

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

664B0098

SENATE BILL NO. 7

Introduced by: The Committee on State Affairs at the request of the Commissioner of School and Public Lands

1 FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to the sale of small
2 tracts of public land.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 5-9-34 be amended to read as follows:

5 5-9-34. Whenever a civil, state, religious, or public organization ~~shall make~~ makes an
6 application for the purchase of any common school or endowment land to be used for public
7 purposes, not exceeding ~~ten~~ six hundred forty acres ~~in a square form, located on a section line~~
8 ~~or on a regularly established highway at one corner of a legal subdivision, and, however, when~~
9 ~~a civil or public organization in cooperation with the department of transportation shall make an~~
10 ~~application for the purchase of land without restriction as to area or shape to be used as a landing~~
11 ~~field and provided that such land applied for shall be adjacent to a regularly established highway,~~
12 ~~or section line, and~~ files a plat and a statement of the purpose for which the land is to be used;
13 ~~shall have been filed~~ in the Office of the Commissioner of School and Public Lands, the
14 commissioner ~~is authorized to direct an appraisal of such tract, and the same may be~~
15 ~~appraised~~ may appraise the tract in the manner provided by law for the appraisal of school

1 and public lands. ~~The provisions of this section and § 5-9-35 shall include and apply to the~~
2 ~~acquisition of an easement for the unrestricted passage of aircraft in the air space over state~~
3 ~~lands.~~

4 Section 2. That § 5-9-35 be amended to read as follows:

5 5-9-35. Upon the payment of the full amount of the appraised price of such tract, a
6 conveyance ~~shall~~ may be executed by the Governor, attested by the commissioner of school and
7 public lands, with the seal affixed, conditioned that should such lands cease to be used for two
8 successive years for the purpose ~~given~~ stated in the application, the title shall revert to the state.