
CHAPTER 180

H. B. No. 262—(Bergesen, Myers, Drovdal)

LIMITATION OF RISK OF INSURANCE COMPANIES

An Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the year 1913, Relating to the Limit of Risks to which Insurance Companies shall be exposed; Repealing all Acts or Parts of Acts in Conflict Herewith.

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

§ 1. AMENDMENT.] That Section 4914, Compiled Laws of North Dakota for the year 1913, be and the same is hereby amended and re-enacted to read as follows:

§ 4914.] No company organized under this chapter, or transacting business in this State, shall expose itself to loss on any one risk or hazard to an amount exceeding ten per cent of its paid up capital and surplus, unless the excess shall be re-insured in some other good reliable company.

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 All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved March 7, 1941.

LICENSE

CHAPTER 181

H. B. No. 265—(Myers, Panko, Larson, Brusseau, McIntyre, Haugen, Rohde, Mollet, Braun of McLean, Heckman, Bymers, Belzer, Glas)

REGULATION AND LICENSING OF AMUSEMENT GAMES

An Act to license and regulate the operation of amusement games; levying a tax therefor, appropriating revenue derived therefrom, and repealing all Acts and parts of Acts in conflict therewith.

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

§ 1. LICENSE.] It shall be unlawful for any person or persons, firm or corporation to set up for operation, operate lease or distribute for the purpose of operating any coin-operated amusement device which can be legally operated in the State of North Dakota, without first having obtained a license therefor.

§ 2. Amusement games shall include such games and devices as electric ray guns, music boxes, picture boxes, bumperball or pinball, and other similar miniature games, whether or not they show a score, where the charge for playing is collected by a mechanical device, provided, however, that this Section shall not be construed to apply to any machine which may constitute a lottery under the laws of this State.

§ 3. Any person, firm or corporation who displays any coin-operated amusement devices as herein defined to the public to be played or operated by the public, shall secure for each such device an annual license, the fee for said license being due and payable on July 1 of each year. No license shall be issued for any fractional portion of a year, except that if any devices are put on display at any time after January first and before July first of any year the license fee for such period until July first shall be one-half of the amount of the license fee provided for herein.

§ 4. Before any such amusement device is put on display to the public, to be played or operated by the public, the owner or person in possession thereof shall pay an annual license fee as follows: For all games operated by the insertion of a penny, ten (\$10.00) dollars per year for the first machine, and two dollars (\$2.00) for each additional machine; and for all games operated by the insertion of a five-cent piece or greater denominations, the sum of twenty-five (\$25.00) dollars per year for the first machine, and seven dollars and fifty cents (\$7.50) for each additional machine so displayed by him to the public.

§ 5. It shall be the duty of the Attorney General's Licensing Department to administer and enforce the provisions of this act, and for that purpose the Attorney General is hereby directed, authorized and empowered to make, promulgate and enforce such reasonable rules and regulations as he may deem necessary and expedient. The Attorney General and/or the inspectors of said Department are hereby authorized to confiscate all machines as herein defined upon which the tax herein imposed has not been paid as provided; and to do any and all acts necessary or expedient for the strict enforcement of the provisions of this act.

§ 6. Concurrent with the issuance of each license for each machine, the Attorney General shall issue a metal plate or other device prescribed by him upon which shall appear the serial number of the license and the manufacturer's serial number of the machine; such plates must at all times be firmly attached to the machine and prominently displayed thereon

§ 7. Fifty per cent of all money collected here-under for licenses on amusement devices as defined herein shall be remitted to the State Treasurer and shall be credited to the General Fund

of the State and the remaining fifty per cent of such money so collected shall also be paid into the State Treasurer and shall there be and constitute a separate trust fund to be used and disbursed solely for the purpose of paying old age assistance payments as now provided by law.

§ 8. There is hereby appropriated out of the monies collected under this act the sum of three thousand (\$3,000.00) dollars for the purpose of administering the provisions of said act, providing, however, that this appropriation shall not exceed the amount of revenue collected under the provisions of this act.

