

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE BILL NO. 1045
(Representatives Drovdal, Kempenich)
(Senators Bowman, Lyson)

AN ACT to create and enact a new subsection to section 11-18-03 and a new subsection to section 38-18.1-06 of the North Dakota Century Code, relating to filing of a statement of succession in interest to abandoned minerals; and to amend and reenact section 38-18.1-02 of the North Dakota Century Code, relating to filing of a statement of succession in interest to abandoned minerals.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 11-18-03 of the North Dakota Century Code is created and enacted as follows:

A statement of succession in interest to minerals deemed to be abandoned under chapter 38-18.1.

SECTION 2. AMENDMENT. Section 38-18.1-02 of the North Dakota Century Code is amended and reenacted as follows:

38-18.1-02. Statement of claims - Recording - Reversion. Any mineral interest is, if unused for a period of twenty years immediately preceding the first publication of the notice required by section 38-18.1-06, deemed to be abandoned, unless a statement of claim is recorded in accordance with section 38-18.1-04. Title to the abandoned mineral interest vests in the owner or owners of the surface estate in the land in or under which the mineral interest is located on the date of abandonment. The owner of the surface estate in the land in or under which the mineral interest is located on the date of abandonment may record a statement of succession in interest indicating that the owner has succeeded to ownership of the minerals under this chapter.

SECTION 3. A new subsection to section 38-18.1-06 of the North Dakota Century Code is created and enacted as follows:

A person who succeeds to the ownership of a mineral interest upon its lapse under this chapter is entitled to record a statement of succession in interest indicating that that person has succeeded to the ownership of the mineral interest.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1045.

House Vote: Yeas 94 Nays 0 Absent 0

Senate Vote: Yeas 43 Nays 0 Absent 4

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2007.

Approved at _____ M. on _____, 2007.

Governor

Filed in this office this _____ day of _____, 2007,

at _____ o'clock _____ M.

Secretary of State