

COMPARISON OF ENABLING ACTS						
STATE	YEAR	NAME OF DOCUMENT	GRANTED BY CONGRESS	PERM FUND	STATE RIGHTS RELINQUISHED	NOTES
ALASKA	1915	Act of Mar 4, 1915				
	1920	Act of Feb 25, 1920				
	1978	AK Legislature				Redesignated all trust lands as general grant lands--resulted in litigation by beneficiaries.
	1980	ANILCA, Sec 906(b)				75,003 acres granted for schools
ARIZONA	1864	Organic Act	Secs. 16 and 36			Later modified by the Enabling Act that granted 4 sections per township.
	1910	Enabling Act	Secs. 2,16,32,36			Section 24 "for the support of common schools"
			5% of fed land sales			Sec. 27 to be used as "permanent inviolable fund" with interest going to support common schools only
					rights to federal lands	Section 20
					right to tax federal land	Section 20
					right to change Constitution	Section 20-parts relative to Enabling Act may only be changed with consent of Congress
				public schools		Section 20 Fourth, State to establish and maintain a system of public schools for all children conducted in English
CALIFORNIA	1826	An Act to Appropriate Lands for the Support of Schools in certain Townships and Fractional Townships, not provided for [ch 83, 4 Stat 179]				This act granted lands for the support of schools several decades prior to statehood. It passed Congress May 20, 1826
	1853	An Act to Provide for the Survey of the Public Lands in California, the Granting of Preemption Rights therein, and for Other Purposes"	Secs. 16 and 36			Section 6 provides that all lands shall be subject to the preemption laws "with the exception of sections sixteen and thirty-six, which shall be and hereby are granted to the State for the purposes of public schools in each township," and other exceptions
				yes		The 1849 CA Constitution, Sec 2, Art. IX provided "the proceeds of all lands that may be granted by the United States to this State for the support of schools, which may be sold and disposed of ...shall be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, and such other means as the Legislature may provide, shall be inviolably appropriated to the support of the common schools, throughout the State." [Renumbered as Art IX, sec 4. Repealed 1964.]

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COLORADO	1875	Enabling Act	Secs. 16 and 36			Section 7 "for the support of common schools"
			5% fed agricultural lands			Section 12 "for the purpose of making such internal improvements within said state as the legislature ...may direct"
				yes		Section 14 "the proceeds to constitute a permanent school fund, the interest of which to be expended in the support of common schools."
IDAHO	1863	Admissions Bill	Secs. 16 and 36			Section 4 "for the support of common schools"
				yes		Section 5(a)(2)(A)(ii) "Proceeds of the sale of school land... shall be deposited in the public school permanent endowment fund and expended only for the support of public schools..."
MONTANA	1889	Enabling Act	Secs. 16 and 36			Section 10 "for the support of common schools"
			5% fed land sales			Section 13 "to be used as a permanent fund, the interest of which only shall be expended for the support of common schools within said States, respectively."
					rights to federal lands	Section 4, Second
					right to tax federal land	Section 4, Second
				yes		Section 11 "the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools." The May 7, 1932 amendment to Section 11 reads: "the proceeds from the sale and other permanent disposition of any of the said lands and from every part thereof, shall constitute permanent funds for the support and maintenance of the public schools...Rentals on leased lands, interest on deferred payments on lands sold, interest on funds arising from these lands, and all other actual income, shall be available for the maintenance and support of such schools and institutions, Any State may, however, in its discretion, add a portion of the annual income to the permanent funds."
			public schools			Section 4, Fourth State to establish and maintain system of public schools open to all children
MINNESOTA	1857	The Enabling Act for a State of Minnesota	Secs. 16 and 36			Section 5: "for the use of schools"
			in-lieu lands			Section 5: "Where either of said sections, or any part thereof, has been sold or otherwise been disposed of, other lands, equivalent thereto ..."
			72 sections for a			Section 5: "for the use and support of a state university"
			5% fed land sales			Section 5: "for the purpose of making public roads and internal improvements as the legislature shall direct"
					Rights to federal land disposal	
			rights to tax federal lands		Section 5: "No tax shall be imposed on lands belonging to the United States "	

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MISSISSIPPI	1787	Origin, Organization, Limits, and Political and Civil Progress of Mississippi as a Territory and a State	Section 16			This act granted Mississippi all rights outlined in the Northwest Ordinance--which, in turn, granted equal footing for all incoming territories. Section 16 for the use of common schools was assured to new territories through the Land Ordinance of 1785. Thereby, this statehood document grants all school lands Mississippi is entitled to. § 6. "Benefits of Ordinance of July 3, 1787. From and after the establishment of the aforesaid government, the people of the aforesaid Territory, shall be entitled to and enjoy, all and singular, the rights, privileges, and advantages granted to the people of the Territory of the United States north-west of the river Ohio, in and by the aforesaid ordinance of the thirteenth day of July, in the year one thousand seven hundred and eighty-seven, in as full and ample a manner as the same are possessed and enjoyed by the people of the said last mentioned Territory."
NEBRASKA	1864	Enabling Act	Secs. 16 and 36			Section 7 "for the support of common schools"
			5% fed land sales			Section 12 "for the support of the common schools"
					rights to federal lands	Section 4, Third
					right to tax federal land	Section 4, Third
NEW MEXICO	1848	Ferguson Act	Secs. 16 and 36			Section 1 "for the support of common schools"
			5% fed land sales	yes		Section 4 "to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools"
	1910	Enabling Act	Secs. 2,16,32,36			Section 6 "for the support of common schools"
			5% fed land sales			Sec. 9 to be used as "permanent inviolable fund" with interest going to support common schools only
					rights to federal lands	Section 2 B.
					right to tax federal land	Section 2 B.
			public schools			Section 2 D. State to establish and maintain a system of public schools for all children conducted in English
NEVADA	1864	Enabling Act	Secs. 16 and 36			Section 7 "for the support of common schools"
				yes		Provided for by State constitution

