Public Law 105–296
105th Congress

An Act

Oct. 27, 1998
[H.R. 4166]

To amend the Idaho Admission Act regarding the sale or lease of school land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SALE, LEASE, OR EXCHANGE OF IDAHO SCHOOL LAND.

The Act of July 3, 1890 (commonly known as the "Idaho Admission Act") (26 Stat. 215, chapter 656), is amended by striking section 5 and inserting the following:

"SEC. 5. SALE, LEASE, OR EXCHANGE OF SCHOOL LAND.

"(a) SALE.—

"(1) IN GENERAL.—Except as provided in subsection (c), all land granted under this Act for educational purposes shall be sold only at public sale.

"(2) USE OF PROCEEDS.—

"(A) IN GENERAL.—Proceeds of the sale of school land—

"(i) except as provided in clause (ii), shall be deposited in the public school permanent endowment fund and expended only for the support of public schools; and

"(ii)(I) may be deposited in a land bank fund to be used to acquire, in accordance with State law, other land in the State for the benefit of the beneficiaries of the public school permanent endowment fund; or

"(II) if the proceeds are not used to acquire other land in the State within a period specified by State law, shall be transferred to the public school permanent endowment fund.

"(B) EARNINGS RESERVE FUND.—Earnings on amounts in the public school permanent endowment fund shall be deposited in an earnings reserve fund to be used for the support of public schools of the State in accordance with State law.

"(b) LEASE.—Land granted under this Act for educational purposes may be leased in accordance with State law.

"(c) EXCHANGE.—

"(1) IN GENERAL.—Land granted for educational purposes under this Act may be exchanged for other public or private land.

"(2) VALUATION.—The values of exchanged lands shall be approximately equal, or, if the values are not approximately equal, the values shall be equalized by the payment of funds by the appropriate party.

"(3) EXCHANGES WITH THE UNITED STATES.—

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"(A) IN GENERAL.—A land exchange with the United States shall be limited to Federal land within the State that is subject to exchange under the law governing the administration of the Federal land.

"(B) PREVIOUS EXCHANGES.—All land exchanges made with the United States before the date of the enactment of this paragraph are approved.

"(d) RESERVATION FOR SCHOOL PURPOSES.—Land granted for educational purposes, whether surveyed or unsurveyed, shall not be subject to preemption, homestead entry, or any other form of entry under the land laws of the United States, but shall be reserved for school purposes only.".

Approved October 27, 1998.

LEGISLATIVE HISTORY—H.R. 4166:

HOUSE REPORTS: No. 105–705 (Comm. on Resources).
SENATE REPORTS: No. 105–393 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 144 (1998):
Sept. 15, considered and passed House.
Oct. 7, considered and passed Senate.

59–194 O – 98 – 3 : QL 3 Part 5