

ENROLLED HOUSE JOINT RESOLUTION NUMBER 1050
ENACTED BY THE SECOND REGULAR SESSION OF THE
41ST LEGISLATURE OF THE STATE OF OKLAHOMA
NUMBERED BY THE SECRETARY OF STATE

LEGISLATIVE REFERENDUM NUMBER 274

STATE QUESTION NUMBER 617

RECEIVED: June 30, 1988

Resolution

ENROLLED HOUSE
JOINT
RESOLUTION NO. 1050

BY: GLOVER and WILLIAMS
(Penny) of the HOUSE

and

GILES of the SENATE

A JOINT RESOLUTION DIRECTING THE SECRETARY OF STATE TO REFER TO THE PEOPLE FOR THEIR APPROVAL OR REJECTION A PROPOSED AMENDMENT TO THE OKLAHOMA CONSTITUTION BY ADDING A NEW SECTION TO ARTICLE XI TO BE DESIGNATED AS SECTION 7; AUTHORIZING THE COMMISSIONERS OF THE LAND OFFICE TO GRANT CERTAIN COMMERCIAL AND AGRICULTURAL LEASES IN TRUST PROPERTY; LIMITING CERTAIN LEASES; SPECIFYING CONDITIONS OF SUCH LEASES; PROVIDING FOR PUBLIC BIDDING AT NOT LESS THAN FAIR MARKET VALUE; MAKING CERTAIN LEASES VOID; PROVIDING FOR REVERSION OF CERTAIN IMPROVEMENTS; REQUIRING THE LEGISLATURE TO ENACT CERTAIN LAWS; PROVIDING BALLOT TITLE; DIRECTING FILING; AND ORDERING A SPECIAL ELECTION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 41ST OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article XI of the Constitution of the State of Oklahoma by adding a new Section 7 to read as follows:

Section 7. The Commissioners of the Land Office are authorized to grant commercial leases and agricultural leases in trust property.

Commercial leases shall not exceed fifty-five (55) years. The granting of any commercial lease in excess of three (3) years shall be by public bidding at not less than fair market value. All commercial leases shall provide for fair market value throughout the term of the lease.

Agricultural leases of trust property shall be limited to a maximum of five (5) years and shall be by public bidding at not less than fair market value.

The granting of any interest in trust property at less than fair market value or not in compliance with this section is void.

Any permanent improvement made on commercial trust property from and after the passage of this amendment shall revert to the trust at the end of the lease.

The Legislature shall enact the laws necessary to implement the provisions of this section and to foster the fair and equitable administration of trust property.

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

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would add a new section to Article XI of the Oklahoma Constitution. It would allow the Commissioners of the Land Office to grant commercial and agricultural leases in trust land. The granting of any interest in trust land at less than fair market value would be void. The granting of any interest in trust land which is not in compliance with this section would be void. Any commercial lease for longer than three years must be done by public bidding. All agricultural leases must be done by public bidding. Commercial leases are limited to not more than fifty-five years. Agricultural leases are limited to not more than five years. Permanent improvements on leased land remain with the trust at the end of the lease. The Legislature must enact laws to ensure that the trust land is managed in a fair and equitable manner.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

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

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide primary election at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

Passed the House of Representatives the 28th day of June, 1988.

L. Albert
Speaker PRO TEMPORE of the House of
Representatives

Passed the Senate the 28th day of June, 1988.

ACTING Neil R. Zell
President of the Senate

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 30th
day of June, 1988,
at 9:35, o'clock A M.

By: Bruce T. Fisher