§ 9. Any person or persons, firm or corporation engaged in the operating or displaying to the public of any amusement devices as defined herein in violation of any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be fined not more than one hundred (\$100.00) dollars or imprisoned not more than thirty (30) days, or both such fine and imprisonment; each machine upon which such person, firm or corporation has failed to secure such license which is displayed to the public shall constitute a separate offense.

§ 10. SAVING CLAUSE.] If any section, sub-section, sentence, clause, phrase or word of this act, is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this act; and it shall be construed to have been the legislative intent to pass this act without such unconstitutional, inoperative or invalid part therein and the remainder of this act, after the exclusion of such part or parts shall be deemed and to be valid as if such excluded parts had not been included therein; and if this act or any provision thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Approved March 22, 1941.

CHAPTER 182**H. B. No. 299—(Bergesen)****ARCHITECTS' EXAMINATION AND LICENSE**

An Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, relating to the State Board of Architecture.

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

§ 1. AMENDMENT.] That Section 2997a26 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, be and the same is hereby amended and re-enacted as follows:

§ 2997a26. WHAT MAY BE ACCEPTED IN LIEU OF ALL EXAMINATIONS.] In lieu of all examinations, the board may accept registration or certification as an architect in another state or country where the standard qualifications for the same are not lower than those required by the board under this act.

§ 2. AMENDMENT.] That Section 2997a32 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, be and the same is hereby amended and re-enacted to read as follows:

§ 2997a32. RENEWAL FEE.] Every architect who is registered under the provisions of this act, and who desires to continue to practice architecture in North Dakota, shall annually pay to the Secretary of the Board a renewal fee of Ten (\$10.00) Dollars.

§ 3. AMENDMENT.] That Section 2997a33 of the 1925 Supplement of the Compiled Laws of North Dakota of 1913, be and the same is hereby amended and re-enacted as follows:

§ 2997a33. EFFECT OF FAILURE TO PAY FEE.] Upon failure to pay such annual renewal fee when due, the holder thereof shall have his certificate revoked, but the failure to pay such renewal fee in due time shall not deprive him of the right of renewal thereafter, provided his application for renewal is made within one year after the expiration of his certificate. He shall then pay a renewal fee of Fifteen (\$15.00) Dollars.

Approved March 19, 1941.

CHAPTER 183**H. B. No. 261—(Crockett)****CHIROPRACTIC LICENSE, RENEWALS**

An Act to amend and re-enact Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Chiropractic License renewals; Repealing all Acts and parts of Acts in Conflict herewith; and declaring an emergency.

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

§ 1. AMENDMENT.] Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, be, and the same is hereby amended and re-enacted to read as follows:

§ 523B3. RENEWALS FEES: NON-PAYMENT: EFFECT.] All Chiropractic licenses heretofore issued in this State shall be subject to expiration on September 1st, 1941, and it shall be unlawful for any person or persons to practice Chiropractic in this State thereafter until he has received from the Board of Chiropractic Examiners an annual license expiring on September 1st following, for which license a renewal fee of \$5.00 shall be charged, conditioned however, that as a condition precedent to the issuance of such renewal license, the State Board of Chiropractic Examiners may, in their sound discretion, require each applicant practising within the boundaries of this State to attend a post-graduate course in an accredited Chiropractic school or college, or to attend at least a two-day session of the educational program as arranged by the North Dakota Chiropractic Association.

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

§ 3. EMERGENCY.] This Act is hereby declared to be an Emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 15, 1941.

CHAPTER 184

S. B. No. 99—(Beaton and Stucke)

HOTEL AND RESTAURANT LICENSE FEES

An Act to amend and re-enact Section 12 of Chapter 144 of Laws of North Dakota for 1929 relating to hotels, restaurants, lodging houses and boarding houses to provide for application for license and payment of license fees.

