

By: Representatives Parker, Pierce, Hamilton
(109th), Robinson (84th), Green

To: Wildlife, Fisheries and
Parks; Ways and Means

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1355

1 AN ACT TO AUTHORIZE THE MISSISSIPPI COMMISSION ON WILDLIFE,
2 FISHERIES AND PARKS TO EXECUTE A SIXTEENTH SECTION PUBLIC SCHOOL
3 TRUST LANDS RECREATIONAL LEASE WITH THE GEORGE COUNTY BOARD OF
4 EDUCATION FOR THE PURPOSE OF ACQUIRING PROPERTY UPON WHICH SHALL
5 BE CONSTRUCTED A STATE LAKE AND SUCH OTHER FACILITIES AS PROVIDED
6 FOR UNDER THE LAWS AMENDED BY THIS ACT; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** The following provisions shall apply to the lake
9 described in subsection (1)(b)(vi) of Section 2 of Chapter 464,
10 Laws of 1999, as amended by Chapter 386, Laws of 2000, to be
11 constructed in George County, Mississippi:

12 (a) Upon successful completion of all state and federal
13 permits and before the bidding of any construction contract, the
14 Mississippi Commission on Wildlife, Fisheries and Parks may
15 execute a sixteenth section public school trust lands recreational
16 lease with the George County Board of Education for the lake and
17 all necessary surrounding land. The terms and conditions of the
18 lease shall be negotiated by the Mississippi Commission on
19 Wildlife, Fisheries and Parks, the George County Board of
20 Education and the Secretary of State, pursuant to Section 29-3-1
21 et seq. The commission shall be responsible for payment of all
22 rents, fees and assessments to the George County Board of
23 Education for the lake. The term of any lease shall begin on the
24 start of a new state fiscal year.

25 (b) If for any reason, the commission defaults in the
26 payment of annual rental payments under the sixteenth section
27 public school trust land lease for the lake, the Legislature shall
28 appropriate and pay over to the George County School District an
29 amount equal to all sums due for rent, interest and penalties due

30 under said lease. The Legislature shall offset the amount of such
31 appropriated rent by deducting a like amount from any other state
32 funds due or to become due to George County.

33 (c) If the Mississippi Commission on Wildlife,
34 Fisheries and Parks or the Legislature fails to make the required
35 annual payments, then the default shall be deemed a commission of
36 waste, and the George County Board of Education shall have all
37 rights pursuant to Section 29-3-85, and any other applicable
38 statutes, to restore the sixteenth section land to timber
39 production or other use pursuant to Section 29-3-33. The rights
40 pursuant to Section 29-3-85 shall be effective upon proof that the
41 Legislature has failed to provide for the required annual payments
42 at the next regular session of the Legislature convening
43 immediately following the default by the Mississippi Commission on
44 Wildlife, Fisheries and Parks.

45 **SECTION 2.** This act shall take effect and be in force from
46 and after its passage.