

mon witnesses and may take testimony at such hearings.

§ 4. FALSE WEIGHING.] No licensed weighman shall misweigh or falsely report any weights or otherwise fraudulently manipulate the scales to produce a weight other than the true and actual weight of any livestock, poultry, or other agricultural and horticultural products consigned to and sold at any public market.

§ 5.] It is further provided that before any person, association, co-partnership, firm, or corporation may become a purchaser at any sale conducted by a sales ring established under the laws of this state, such prospective purchaser must file satisfactory evidence with the operator of such sales ring that any check, draft, or bill of exchange issued and delivered to such sales ring in payment of any livestock purchased shall be honored by the drawee bank at the time of presentation for payment, and until such check, draft, or other bill of exchange has been duly honored and paid, the title to the livestock so purchased shall be in the sales ring making such sale.

Approved March 15, 1947.

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## MILITARY

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### CHAPTER 245

H. B. No. 97

(Allen, Anderson, Arndt, Brickner, Hanson, Fitch, Johnson, Locken, Rudolf, Schuler, Severson, Starck, Wadeson, Wambheim and Welk)

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#### AID TO VETERANS BY VETERANS AID COMMISSION

##### AN ACT

To amend and reenact Section 37-1406 of the North Dakota Revised Code of 1943 as amended and reenacted by Section 4 of Chapter 242 of the Session Laws of North Dakota for the year 1945, relating to aid to veterans.

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

§ 1. AMENDMENT.] That Section 37-1406 of the North Dakota Revised Code of 1943 as amended and reenacted by

Section 4 of Chapter 242 of the Session Laws of North Dakota for the year 1945, is hereby amended and reenacted to read as follows:

37-1406. COMMISSION MAY PROVIDE AID.] If the veterans' aid commission is satisfied that such applicant has served as a member of the armed forces of the United States for an aggregate time of not less than thirty days while the United States was at war, that he is a citizen and resident of the state of North Dakota, and that he has not been dishonorably discharged, the veterans' aid commission may loan to such applicant, or a guardian of such applicant, a sum from the veterans' aid fund not to exceed the sum of five hundred dollars.

Approved March 15, 1947.

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## CHAPTER 246

S. B. No. 152—(Committee on Veterans and Military Affairs)

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### APPOINTMENT COUNTY VETERANS' SERVICE OFFICER

#### AN ACT

To amend and reenact Section 1 of Chapter 30 of the Session Laws of North Dakota of the Special Session of 1944 as amended and reenacted by Section 2 of Chapter 236 of the Session Laws of North Dakota for the year 1945, relating to the appointment of county veterans' service officer by board of county commissioners; appointment made with approval of Commissioner of Veterans' Affairs defining the duties of county veterans' service officer and declaring an emergency.

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

§ 1. AMENDMENT.] That Section 1 of Chapter 30 of the Session Laws of North Dakota of the Special Session of 1944 as amended and reenacted by Section 2 of Chapter 236 of the Session Laws of North Dakota for the year 1945 is hereby amended and reenacted to read as follows:

2. The board of county commissioners of each county of the state of North Dakota may appoint, employ, and pay, on a full-time or part-time basis, an officer to be known as a county veterans' service officer, such appointment shall be made with the advice of the Commissioner of Veterans' Affairs. It shall be the duty of such county veterans' service officer to ac-

quaint himself with the laws, both state and federal, enacted for the benefit of returning servicemen and to assist such returning members of the armed forces in the presentation, proof, and establishment of such claims, privileges, and rights as they may have. It also shall be the duty of the county veterans' service officer, under the supervision of the State Commissioner of Veterans' Affairs, to actively cooperate with and to co-ordinate the activities of the state and federal agencies within the county which he serves to facilitate their operation and insure promptness in the solution of the problems concerned with the re-establishment of returning servicemen and women in civilian pursuits.

§ 2. 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, 1947.

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## CHAPTER 247

S. B. No. 6

(Senator Brant for Legislative Research Committee at the request of  
Office of State Examiner)

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### SALARY AND EXPENSES COUNTY VETERANS' SERVICE OFFICER

#### AN ACT

To amend and reenact Section 3 of Chapter 236 of the Session Laws of North Dakota for the year 1945, providing for salary and expenses of the county veterans' service officer.

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

§ 1. AMENDMENT.] That Section 3 of Chapter 236 of the Session Laws of North Dakota for the year 1945, is hereby amended and reenacted to read as follows:

§ 3.] The county veterans' service officer shall be paid such monthly salary for fulltime or part-time work as the board of county commissioners shall deem commensurate with the needs of the situation, together with actual living expenses of a sum not to exceed five dollars per day when absent from his established office upon official business, upon itemized statements submitted by him and supported by sub-vouchers

or receipts as provided by Section 21-0501 of the North Dakota Revised Code of 1943, and his actual transportation expenses, which shall not exceed the amounts provided by Section 54-0609 of the North Dakota Revised Code of 1943, and shall be in itemized form showing the mileage traveled, the days when and how traveled, and the purpose thereof, verified by his affidavit and supported by sub-vouchers or receipts as provided by Section 21-0501 of the North Dakota Revised Code of 1943.