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

§ 1. AMENDMENT.] Section 12 of Chapter 144 Laws of North Dakota for 1929 is hereby amended and re-enacted to read as follows:

§ 12. LICENSE FEES.] Every hotel containing less than eleven sleeping rooms for the accommodation of the public and every lodging house shall pay an annual license fee of two dollars and fifty cents and every hotel containing more than ten sleeping rooms and less than twenty-one sleeping rooms for the accommodation of the public shall pay an annual license fee of five dollars and every hotel containing twenty-one or more sleeping rooms and less than fifty-one sleeping rooms for the accommodation of the public shall pay an annual license fee of ten dollars and every hotel containing fifty-one or more rooms shall pay an annual license fee of twenty dollars. Every restaurant or boarding house as described in Section 1 of this Act, conducted without sleeping accommodations shall be required to pay an annual license fee of two dollars and fifty cents. Application for license shall be made in writing, on forms furnished by the State Laboratories Department, during December of every year or prior to opening or operating such hotel, restaurant, lodging house or boarding house and shall be accompanied by the required fee.

Approved February 20, 1941.

CHAPTER 185

S. B. No. 177—(Drew)

PHARMACISTS' LICENSE

An Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws 1935, and declaring an emergency.

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

§ 1. Section 486 of the Compiled Laws of 1913 as amended and re-enacted by Section 1 of Chapter 232 of the Laws of 1935 is hereby amended and re-enacted to read as follows:

§ 486. QUALIFICATIONS FOR REGISTRATION.] Every applicant for a license as a registered pharmacist shall be not less than twenty-one (21) years of age, shall be of good moral character, shall be a graduate of a school or college of pharmacy recognized by the board; and shall have at least two (2) years of practical experience in a retail pharmacy under the supervision of a registered pharmacist, which experience shall be predominantly work directly relating to selling drugs and poisons, compounding of pharmaceutical preparations and physicians prescriptions, keeping records and making reports required under the state and federal statutes; provided, however, that not to exceed one year of additional credit on practical experience may be allowed for one year or more years of satisfactorily completed work in an approved school or college of pharmacy, in excess of two years.

An applicant for examination as a registered pharmacist, must with the application for examination, present to and file with the Pharmacy Board, satisfactory evidence that he or she has at least one year of practical experience as defined above and must have graduated from a school or college of pharmacy having a course of three years or more, and recognized by the Board of Pharmacy as an approved school.

The said board shall be authorized to determine what shall constitute an approved school or college or pharmacy, but a school or college to be so approved must maintain standards equivalent to the requirements of membership of the American Association of Colleges of Pharmacy.

Provided further that any person who was duly qualified to take the examination under the laws of this state at any period prior to any amendment of said Section 486 of the Compiled Laws of North Dakota of 1913, but who failed to apply for such examination, may upon due proof given to such Board that such person was so qualified, be entitled to take the examination and upon passing such examination in a manner satisfactory to the majority of said Board, such person shall be given a certificate as a registered pharmacist;

provided further that such applicant was at such time so qualified, a bona fide resident of the State of North Dakota.

Registration as a pharmacist by said Board, entitles the person so registered to membership in the North Dakota Pharmaceutical Association.

§ 2. EMERGENCY.] An emergency is hereby declared to exist and this bill shall be in full force after its passage and approval.

Approved March 22, 1941.

CHAPTER 186

H. B. No. 301—(Sellens)

STATE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION

An Act Relating to the State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of all Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions upon which Renewal of Licenses shall be issued and Requirements prerequisite to the Granting of such Renewal Licenses; Providing for Penalties and Suspension of License for Failure to Reregister; Providing for reinstatement after Suspension.