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<b>NORTH DAKOTA</b>	1889	Enabling Act	Secs. 16 and 36			Section 10 "for the support of common schools"
			5% fed land sales			Section 13 "to be used as a permanent fund, the interest of which only shall be expended for the support of common schools within said States, respectively."
					rights to federal lands	Section 4, Second
					right to tax federal land	Section 4, Second
				yes		Section 11 "the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools." The May 7, 1932 amendment to Section 11 reads: "the proceeds from the sale and other permanent disposition of any of the said lands and from every part thereof, shall constitute permanent funds for the support and maintenance of the public schools...Rentals on leased lands, interest on deferred payments on lands sold, interest on funds arising from these lands, and all other actual income, shall be available for the maintenance and support of such schools and institutions, Any State may, however, in its discretion, add a portion of the annual income to the permanent funds."
			public schools			Section 4, Fourth State to establish and maintain system of public schools open to all children
<b>OKLAHOMA</b>		Enabling Act	Secs. 16 and 36			Section 7 "for the use and benefit of the common schools" except \$5 million in lieu of school lands in Indian Territory
				yes		Section 9 "the proceeds to constitute a permanent school fund the interest of which only shall be expended in the support of such schools."
<b>OREGON</b>	1859	Admission Act	Secs. 16 and 36			Section 4 "for the use of schools."
			5% fed land sales			Section 4 "for the purpose of making public roads and internal improvements, as the legislature shall direct"
					right to interfere w disposal of soil	Section 4
					right to tax federal lands	Section 4

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SOUTH DAKOTA	1889	Enabling Act	Secs. 16 and 36			Section 10 "for the support of common schools"
			5% fed land sales			Section 13 "to be used as a permanent fund, the interest of which only shall be expended for the support of common schools within said States, respectively."
					rights to federal lands	Section 4, Second
					right to tax federal land	Section 4, Second
				yes		Section 11 "the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools." The May 7, 1932 amendment to Section 11 reads: "the proceeds from the sale and other permanent disposition of any of the said lands and from every part thereof, shall constitute permanent funds for the support and maintenance of the public schools...Rentals on leased lands, interest on deferred payments on lands sold, interest on funds arising from these lands, and all other actual income, shall be available for the maintenance and support of such schools and institutions, Any State may, however, in its discretion, add a portion of the annual income to the permanent funds."
			public schools			Section 4, Fourth State to establish and maintain system of public schools open to all children
TEXAS	1845/1870	State Constitution	N/A			Texas entered the Union as an independent nation, so no federal lands were available to grant toward public education.
		State Constitution		yes		All funds, lands and other property heretofore set apart and appropriated for the support of public schools; all the alternate sections of land reserved by the State out of grants heretofore made or that may hereafter be made to railroads or other corporations of any nature whatsoever; one half of the public domain of the State; and all sums of money that may come to the state from the sale of any portion of the same, shall constitute a perpetual public school fund. (Article 7, Section 2)
UTAH	1894	Enabling Act	Secs. 2,16,32,36			Section 6 "for the support of common schools"
			5% fed land sales			Section9 "to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools within said State."
				yes		Section 10 "That the proceeds of lands herein granted for educational purposes...shall constitute a permanent school fund, the interest of which only shall be expended for the support of said schools..."

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WASHINGTON	1889	Enabling Act	Secs. 16 and 36			Section 10 "for the support of common schools"
			5% fed land sales			Section 13 "to be used as a permanent fund, the interest of which only shall be expended for the support of common schools within said States, respectively."
					rights to federal lands	Section 4, Second
					right to tax federal land	Section 4, Second
				yes		Section 11 "the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools." The May 7, 1932 amendment to Section 11 reads: "the proceeds from the sale and other permanent disposition of any of the said lands and from every part thereof, shall constitute permanent funds for the support and maintenance of the public schools...Rentals on leased lands, interest on deferred payments on lands sold, interest on funds arising from these lands, and all other actual income, shall be available for the maintenance and support of such schools and institutions, Any State may, however, in its discretion, add a portion of the annual income to the permanent funds."
			public schools			Section 4, Fourth State to establish and maintain system of public schools open to all children
WISCONSIN	1846	Enabling Act	Section 16			Section 7 " for the use of schools."
			5% fed land sales			Section 7 grants five percent of land sales to the state, but give the power to the Legislature to determine how the money ought to be spent. "...of the purpose of making public roads and canals in the same as the Legislature shall direct..."
				no		No specific language indicates the formation of a permanent school fund
					primary disposal of soil	Section 7, fifth
				right to tax federal land	Section 7, fifth	
WYOMING	1890	Act of Admission	Secs. 16 and 36			Section 4 "for the support of common schools"
			5% fed land sales			Section 7 "to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools"
				yes		Section 5 "the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools."
*MT, ND, SD, WA						