

TITLE 15 EDUCATION

CHAPTER 15-01 BOARD OF UNIVERSITY AND SCHOOL LANDS

15-01-01. Board - Membership - Officers. The governor, secretary of state, state treasurer, attorney general, and superintendent of public instruction shall constitute the "board of university and school lands". The governor must be the chairman, the secretary of state must be the vice chairman, and the commissioner of university and school lands must be the secretary of the board. In the absence of the commissioner at any meeting of the board, the deputy commissioner of university and school lands shall act as secretary. When acting as the board of university and school lands, the members of the board shall act in person and may not be represented by any assistant, clerk, or deputy.

15-01-02. Powers - Control of public lands and permanent funds. The board has:

1. Full control of the selection, appraisalment, rental, sale, disposal, and management of:
 - a. Lands donated or granted by or received from the United States or from any other source for the support and maintenance of the common schools.
 - b. All lands which fall to the state by escheat.
 - c. All lands donated or granted by or received from the United States or from any other source for the maintenance of the educational, penal, or charitable institutions.
 - d. All lands acquired by the state through the investment of the permanent school funds of the state as the result of mortgage foreclosure or otherwise.
2. Full control of the investment of the permanent funds derived from the sale of any of the lands described in subsection 1.
3. Full control of such percent of the proceeds of any sale of public lands as may be granted to the state by the United States on such sale.
4. Full control of the proceeds of any property that fall to the state by escheat and of the proceeds of all gifts and donations to the state for the support or maintenance of the common schools, and of all other property otherwise acquired by the state for the maintenance of the common schools. Any gift to the state not specifically appropriated to any other purpose must be considered as a gift for the support and maintenance of the common schools.
5. Authority to expend moneys for the purpose of making refunds in cases in which an error has been made by the board, or a person dealing with the board, with regard to any of the lands, minerals, funds, proceeds, or any other kind of property managed by the board. Moneys expended to make refunds must come from the same fund or account into which the money to be refunded was originally placed.

15-01-02.1. Board of university and school lands to set and establish fees - Collections. The board of university and school lands shall have authority to set and establish fees in amounts equal to the cost of the issuance of patents, deeds, leases, assignments, land contracts, holding land sales, furnishing documents, receiving and processing all loans made by the board, managing property acquired under chapter 15-08.1, and managing property for other

state entities. All fees provided for in this section must be deposited in the state lands maintenance fund.

15-01-03. Meetings of board - Quorum. The board shall meet on the last Thursday of each month. If it appears a quorum will not be present for any meeting of the board, the meeting may be rescheduled by the commissioner upon reasonable notice to all members. Special meetings of the board may be held at any time at the written call of the chairman, the commissioner, or any two members of the board. Three members of the board constitute a quorum.

15-01-04. Record of meeting. The secretary of the board shall enter in a suitable book kept for that purpose a full and correct record of all the proceedings of the board at each session thereof. The record, when approved by the board, must be signed by the chairman or presiding officer of the meeting and by the secretary.

15-01-05. Expenses of board - How paid - Limitations. Necessary incidental expenses of the board, within the limits of any appropriation made therefor by the legislative assembly, must be paid by the office of management and budget from the state land maintenance fund upon satisfactory vouchers. The office of management and budget shall issue its warrant for such expenses.