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

§ 1. All persons legally licensed to practice Osteopathy in this State shall, on or before the first day of July of each year after this Act takes effect, pay to the Secretary of the State Board of Osteopathic Examiners an annual license fee of three dollars (\$3.00) for a renewal of his or her certificate to practice Osteopathy, and in addition to the payment of such annual renewal fee, from and after the first day of July, 1941, each licensee so applying for renewal of his or her certificate shall furnish to the State Board of Osteopathic Examiners proof that he or she has attended at least two days of the annual educational program and meeting conducted by the North Dakota State Osteopathic Association, or its equivalent, as determined by said licensing board, in the year preceding each such application for license renewal.

§ 2. The Secretary of the State Board of Osteopathic Examiners shall send written notice to every person holding a legal certificate to practice Osteopathy in this State at least thirty days prior to the first day of July in each year, directed to the last known address of such licensee, enclosing with said notice proper blank forms for application for such annual registration.

§ 3. Every person failing to renew his or her certificate or license to practice Osteopathy within thirty (30) days after same is due shall automatically forfeit his or her license to practice Osteopathy in the State of North Dakota but may have his or her license restored upon payment of all fees due, not to exceed twenty (\$20.00) Dollars, and presentation of satisfactory evidence of post-graduate study of a standard approved by the North Dakota State Board of Osteopathic Examiners.

Approved March 18, 1941.

CHAPTER 187

S. B. No. 164—(Stucke, Drew and Bridston)

CREATING A STATE BOARD OF PLUMBING

An Act to promote and protect the public health through the regulation of the business of plumbing; creating a State Board of Plumbing and empowering said Board and State Department of Health to adopt rules governing the practice of plumbing and establishing a code of minimum standards for plumbing work; providing for the licensing and regulation of plumbers and the regulation, supervision and inspection of plumbing work; providing concurrent authority for cities and villages; and fixing penalties.

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

§ 1. DEFINITIONS.]

(a) MASTER PLUMBER.] A master plumber as used in this Act, is a person skilled in the planning, supervision and the practical installation of plumbing and familiar with the laws, rules and regulations governing the same.

(b) JOURNEYMAN PLUMBER.] A journeyman plumber as used in this Act is any person, other than a master plumber, who, as his principal occupation, is engaged in the practical installation of plumbing.

(c) PLUMBER'S APPRENTICE.] A plumber's apprentice, as used in this Act, is any person other than a journeyman plumber, who, as his principal occupation, is engaged in learning and assisting in the installation, alteration and repair of plumbing and drainage.

(d) PLUMBING.] Plumbing as used in this Act is the act of installing in buildings the pipes, fixtures and other facilitating apparatus for bringing water into, and using same in buildings, and for removing liquids and water carried wastes therefrom.

§ 2. STATE PLUMBING BOARD.] A State Board of Plumbing consisting of three persons is hereby created to carry out the purposes and intents of this Act and to enforce the provisions thereof.

The State Health Officer of the State Department of Health or the head of any division of such department who may be named by the State Health Officer to act in his stead shall be ex-officio a member of said Board, and the Governor of the State shall appoint the other two members of the Board, one of such members to be a master plumber with at least five years experience as a master plumber, and the other member a journeyman plumber with a (at) least five years experience as a journeyman plumber, and both to be residents of the State of North Dakota for the five years immediately preceding their appointment. Each member of the Board shall serve for a term of four years and until his successor is appointed and qualified, except in the case of the first Board, where one appointed member shall be appointed for two years, and the other appointed member shall be appointed for four years, as may be specified in his certificate of appointment. Vacancies on said Board caused by the death, resignation or expiration of the term of any appointed member thereof, shall be filled by appointment from the same class of persons to which the deceased or retiring member belonged.

§ 3. HOW ORGANIZED.] Said Board shall elect a President, Vice President, Secretary and Treasurer, and shall have its Headquarters at the State Capitol. The offices of Secretary and Treasurer may be held by the same person, and the Secretary, or Secretary-Treasurer, need not be a member of said Board.

§ 4. COMPENSATION.] Each member of said Board, except the State Health Officer, shall receive \$5.00 per day for each day actually engaged in the performance of his duties under this Act, and all members of the Board, and all employees thereof, shall receive their actual traveling expenses incurred in the performance of their duties, all such compensation and expense to be paid out of any moneys in the hands of the State Treasurer to the credit of the State Plumbing Board Fund.

