

ENGROSSED HOUSE  
BILL NO. 2954

By: Leist

An Act relating to school lands; amending 64 O.S. 1991, Sections 1.1, 95, 181 and 183, which relate to the Commissioners of the Land Office and the classifications of lands; modifying obsolete reference to certain institution; updating language; deleting out-of-date language; authorizing additional locations for sale of certain property; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 64 O.S. 1991, Section 1.1, is amended to read as follows:

Section 1.1 In order that the state school lands may be administered in a manner to assure their preservation as well as the appreciation of the trust estate and the maximum return from the use of state school lands for the support and maintenance of the common schools of the state, the Commissioners of the Land Office, as trustees of the state school lands, are hereby authorized and empowered to:

1. ~~To categorize~~ Categorize the state school lands as agricultural or commercial according to the use which the Commissioners of the Land Office determine from time to time to be most beneficial to the interest of the present and future beneficiaries of the state. In making such a determination, the

Commissioners of the Land Office may take into account the potential of such lands in creating job opportunities through development as economic development parks as set forth in Section 11 of this title;

2. ~~To sell~~ Sell, at public auction after appraisement, the surface interest in any state school land categorized by the Commissioners of the Land Office to be excess; and

3. ~~To institute~~ Institute projects to develop and improve those state school lands which are categorized as commercial lands.

Provided however, no funds under the control or jurisdiction of the Commissioners shall be spent on such projects unless approved by the Legislature.

SECTION 2. AMENDATORY 64 O.S. 1991, Section 95, is amended to read as follows:

Section 95. A. 1. All sales of real property so had, under the provisions of this ~~act~~ section shall be made pursuant to notice by publication in a newspaper of general circulation in the county wherein the land lies, ~~such.~~ The notice shall be published in three successive issues immediately before the date of such sale, ~~which.~~ The notice shall contain the legal description of each tract to be offered for sale, and the appraised value thereof, and shall advertise that ~~same~~ the property will be sold at auction to the highest and best bidder at the front door of the courthouse, ~~provided, however, that no,~~ or at any location in the county where the property is situated as determined by the Commissioners of the Land Office.

2. No tract ~~may~~ shall be sold for less than ninety percent (90%) of the appraised value, at a date and time fixed therein.

3. The purchaser at such sale shall be required to make a down payment of not less than ten percent (10%) of the total purchase price bid, ~~provided, further, that such purchaser must~~ and agree personally to farm and till the soil of the farm purchased under

this ~~act~~ section for not less than five (5) years following the issuance of the certificate of purchase.

~~(a)~~ B. All such notices and sales of land shall be conducted on geographical basis of counties.

SECTION 3. AMENDATORY 64 O.S. 1991, Section 181, is amended to read as follows:

Section 181. A. The Commissioners of the Land Office shall dispose of, sell and convey, subject to the limitations, exceptions, conditions, rules, ~~regulations~~ and instructions, provided by law, all the school and public lands of this state specified in subsection B of this section except ~~where same~~ when such land is embraced in any reservation specifically reserved from sale for any special purpose, all the following enumerated and described school and public lands of this state. Pursuant to this subsection, the Commissioners shall dispose of, sell and convey:

1. All lands owned by this state, reserved, granted, and taken in lieu of sections numbered sixteen, thirty-six, thirteen and thirty-three and known as indemnity lands: Provided, that when such lands or any part thereof are sold and conveyed, the proceeds derived therefrom shall be prorated among the several funds as their interest may appear, and used as provided by law; ~~also all~~

2. All lands embraced in sections numbered thirty-three in that part of the state formerly known as Oklahoma Territory, and granted to the state for charitable and penal institutions and public buildings: ~~Provided, further, that all;~~

3. All the money derived from the sale of any or all of said lands, shall be apportioned and disposed of as may be provided by law; ~~also all~~

4. All lands granted to this state by the United States under and by virtue of Section 12 of the Enabling Act for ~~the following purposes, namely: for~~

- a. the benefit of the Oklahoma University, two hundred fifty thousand (250,000) acres;~~for,~~
- b. the benefit of the Agricultural and Mechanical College, two hundred fifty thousand (250,000) acres;~~for,~~
- c. the benefit of the University Preparatory School, one hundred fifty thousand (150,000) acres;~~for,~~
- d. the benefit of ~~the Colored Agricultural and Normal~~ Langston University, one hundred thousand (100,000) acres;~~for,~~ and
- e. the benefit of the normal schools now established or hereafter to be established, three hundred thousand (300,000) acres: Provided, that all money derived from the sale of any of said lands shall be invested for the state in trust, and interest thereon shall be used exclusively and as above apportioned in the support and maintenance of said schools;~~Provided,~~ further, that if.

B. If any tract, part or parcel of any of the land enumerated and described in this section, was or shall be returned to the Commissioners of the Land Office by a board of appraisers thereof, including those tracts of land embraced in sections numbered thirteen, sixteen and thirty-six, and otherwise herein reserved from sale, that are now platted and occupied and leased directly from the State of Oklahoma for townsite purposes, as being more valuable for townsite than for agricultural purposes, then such tract, part or parcel of such land shall be by said Commissioners of the Land Office reserved from sale and disposed of under the terms of this article: ~~Provided, further, that where any part of any of the above enumerated and described lands are known to be valuable for mineral, including gas or oil, such part of said lands shall not be sold prior to January 1, 1915~~ title.

SECTION 4. AMENDATORY 64 O.S. 1991, Section 183, is amended to read as follows:

Section 183. A. No person shall be permitted to purchase more than one-quarter (1/4) section of land under the provisions of this ~~article title~~, except as provided by the terms of the Enabling Act: ~~Provided, however, that the land.~~ Land granted to the state under and by virtue of Section 12~~7~~ of the Enabling Act, commonly called "new college lands" shall be classified by the Commissioners of the Land Office from the appraisal heretofore made as agricultural and grazing lands. ~~All of said land~~

B. Land which has of its surface twelve and one-half percent (12 1/2%) or more and less than thirty-seven and one-half percent (37 1/2%) that is tillable, productive and suitable for farming purposes, shall be classified as Class A, and said class of grazing lands shall be sold in tracts not to exceed one section; and all land having less than twelve and one-half percent (12 1/2%) of its surface that is tillable, productive and suitable for farming purposes, or that is rough, mountainous or barren, shall be classified as Class B, and sold in tracts not to exceed two (2) sections, if in the opinion of the Commissioners of the Land Office it is deemed best and proper.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 4th day of March, 1996.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1996.

President of the Senate