

§ 2. REPEAL.] All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved March 3, 1937.

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## FIRE MARSHAL

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### CHAPTER 131

H. B. No. 80—(Godwin)

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#### FIRE MARSHAL DEPARTMENT

An Act to amend and re-enact Sections 201 and 214 and 215 of the Compiled Laws of North Dakota for the year 1913 as amended and re-enacted by Sections 1, 3 and 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and repealing Section 213 of the Compiled Laws of North Dakota for the year 1913 as amended by Section 2 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, and repealing Section 217 of the 1913 Compiled Laws of the State of North Dakota, relating to the creation of a Fire Marshal Department.

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

§ 1. AMENDMENT.] That Section 201 of the Compiled Laws of North Dakota, for the year 1913, as amended by Section 1 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, be and is hereby amended and re-enacted to read as follows:

§ 201. ORGANIZATION OF DEPARTMENT.] Upon taking effect of this Act, the Department of Fire Marshal, as an independent department, shall be abolished and all the records, files and equipment of the Fire Marshal Department, shall be turned over to the Insurance Department of the State of North Dakota. The Commissioner of Insurance shall be ex-officio State Fire Marshal, and the duties of the Fire Marshal, as provided for by law, shall be under the management, control and supervision of the Commissioner of Insurance, subject to the provisions of this Act and other statutory provisions relating to the duties of the Fire Marshal.

The Commissioner of Insurance shall appoint a Deputy Fire Marshal, whose salary shall not exceed \$1800 per annum. With the approval of the Commissioner, the Deputy Fire Marshal may employ any help necessary to maintain the Fire Marshal Department. The Deputy Fire Marshal shall give a bond to the State of North Dakota in a penal sum of \$5,000 conditioned on the faithful discharge of his duties. Before entering on his duties, he shall take and subscribe and file, in the office of the Secretary of State of the State of North Dakota, the constitutional oath.

§ 2. AMENDMENT.] That Section 214 of the Compiled Laws of North Dakota for the year 1913, as amended and re-enacted by Section 3 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, be and is hereby amended and re-enacted to read as follows:

§ 214. SALARIES AND OTHER EXPENSES.] The salaries of the Deputy Fire Marshal and all employees, together with all other expenditures for the operation and maintenance of the Department, shall be paid out of the Insurance Department Operating Account, upon vouchers issued by the Commissioner of Insurance and approved by the State Auditing Board. All officers who shall perform any services at the request of the Deputy Fire Marshal, shall receive the same fees as officers in District Court and such fees shall be paid out of the Insurance Department Operating Account.

§ 3. AMENDMENT.] That Section 215 of the Compiled Laws of North Dakota for the year 1913, as amended and re-enacted by Section 4 of Chapter 147 of the 1931 Session Laws of the State of North Dakota, be and is hereby amended and re-enacted to read as follows:

§ 215. RULES FOR PREVENTION OF FIRES TO BE ISSUED.] The Deputy Fire Marshal, under the supervision of the Commissioner of Insurance, shall make rules, not inconsistent with the statutory provisions, for the prevention of fires, and such rules shall be fully explained to all State, County and City Boards and officers, by the Deputy Fire Marshal or his assistants. All such rules shall be posted in such conspicuous places as will tend to be of the greatest benefit to the residents of the State, and when called upon the Deputy Fire Marshal, or one of his assistants, shall appear before such Board and explain the benefits derived by the compliance with such rules and regulations, in the reduction of the hazardous conditions and reduction in loss by fire.

§ 4. REPEAL.] That Section 213 of the Compiled Laws of 1913, as amended and re-enacted by Section 2 of Chapter 147 of the 1931 Session Laws and Section 217 of the 1913 Compiled Laws, and all Acts and parts of Acts in conflict herewith, are hereby repealed.

Approved March 4, 1937.