

# LIGNITE

## CHAPTER 151

H. B. No. 269—(Ritter and Greiser)

### NATIVE LIGNITE DEFINED

**An Act to define native lignite and to separately classify native lignite; and to declare the public policy in respect thereto.**

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

§ 1. Native lignite existing in this State in immense quantities in its soil, howsoever mined or produced in any form, is hereby defined as a substance in which the texture of the original wood is more or less distinct and which is a different substance than anthracite or bituminous coal and is not entitled to be classified as a coal but as lignite.

§ 2. For all purposes of transporting native lignite within this State, the Board of Railroad Commissioners, all shippers and all carriers, shall consider lignite in a classification of its own, separate and distinct from that which applies or may apply to anthracite or bituminous or any other coal.

§ 3. It is hereby declared to be the public policy of this State to promote and develop mining and the use of native lignite in our public institutions and by the public generally in every manner possible to provide for the lowest reasonable rates possible in the transportation of lignite within this State for the better progress, welfare and prosperity of the State and all of its people.

§ 4. All Acts and parts of Acts inconsistent herewith are hereby repealed.

§ 5. Whereas proceedings are pending before the North Dakota Board of Railroad Commissioners and the Interstate Commerce Commission involving rates on lignite and the consideration of lignite as coal with rates similarly to be applied on lignite as on other coal; therefore this Act is hereby declared to be an emergency Act and shall be in full force and effect from and after its passage and approval.

Approved March 6, 1937.