

By: Representative Eaton

To: Constitution

## HOUSE CONCURRENT RESOLUTION NO. 57

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 211, MISSISSIPPI CONSTITUTION OF 1890, TO AUTHORIZE THE SALE OF  
3 TRACTS OF SIXTEENTH SECTION LANDS, OR LANDS GRANTED IN LIEU  
4 THEREOF, NOT EXCEEDING THREE ACRES, AT A FAIR MARKET VALUE TO A  
5 LEASEHOLDER OF SIXTEENTH SECTION LAND, OR OF LANDS GRANTED IN LIEU  
6 THEREOF, WHO OWNS A HOME ON THE LAND WHICH HE OR SHE OCCUPIES AS A  
7 PERMANENT RESIDENCE; AND FOR RELATED PURPOSES.

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 shall either provide for  
43 the purchase of other lands within the county to be held for the  
44 benefit of the township schools in lieu of the lands sold or shall  
45 provide for the investment of the proceeds of such sale for the  
46 benefit of the township schools, or the Legislature may provide  
47 for both purchase of other lands to be so held and investment of  
48 proceeds for the benefit of the township schools; and the  
49 Legislature, for industrial development thereon, may authorize the  
50 granting of leases on sixteenth section lands, or lands granted in  
51 lieu thereof, in whole or in part, for a gross sum or otherwise,  
52 for terms not to exceed ninety-nine (99) years, and the  
53 Legislature shall provide for the investment of the proceeds of  
54 such leases for the benefit of the township schools. The  
55 Legislature may authorize the lease of not more than three (3)  
56 acres of sixteenth section lands or lands granted in lieu thereof  
57 for a term not exceeding ninety-nine (99) years for a ground  
58 rental, payable annually, to any church, having its principal  
59 place of worship situated on such lands, which has been in  
60 continuous operation at that location for not less than  
61 twenty-five (25) years at the time of the lease.

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

66 such minerals.

67 (3) Notwithstanding any other provisions of this section to  
68 the contrary, the Legislature, by general law, may authorize the  
69 Secretary of State to sell individual tracts of sixteenth section  
70 lands, or lands granted in lieu thereof, not exceeding three (3)  
71 acres, to a leaseholder of sixteenth section land, or of land  
72 granted in lieu thereof, who owns a home on the land which he or  
73 she occupies as permanent residence. Any sale authorized pursuant  
74 to this subsection may be in fee simple or any lesser estate and  
75 shall be for a purchase price of not less than the fair market  
76 value."

77 BE IT FURTHER RESOLVED, That this proposed amendment shall be  
78 submitted by the Secretary of State to the qualified electors at  
79 an election to be held on the first Tuesday after the first Monday  
80 of November 1999, as provided by Section 273 of the Constitution  
81 and by general law.

82 BE IT FURTHER RESOLVED, That the explanation of this proposed  
83 amendment for the ballot shall read as follows: "This proposed  
84 constitutional amendment authorizes the sale of sixteenth section  
85 lands, or lands granted in lieu thereof, for a fair market value  
86 to a leaseholder of sixteenth section land, or of land granted in  
87 lieu thereof, who owns a home on the land which he or she occupies  
88 as a permanent residence."