

## INITIATED MEASURES

### Approved

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#### CHAPTER 308

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##### AN ACT ALLOCATING SALES TAX PROCEEDS FOR SCHOOLS AND RELIEF

An Act Requiring That All Proceeds of any Sales Tax Heretofore or Hereafter Enacted Be Disbursed Only for Education Through the State Equalization Fund and for Relief Through the State Public Welfare Fund.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. All moneys coming into the State Treasury from and after the effective date of this Act, as the proceeds of any sales tax heretofore or hereafter adopted by the Legislature of the State of North Dakota, after deducting actual expenses for administering such Sales Tax Act, shall be placed in a separate fund and no disbursements shall be made therefrom save and except for the purpose of meeting the appropriation for education through the State Equalization Fund and for relief through the State Public Welfare Fund.

§ 2. REPEAL.] All Acts or parts of Acts so far as in conflict with this Act are hereby repealed.

Approved June 25, 1940.

77,962 to 55,810.

## CHAPTER 309

AN ACT EARMARKING SALES TAX MONIES FOR  
SCHOOLS AND RELIEF

An Act Amending and Re-enacting Section 2 of Chapter 234 of the Session Laws of North Dakota for 1939, and Providing That the Net Amount of all monies remaining in "the Retail Sales Tax Fund" in the State Treasury to the Credit of the State, Shall Be and Shall Constitute a Special Trust Fund to Be Used Solely, in Proportions herein prescribed, in Paying Disbursements Authorized by Chapter 29, 80, 83 and 84 of the Session Laws of North Dakota for 1939; and, for the Proportionate Transfer by the Proper Officers of All Said Trust Funds to the State Equalization Fund and to the State Public Welfare Fund, and Repealing All Acts (Acts) or Parts of Acts in Conflict With This Act.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. AMENDMENT.] That Section 2 of Chapter 234 of the Session Laws of North Dakota for 1939, amending and re-enacting Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, be and the same is hereby amended and re-enacted to read as follows:

§ 25. ALLOCATION OF REVENUES.] All monies collected and received under this Act shall be paid into the State Treasury and shall be credited by the State Treasurer into a special fund to be known as "The Retail Sales Tax Fund." Out of this fund the State Treasurer shall first provide for the payments of refunds allowed under this Act. That the net amount of monies remaining in said "Retail Sales Tax Fund" shall be and shall constitute a special trust fund to be used and disbursed solely for the following purposes:

1. That seventh-twelfths ( $7/12$ ) of said trust fund shall be used and disbursed solely in paying disbursements authorized by Chapter 29 of the Session Laws of North Dakota for 1939, pursuant to Chapter 209 of the Session Laws of North Dakota for 1939, or as said acts may be amended. That the remainder of five-twelfths ( $5/12$ ) of said trust fund shall be used and disbursed solely in paying disbursements authorized by Chapters (Chapters) 80, 83, and 84 of the Session Laws of North Dakota for 1939, or acts amendatory thereto.

2. That the State Treasurer and State Auditor are hereby authorized and directed to make monthly transfers of all the amounts available in said trust fund, in the proportions as herein provided, to the State Equalization and State Public Welfare Funds.

§ 2. INTENT.] That it is the intent of this Act that it shall not be construed to operate as a repeal of any of the appropriations made or authorized by Chapters 29, 80, 83 and 84 of the Session Laws of North Dakota for 1939.

§ 3. REPEAL.] That all Acts or parts of Acts in conflict herewith are hereby repealed.

Approved June 25, 1940.

79,393 to 52,731.

## CHAPTER 310

### AN ACT RE-ALLOCATING FUNDS APPROPRIATED TO INCREASE PAYMENTS ON BASIS OF NEED

An Act Amending and Re-Enacting Chapter 29 of the Session Laws of North Dakota for 1939, and Providing that the Amount Therein Appropriated for "Emergency Fund" shall be Increased from \$500,000.00 to \$1,000,000.00; and That the Amount Therein Appropriated for "Per Pupil Payment" Shall Be Decreased from \$1,000,000.00 to \$500,000.00; and Repealing All Acts or Parts of Acts in Conflict with this Act.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. AMENDMENT.] That Chapter 29 of the Session Laws of North Dakota for 1939 be, and the same is hereby amended and re-enacted to read as follows:

§ 1. APPROPRIATION.] There is hereby appropriated out of any monies in the State Treasury, not otherwise appropriated, the sum of \$4,510,000.00, or so much thereof as may be necessary to make the payments provided for under the State Equalization Fund Law as provided for in Senate Bill No. 237 as passed by the 1939 Session of the Legislature, or as may be amended, for the biennium beginning July 1, 1939 and ending June 30, 1941, provided, however, that payments authorized for the school year ending on or about June 1, 1941, may be made from this fund up to October 1, 1941, to-wit:

(1)	High School correspondence work	----\$	100,000.00
(2)	Vocation education	-----	40,000.00
(3)	Emergency fund	-----	1,000,000.00
(4)	Non-resident high school tuition	-----	1,100,000.00
(5)	Teacher unit payment	-----	1,770,000.00
(6)	Per Pupil payment	-----	500,000.00

\$4,510,000.00

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

Approved June 25, 1940.

64,415 to 59,913.