

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 HOUSE JOINT  
6 RESOLUTION NO. 1079

By: McPeak

7  
8 COMMITTEE SUBSTITUTE

9 A Joint Resolution directing the Secretary of State  
10 to refer to the people for their approval or  
11 rejection a proposed amendment to Section 5 of  
12 Article XI of the Constitution of the State of  
13 Oklahoma; modifying the distribution of the proceeds  
14 of section thirteen and indemnity lands; providing  
15 for distribution of certain amount of proceeds to  
16 community colleges; limiting distributions; updating  
17 language; providing ballot title; and directing  
18 filing.

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21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
22 2ND SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

23 SECTION 1. The Secretary of State shall refer to the people for  
24 their approval or rejection, as and in the manner provided by law,  
the following proposed amendment to Section 5 of Article XI of the  
Constitution of the State of Oklahoma to read as follows:

Section 5. A. Section thirteen in every portion of the State,  
which has been granted to the State, shall be preserved for the use  
and benefit of the University of Oklahoma ~~and~~, the University

1 Preparatory School, ~~one-third;~~ of the normal schools ~~now~~  
2 ~~established, or hereafter to be established, one-third; and of,~~ the  
3 Agricultural and Mechanical College ~~and,~~ the Colored Agricultural  
4 and Normal University, ~~one-third~~ and the community colleges, and  
5 shall be divided and distributed as follows:

6 1. One-third to the University of Oklahoma and Northern  
7 Oklahoma College;

8 2. One-third to the Oklahoma State University and Langston  
9 University; and

10 3. One-third to the University of Central Oklahoma, East  
11 Central University, Northeastern State University, Northwestern  
12 Oklahoma State University, Southeastern Oklahoma State University,  
13 Southwestern Oklahoma State University, Oklahoma Panhandle State  
14 University, University of Science and Arts of Oklahoma, Cameron  
15 University, and any other similar state colleges that may be  
16 established.

17 B. Any new proceeds generated from the lands granted pursuant  
18 to this section which are over and above the amount of proceeds  
19 generated prior to the effective date of this amendment shall be  
20 distributed to Carl Albert State College, Connors State College,  
21 Eastern Oklahoma State College, Murray State College, Northeastern  
22 Oklahoma A&M College, Oklahoma City Community College, Oklahoma  
23 State University Institute of Technology, Oklahoma State University  
24 - Oklahoma City, Redlands Community College, Rose State College,

1 Seminole State College, Tulsa Community College, Western Oklahoma  
2 State College, and any other similar community colleges that may be  
3 established. Provided the total amount distributed pursuant to this  
4 subsection shall not exceed the amount distributed to institutions  
5 listed in paragraph 3 of subsection A of this section.

6 C. The ~~said~~ lands or the proceeds ~~thereof~~ from the lands as  
7 above apportioned to be divided between the institutions as the  
8 Legislature may prescribe: ~~Provided, That the said.~~ The lands so  
9 reserved, or the proceeds of the sale ~~thereof~~ of the lands, or of  
10 any indemnity lands granted in lieu of section thirteen shall be  
11 safely kept or invested and preserved by the State as a trust, which  
12 shall never be diminished, but may be added to, and the income  
13 thereof, interest, rentals, or otherwise, only shall be used  
14 exclusively for the benefit of ~~said~~ the educational institutions.

15 ~~Such~~ D. The educational institutions shall remain under the  
16 exclusive control of the State and no part of the proceeds arising  
17 from the sale or disposal of any lands granted for educational  
18 purposes, or the income or rentals ~~thereof~~ from the lands, shall be  
19 used for the support of any religious or sectarian school, college,  
20 or university, and no portion of the funds arising from the sale of  
21 sections thirteen or any indemnity lands selected in lieu thereof,  
22 either principal or interest, shall ever be diverted, either  
23 temporarily or permanently, from the purpose for which ~~said~~ the  
24 lands were granted to the State.

1 SECTION 2. The Ballot Title for the proposed Constitutional  
2 amendment as set forth in SECTION 1 of this resolution shall be in  
3 the following form:

4 BALLOT TITLE

5 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the Oklahoma Constitution. It amends  
8 Section 5 of Article 11. It changes how Section 13 funds are  
9 divided. It provides for distribution to community colleges.  
10 The funds are to be divided between certain universities and  
11 colleges. The amount of funds is limited.

12 SHALL THE PROPOSAL BE APPROVED?

13 FOR THE PROPOSAL - YES \_\_\_\_\_

14 AGAINST THE PROPOSAL - NO \_\_\_\_\_

15 SECTION 3. The Chief Clerk of the House of Representatives,  
16 immediately after the passage of this resolution, shall prepare and  
17 file one copy thereof, including the Ballot Title set forth in  
18 SECTION 2 hereof, with the Secretary of State and one copy with the  
19 Attorney General.

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21 53-2-9308 LRB 02/08/12

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