
CHAPTER 107

H. B. No. 291—(Committee on Irrigation and Drainage)

STATE WATER CONSERVATION COMMISSION BONDS

An act declaring that revenue bonds legally and validly issued by the State Water Conservation Commission are legal and valid investments by banks, trust companies, insurance companies, investment companies, building and loan associations and of similar financial institutions; and declaring an emergency.

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

§ 1. That revenue bonds regularly and validly issued by the State Water Conservation Commission be, and the same are hereby declared to be, legal and valid investments of the funds of any bank, trust company, insurance company, investment company, building and loan association or similar financial institutions.

§ 2. EMERGENCY.] An emergency is hereby declared to exist and this act shall take effect and be in force from and after its passage and approval.

Approved March 15, 1939.

CHILD WELFARE

CHAPTER 108

H. B. No. 362—(Twichell)

CHILD PLACEMENT AGENCIES, DUTIES

An act amending and re-enacting Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 relating to the duties of child placement agencies.

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

§ 1. AMENDMENT.] Section 5099c8 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted to read as follows:

§ 5099c8. DUTIES OF LICENSEES.] Every licensee shall keep a full record and social history of each child received for placement and a similar record and history of his family. No child shall be placed in any foster home until adequate investigation has been made as to the suitability of the proposed foster parents and their

home surroundings. The licensee shall report to the State board charged with the administration and enforcement of laws relating to the welfare of children the name and address of each child to be placed in a permanent foster home, the name and address of the proposed foster parents, and such other facts and information as shall be requested by the board. It shall be the duty of said licensee to visit the proposed foster home at frequent intervals and to make all necessary inquiries and investigation as may be necessary to determine whether said child will properly adjust in said home, and said licensee shall continue to visit and supervise such placement as often as may be required by said board and shall report in writing to said board the conditions as ascertained by such visits. Whenever said board is satisfied that a child has been placed in an unsuitable home the board may order in writing, its return to the agency which has placed it, and if such order is not obeyed within thirty days it may revoke the license of said child placement agency and shall, itself, take charge of, and provide for, said child.

And it is further provided that if any licensee shall make any false or misleading report to the board that such licensee shall be immediately suspended, and upon hearing before the board, if such false and misleading reports are found to have been made, the license shall be forthwith revoked.

Approved March 15, 1939.

CHAPTER 109

H. B. No. 184—(Public Welfare)

VITAL STATISTICS, ILLEGITIMATE CHILDREN

An act relating to vital statistics records of illegitimate children, and to provide for the making of a new certificate for a child legitimized by marriage of parents and for a child legitimized by adoption.

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

§ 1. All records of illegitimate children are to be kept in a separate file and not subject to public inspection and no copies shall be issued except to the child, or the mother of the child, or to the legal guardian or guardians of the child, or on order of a court of competent jurisdiction. Whenever it is alleged that the facts are not correctly stated in a certificate of an illegitimate child, the State Registrar shall require satisfactory evidence to be presented in the form of affidavits or otherwise as may be necessary to establish the alleged facts and upon the furnishing of such evidence it shall be attached to the certificate on file.

§ 2. A new certificate of birth shall be made whenever the State Registrar receives proof satisfactory to him:

(a) That the previously unwed parents of a person have intermarried subsequently to the birth of such person; or

(b) That a court of competent jurisdiction has entered a judgment, order or a decree relating to the parentage or adoption of a person.

Such new certificate for any person shall be in the form prescribed by the State Registrar, subject to the approval of the State Department of Health, and shall be prepared on the following basis: Such person shall be treated as having had at birth the status subsequently acquired or established and of which proof is submitted. Where such person is illegitimate and paternity has been established by legal proceedings the name of the father shall be inserted; where such person has been adopted the name of the child shall be fixed by the decree of adoption and the foster parents shall be recorded as the parents of such child.

§ 3. When a new certificate of birth is made, the State Registrar shall substitute the new certificate of birth for that then on file, if any. The State Registrar shall place the original certificate of birth and all papers pertaining to the new certificate of birth under seal. Such seal shall not be broken except on order of a court of competent jurisdiction. Thereafter when a certified copy of the certificate of birth of such person is issued, it shall be a copy of the new certificate of birth, except when an order of a court of competent jurisdiction shall require the issuance of a copy of the original certificate of birth.

§ 4. It shall be the duty of the clerks of the several courts of this State to transmit to the State Registrar upon forms to be supplied by him a report of each decree of adoption or adjudication of paternity, and a report of the revocation of any such decree.

§ 5. Upon receipt of a certified copy of the annulment of an adoption, the State Registrar shall restore the original certificate of birth.

Approved March 3, 1939.