§ 5. OFFICES AND EMPLOYEES.] Said Board may employ a Secretary, or Secretary-Treasurer (who shall be a plumber) and such other inspectors (who shall also be registered plumbers), stenographers and assistants, and fix compensation, and may incur such other expenses as may be required, all of such salaries and expenses to be paid, however, only out of such moneys as may be in the State Plumbing Board Fund.

§ 6. DUTIES OF SAID BOARD.] The State Board of Plumbing shall be charged with the duty of supervising and inspecting the plumbing, drainage, sewage and plumbing ventilation in all public buildings within this State, and shall have the authority, if and when authorized by law, to supervise and inspect the same in private buildings. It may employ such plumbing inspectors and other assistants to carry out the purposes of this Act as may be necessary.

§ 7. PLUMBING CODE.] The said Board shall formulate, prepare and circulate among all plumbers of all classes within the State, and the various cities and villages in the State having public water supply or sewerage systems, a State Plumbing Code, which shall contain the minimum basic standards for plumbing, drainage and ventilation of plumbing in buildings of all classes. Upon adoption by said Board, and the mailing of copies thereof as herein provided, the provisions of said code shall be in full force and effect, and shall have the force and effect of law, and violation thereof shall constitute a violation of this Act; provided, however, that such code shall first have been approved by the State Department of Health.

§ 8. REGULATION OF PLUMBING BY ORDINANCE.] Any incorporated city or village in the State of North Dakota, having a system of waterworks or sewerage, may by ordinance adopt Rules and Regulations governing plumbing, drainage and ventilation of plumbing within its corporate limits, but the standards provided for therein shall not be less nor lower than the minimum standards provided for in the State Plumbing Code, but may be higher than those prescribed by the State Code, and in such regulations, subject to the foregoing, it may prescribe rules and regulations for all materials, constructions, alteration and inspection of pipes, tanks and fixtures by which water is supplied to its citizens, by which waste or sewage is carried, and may provide such pipes, tanks and fixtures be not placed in any building except in accordance with plans approved by said ordinance, and that no plumbing shall be done except by plumbers registered or licensed under the State Law, and registered or licensed under said ordinance, except by an owner on his or her own premises, occupied as his or her home or place of residence, in which case all work shall be done in accordance with the provisions of the State Plumbing Code or local ordinance, whichever shall prescribe the highest standards. Any plumber, registered and licensed by the State Board of Plumbers, may engage in or work at the business of plumbing at any place in this State, except that if any city or village shall by ordinance regulating the business of plumbing, and provide standards equal to, or in excess of those provided by the State Plumbing Code, it may require a municipal license or registration in addition to the State License, before permitting any plumber to work in said municipality. Such State Plumbing Code may be adopted as a whole as an ordinance of any city or village by reference, without the necessity of publishing the text thereof.

§ 9. REPORTS TO STATE BOARD.] Such local authority as may be designated by Ordinance for the issuance of plumbing permits and licenses, and the approval of plumbing plans, shall report to the State Board of Plumbing persistent of (or) wilful violations of the State Plumbing Code, and of any municipal ordinance regulating the same, and any incompetence on the part of any registered and licensed plumber coming to the attention of the local authorities.

§ 10. PRACTICE OF PLUMBING BY UNLICENSED PERSONS PROHIBITED.] In any incorporated city or village, having a system of waterworks or sewerage, no person, firm or corporation shall engage in the work or business of a master plumber or journeyman plumber unless registered and licensed to do so by the State Board of Plumbers. In any such city or village no person, firm or corporation shall engage in the business of installing plumbing or install plumbing in connection with the dealing in and selling of plumbing materials and supplies unless at all times a registered and licensed master plumber, who shall be responsible for the proper installation thereof, is in charge of the plumbing work of such person, firm or corporation.

