

LEGISLATIVE BILL 145

Approved by the Governor April 21, 1973

Introduced by R. Lewis, 38

AN ACT to amend sections 72-257 and 72-258.01, Reissue Revised Statutes of Nebraska, 1943, relating to school lands; to make sales permissive rather than mandatory; to change provisions respecting contiguous tracts; to provide for priorities; to provide for variable length leases; to provide for plats and dedications; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 72-257, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-257. All lands, now owned or hereafter acquired by the state for educational purposes, shall ~~may~~ be sold at the expiration of the present leases. The Board of Educational Lands and Funds shall retain all mineral rights in the land sold. Prior to such sale, the land shall be appraised for sale purposes in the same manner as privately-owned land by a representative appointed by the Board of Educational Lands and Funds, and thereafter shall be sold at public sale at not less than the appraised value; provided, that when two or more contiguous tracts ~~within-a-section~~ are under separate leases with different expiration dates the board may, if it is deemed to be in the best interest of the state, defer the sale of any tract ~~of-one-hundred-sixty-acres-or-less~~ having an earlier lease expiration date, and may offer the tract for lease for less than twelve years to coincide with the expiring lease of the contiguous tract, in order that the contiguous lands ~~within-a-section~~ may eventually be offered for sale on the same date.

Sec. 2. The Board of Educational Lands and Funds shall review and set priorities for the sale of lands covered by leases expiring each year, giving the highest priority to those lands which it determines, considering all relevant factors, can be sold to the best advantage. Any leaseholder or other interested party may request that the land covered by any expiring lease be offered for sale, and the board shall give consideration to such request in deciding whether to offer such land for sale.

Sec. 3. That section 72-258.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-258.01. If such land should not be sold according to provisions of sections 72-208, 72-257, and 72-258, and section 2 of this act, then it shall be offered for lease as the Board of Educational Lands and Funds shall provide for a period of six--years not less than three years nor more than eight years as the board, in its discretion, shall determine. No such leased land shall be subsequently offered for sale until the expiration of such lease.

Sec. 4. Whenever the Board of Educational Lands and Funds determines, considering all relevant factors, that it would be in the best interests of the educational trust to do so, it may subdivide and plat any tract prior to offering it for sale. Such plats shall be prepared as prescribed in section 72-259.02 and shall be filed in the office of the register of deeds and such filing shall constitute a dedication of the streets and alleys shown therein so long as the same are used for such purposes.

Sec. 5. That original sections 72-257 and 72-258.01, Reissue Revised Statutes of Nebraska, 1943, are repealed.