

CHAPTER 247

(H. B. No. 170—Boeckel and Meidinger)

TEN COMMANDMENTS IN CLASS ROOMS

An Act Providing for the Printing and Placing of Placards Containing the Ten Commandments of the Christian Religion, in School Rooms and Class Rooms of Public Institutions of Learning.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. It shall be the duty of the School Board, Board of Trustees, or Board of Education of every school district, and the president of each and every institution of higher education in the state, which is supported by appropriations or by tax levies in this state, to display a placard containing the Ten Commandments of the Christian religion in a conspicuous place in every school room, class room or other place in said school where classes convene for instruction.

§ 2. The Department of Public Instruction shall have authority to print such placards and shall be permitted to charge for them such an amount as will cover the cost of printing and distribution.

Approved, March 3, 1927.

SCHOOL and STATE LANDS

CHAPTER 248

(H. B. No. 208—Thompson of Burleigh)

LEASE AND SALE OF ISLANDS FORMED IN NAVIGABLE STREAMS AND DECLARED PROPERTY OF STATE

An Act to Provide for the Leasing and Sale of Islands Formed in Beds of Navigable Streams. Whereas, there is no Law in This State Which Provides for the Leasing and Sale of Islands Formed in the Beds of Navigable Streams in This State, Now Therefore

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. All islands formed in the beds of streams which are navigable and declared the property of the state under the provisions of Section 5475 of the Compiled Laws for 1913, shall be leased and sold by the Board of University and School Lands in the same manner as other lands now under control of said board are leased and sold.

§ 2. All proceeds derived from the leasing and sale of such lands, shall become a part of the common school funds and be distributed as directed by law.

§ 3. Whereas, there is no law upon the statute books covering the subject matter of this act, therefore an emergency is hereby declared to exist and this bill shall take effect from and after its passage and approval.

Approved March 5, 1927.

CHAPTER 249

(S. B. No. 146—Olson of Burleigh and Ployhar)

LEASING STATE OR SCHOOL LANDS SUPPOSED TO CONTAIN OIL

An Act Providing for the Leasing of State or School Lands Supposed to Contain Oil and to Make and Establish Rules and Regulations Relative to the Development Thereof; Providing for Royalty to Be Collected Therefrom, and for the Sale of Improvements on Such Lands; for the Assignment Thereof and for Geological Reports Thereon.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. WHEN GRANTED.] The State Board of University and School Lands is hereby authorized to lease, upon a royalty basis, any state or school lands supposed to contain oil and to make and establish rules and regulations covering the conduct of development and drilling operations to be carried on thereunder.

§ 2. ROYALTY.] Leases shall be issued by said board at such annual minimum payment as shall be fixed by the board authorized to lease such lands, which royalty shall not be less than $12\frac{1}{2}\%$ of the gross output of oil from said lands under said lease.

§ 3. SALE. APPRAISAL OF IMPROVEMENTS.] If oil lands upon which improvements have been made shall be sold or if such lands shall be leased to other than the owner of the improvements thereon, then such purchaser or such new lessee shall pay to the owner thereof the value of said improvements, at an agreed price with the owner thereof; or if agreement cannot be reached, then at such price as shall be fixed by appraisalment under the authority of the Board of University and School Lands. The word "improvements" shall be construed to mean surface improvements, machinery and other equipment used and necessary for the operation of drilling on said land, and work performed in the development of the property for the drilling of oil when such development work is of practical use for future operations and drilling upon such land. Wells drilled for oil which do not produce oil in commercial quantities shall not be considered as improvements.

§ 4. DISTINCT FROM SURFACE LEASE.] All leases made under this act shall be separate and distinct from any lease of the grazing privileges thereon that may be made by said board, and

the regulations so made by said board in connection therewith shall provide for the use of said lands for grazing purposes without interference by the lessee of the oil drilling privileges.

§ 5. ASSIGNMENTS.] No lease made under the provisions of this act shall be assignable or transferable except upon the written consent of the board issuing the same, and the board in each case shall require the execution of a good and sufficient bond on the part of the lessee conditioned upon the payment of all moneys, rentals, and royalties provided for by the terms of said lease, and for the full compliance and observance of all rules and regulations established by said board and all other terms which may be set forth in said lease not inconsistent with the terms of this act.

§ 6. REPORTS UPON.] The state geologist, when requested by the Board of University and School lands of this state, shall visit and make a report upon any lands held under any lease issued under and by virtue of this act. Such report shall be made without any fee to the officer making the same, but said state geologist shall be paid his necessary expenses therefor.

§ 7. PROVIDED, that the lessee who first establishes and has in operation a well which actually produces oil in commercial quantities shall have the first right to lease any or all lands under the control of the Board of University and School Lands within a radius of seven (7) miles of such producing well.

§ 8. EMERGENCY.] An emergency is hereby declared to exist and this act shall become effective immediately upon its passage and approval.

Approved, March 3, 1927.

Note: The foregoing measure carried the following vote on final passage:

Senate—46—3—0.

House—62—41—10.

SEEDS

CHAPTER 250

(S. B. No. 114—Brunsdaie)

DEPARTMENT OF STATE SEED CERTIFICATION

An Act to Regulate, Concerning, Relating to the Production, Inspection, Testing, Analysis and Certification of Seeds, Offered or Exposed for Sale, or Sold as North Dakota Registered Certified Seed, Providing for Rules and Regulations With Reference Thereto, Prescribing Penalties for Violations of the Act, Providing for a Schedule of Equitable Fees, and Making an Appropriation.

Be It Enacted by the Legislative Assembly of the State of North Dakota: