 conservation management areas as long as such lands are not within
22 the boundaries of the used portions of such areas and so long as
23 such lands are leased as provided for in subsections (4) and (5)
24 of this section. The rental from any such lease is to be paid to
25 the commission and expended as hereinafter provided.

26 (4) The commission shall recommend to the Department of
27 Finance and Administration the number of acres of land within
28 wildlife conservation management areas which should be leased to

29 private entities. The Department of Finance and Administration
30 shall have the authority to lease for agricultural purposes that
31 land so recommended for not less than one (1) nor more than five
32 (5) years. The Department of Finance and Administration shall
33 lease the lands for cash rent only. The Department of Finance and
34 Administration shall reserve and exclude from any such lands the
35 hunting rights on the lands at all times after the crops are
36 harvested and until the lands are again planted.

37 (5) It shall be the duty of the Department of Finance and
38 Administration to lease such lands at public contract upon the
39 submission of two (2) or more sealed bids to the Department of
40 Finance and Administration after having advertised such land for
41 rent in a newspaper of general circulation published in the county
42 in which the land is located, or if no newspaper be published in
43 said county, then in a newspaper having a general circulation
44 therein, for a period of not less than two (2) successive weeks.
45 The first publication shall be made not less than ten (10) days
46 prior to the date of such public contract, and the last
47 publication shall be made not more than seven (7) days prior to
48 such date. The Department of Finance and Administration shall
49 have the authority to reject any and all bids. If all bids on a
50 tract or parcel of land are rejected, the Department of Finance
51 and Administration may then advertise for new bids on that tract
52 or parcel of land. Successful bidders shall take possession of
53 their leaseholds at such time authorized by the Department of
54 Finance and Administration. Provided, however, rent shall be due
55 no later than the day upon which the lessee shall assume
56 possession of the leasehold, and shall be due on the anniversary
57 date for each following year of the lease. The Department of
58 Finance and Administration shall have the rights and remedies for
59 the security and collection of such rents given by law to
60 landlords. Upon the execution of the leases as authorized by this
61 section, the leased land shall be liable to be taxed as other

62 lands are taxed during the continuance of the lease, but in case
63 of sale thereon for taxes, only the title of the leaseholder or
64 his heirs or assigns shall pass by the sale.

65 **SECTION 2.** This act shall take effect and be in force from
66 and after July 1, 2005.