§ 11. EXAMINATION AND LICENSING OF PLUMBERS.] The State Board of Plumbers shall prescribe rules and regulations not inconsistent herewith for the examination, regulations and licensing of plumbers, either as master plumbers or journeyman plumbers, or both.

§ 12. EXAMINATIONS.] The State Board of Plumbing shall hold two public meetings a year to be held at the State Capitol, at such times as the Board may prescribe, for the purpose of examining persons who may desire to take examination to become registered and licensed plumbers. Notice of such meeting shall be given by mail to all persons who have made application to take such examination, and notice shall also be given by publication in such newspaper or newspapers as may be designated by the Board. Special meetings and special examinations may be called for at any time by the Board.

§ 13. LICENSE; HOW OBTAINED; FEE.] Any qualified applicant desiring to take any such examination and obtain a certificate of registration and license shall make application to said Board therefor and pay the Treasurer of that Board the sum of \$25.00 as an examination fee for a master plumber's certificate and license, and the sum of \$10.00 as an examination fee for a journeyman plumber's license and certificate. Such applicant shall present himself at the next regular meeting of said Board for examination of applicants under the rules and regulations that may be adopted by such Board. If upon examination such applicant is found by said Board to be qualified as a master plumber or journeyman plumber, or both, the Board shall issue to him a certificate of registration and license, which will entitle him to do the work and be a plumber as specified in the certificate of registration and license issued to him, which certificate shall be good until the end of the then current calendar year, and may be renewed by said Board upon application made within thirty days after the expiration thereof, and the payment of \$25.00 for each renewal of a master plumber's certificate and license, or the sum of \$10.00 for each renewal of a journeyman plumber's certificate and license. All certificates of registration and license shall commence January 1st and expire December 31st of each year. Nothing

contained in this Act shall be construed to prohibit the issuance of a master plumber's and journeymen's license to one and the same person, it being the intent hereof that persons may engage in both classes of occupation, if properly licensed in both; provided, however, that the holder of a master plumber's license may be granted a journeymen's license without the payment of the journeymen's license fee.

The State Board of Plumbers shall have the power and authority, when the conditions of its fund may permit the same, and when in its sole judgment and discretion it is deemed advisable, to reduce the amount of fees herein provided for renewal licenses for either master or journeyman plumbers, but may not increase the same. Any such change by way of reduction and renewal license fees shall be adopted by the Board to take effect on the 1st day of January following its action, and shall apply to all renewals in the class or classes specified in said ruling. All certificates and licenses shall be consecutively numbered and shall not be transferable, and no person shall work under the license issued to another person. If a plumber holding a certificate of license, either as a master plumber or journeyman plumber, shall permit any other person to work under his said license, such fact shall be deemed sufficient for revocation of the license.

§ 14. REGISTER.] The Board shall keep a register in which shall be entered the names and addresses of all persons to whom certificates of registration and license are issued as master plumbers and also a register in which shall be entered the name and addresses of all persons to whom certificates of registration and license shall be issued as journeyman plumbers, which, shall be open to the public for inspection.

§ 15. TEMPORARY CERTIFICATES OF REGISTRATION.] The State Plumbing Board shall have the power, upon the payment of the regular examination fee, to issue a temporary permit either as a master plumber or journeyman plumber, or both, effective until the next examination of plumbers is held, to any person to engage in work of plumbing, who shall furnish to the Board satisfactory evidence of his qualifications to do so. In case of the failure of such applicant to appear for the next examination, except for sickness, certified to by a physician, or other accepted excuse presented at the time or in the case of his failure to pass the examination, said applicant's permit shall become void and his fee forfeited.

§ 16. LICENSING OF PERSONS NOW ENGAGED IN PLUMBING.] The Board may issue a certificate of registration and license as either a master plumber or journeyman plumber, or both, upon application accompanied by the required license fee, within a period of six months after the date upon which this Act shall become effective, to any person who shall furnish to said Board satisfactory proof that

for six months or more preceding the effective date of this Act he has been engaged in the division of the business of plumbing for which he seeks a license, as his principal occupation.

§ 17. POWER TO REVOKE CERTIFICATES.] The Board shall have the power to revoke any certificate issued by it under this Act for (a) commission of a crime; (b) error or fraud in obtaining certificate; (c) permitting the use of his certificate and license in violation of this Act; and (d) incompetency. Provided, that before any certificate shall be revoked the holder of such certificate shall be notified in writing by the Board, of the charges against him and at the time and place fixed by such Board for a hearing upon such charges, which time shall be not less than five days after the service thereof by registered mail, mailed to him at his postoffice address as shown in his certificate of registration and license, which hearing shall be public, and full opportunity shall be given the accused to produce witnesses and evidence in his own behalf, and to examine the witnesses against him. After hearing all of the evidence, the Board shall render its decision in writing, and the accused shall be furnished, by mail, with a copy thereof. If the accused is found guilty of any offense for which revocation of license is hereinbefore provided, his certificate of registration and the license shall be automatically revoked, and the offending person shall not be permitted again to apply for a license for a period of one year. After the expiration of a period of one year from the date of any such revocation, the Board may again consider an application for reinstatement of said plumber, and, upon a showing that the disability has been removed, or that there is no further likelihood of the offense being repeated, the Board may reinstate said license.

§ 18. APPRENTICES.] Nothing in this Act shall prohibit any person from serving as an apprentice in said trade of duly registered and licensed plumber doing business in this State.

§ 19. FEES.] All fees and money obtained through the administration of this Act, including all license and registration fees, shall be deposited with the State Treasurer of the State of North Dakota, and shall by him be credited to a fund to be known as "The State Plumbing Board Fund", and shall be disbursed upon auditor's warrants, on vouchers of the State Board of Plumbing, approved by the State Auditing Board for the administration and enforcement of this Act. It is the intention of this Act that all funds collected for the registration and licensing of plumbers in this State shall be used for the regulation of the business of plumbing through the State Board of Plumbing, and to that end, all funds accruing to the credit of the State Plumbing Fund from any and all registration fees and license fees, hereby imposed, are hereby appropriated to the State Plumbing Board for said purpose, and this appropriation shall be construed as a continuing appropriation of all such sums hereafter accruing to said fund.

§ 20. PENALTIES.] Any person who shall work as a master plumber or journeyman plumber for compensation without being a registered and licensed plumber in such classification, shall be fined not less than \$10.00 nor more than \$50.00, or imprisoned in the county jail for not more than 30 days, or by both such fine and imprisonment for each such offense. Each day of violation of this Act shall be a separate offense. Any person who shall do any Act prohibited by this law, or who shall do any act prohibited by the State Plumbing Code, when lawfully promulgated, or fail to do any act required by said Plumbing Code, shall be punished by imprisonment in the county jail for not more than three months, or by a fine of not exceeding \$100.00, or by both such fine and imprisonment. Nothing in this Act shall be construed to prohibit the imposition of additional penalties by cities or villages for violation of municipal ordinances governing the business of plumbing and the installation of plumbing apparatus.

§ 21. Nothing in this Act shall be construed as requiring that licensed or registered plumbers be employed in the performance of any plumbing work in private buildings outside of the corporate limits of cities and villages having water or sewerage systems.

§ 22. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 20, 1941.

LIENS

CHAPTER 188

S. B. No. 53—(Thatcher)

HOUSE-MOVERS LIEN

An Act Providing for a lien in favor of house-movers and providing for the filing, perfection and enforcement of said lien.

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

§ 1. Any house-mover having an established place of business within this State, who has complied with the Workmen's Compensation Act, and who moves any building, under contract with the legal owner or possessor thereof, shall have a lien thereon for his reasonable charges for work done and materials furnished, until such charges are paid; provided, however, that said lien must be