Approved February 10, 1947.

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## CHAPTER 248

S. B. No. 154—(Committee on Veterans and Military Affairs)

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### RECORDING ETC. DISCHARGE PAPERS OF MEMBERS OF ARMED SERVICES WITHOUT CHARGE

#### AN ACT

To amend and reenact Section 37-0134 of the North Dakota Revised Code of 1943 as amended and reenacted by Section 1 of Chapter 31 of the Session Laws of North Dakota of the Special Session of 1944, relating to the recording of discharge papers of members of the armed forces without fee and providing that a veteran may secure certified copy of discharge without charge and declaring an emergency.

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

§ 1. AMENDMENT.] That Section 37-0134 of the North Dakota Revised Code of 1943 as amended and reenacted by Section 1 of Chapter 31 of the Session Laws of North Dakota of the Special Session of 1944 is hereby amended and reenacted to read as follows:

1. It is hereby provided that those discharged from the national guard, the army, the marine corps and other branches of the armed forces of the United States, may record their discharges from such armed forces, certificate issued in lieu thereof, duly authenticated and certified copies thereof, or duly certified records of their service and discharge from such armed forces in the office of the clerk of the district court of the county in which they reside, without payment of any fee whatsoever, and such recordings shall have the same force and effect as the recording of other instruments. One certified

copy of such discharge shall be furnished, without payment of any fee whatsoever, upon request, to the veteran or to his next of kin.

§ 2. 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 20, 1947.

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## CHAPTER 249

H. B. No. 293—(Brickner, Severson)

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### VETERANS EMPLOYMENT PREFERENCE

#### AN ACT

To amend and reenact sections 1 and 3 of chapter 238 of the Session Laws of North Dakota for 1945 relating to employment preference for veterans in public departments, upon public works, and in public offices.

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

§ 1. AMENDMENT.] That section 1 of chapter 238 of the Session Laws of North Dakota for the year 1945 is hereby amended to read as follows:

§ 1. APPOINTMENT PREFERENCE — VETERANS, THEIR WIVES AND WIDOWS.] In each public department and upon all public works and in public offices of the state of North Dakota and of the counties, cities and villages therein, honorably discharged members of the armed forces who have defended this nation in times of war, or their widows, or their wives when the veteran is wholly incapacitated by reason of disabilities not resulting from his own vicious habits, shall be preferred for appointment, and age, loss of limb or other physical impairment which does not in fact incapacitate the persons from performing the duties of the position sought, shall not disqualify them, if they possess the requisite qualifications and business capacity to discharge the duties of the positions involved. Provided further, that to be eligible under the provisions of this Act the person applying shall be a citizen of the United States and shall have been a resident of the State of North Dakota at the time of his or her induction or enlistment in the armed forces and where a county, city, or village appointment is involved the applicant shall have been

a resident of such political subdivision for at least six months immediately preceding the appointment sought.

§ 2. AMENDMENT.] That Section 3 of Chapter 238 of the Session Laws of 1945 be and the same is hereby amended so as to read as follows:

§ 3. EXCEPTIONS.] Excepted from the provisions of this Act are the personal staff of the governor and the first assistant or deputy of an elected official plus the personal secretary of each elected official. There shall also be excepted from the operation of this Act any temporary investigating committee or group appointed by the governor or the legislative assembly. This Act shall not interfere with the regular operation of the merit system, except that upon proof submitted showing honorable service during a war a veteran shall have five per cent added to the rating which he obtains on examination and a disabled veteran with a service connected disability shall have ten per cent added to his rating so obtained.

Approved March 15, 1947.

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## CHAPTER 250

H. B. No. 300—(Committee on Veterans & Military Affairs)

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### REGISTER AND RECORDS OF GRAVES OF N. D. MEMBERS OF ALL WORLD WAR II SERVICE BRANCHES BURIED IN NORTH DAKOTA

#### AN ACT

Relating to registering and compiling records of the graves of deceased soldiers, sailors, and marines, including Wacs, Waves, Spars, and members of nurses corps of all arms and services, who served in World War II and are buried in this state; authorizing the adjutant general to use any unexpended funds remaining in the fund for maintenance of the North Dakota State Guard.

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

§ 1.] It shall be the duty of the adjutant general of the state of North Dakota, to register and compile records of the graves of deceased soldiers, sailors, and marines, including Wacs, Waves, Spars, and members of nurses corps of all arms and services, who served in World War II in accordance with sections 37-1601 to 37-1606 inclusive, of the North Dakota Revised Code of 1943. For the purpose of carrying out

the provisions of this Act the adjutant general is hereby authorized to expend such sum as may be necessary out of any balance of unexpended funds appropriated and existing under the provisions of chapter 60, subdivision 23, Session Laws of 1945, for the maintenance of the North Dakota State Guard.

Approved March 15, 1947.

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## CHAPTER 251

S. B. No. 155—(Committee on Veterans and Military Affairs)  
**REMOVAL OF MINORITY DISABILITY OF VETERANS  
AND THEIR MINOR SPOUSES**

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### AN ACT

Providing for the removal of the disability of the minority of veterans and their minor spouses for the purpose of obtaining benefits under the Servicemen's Readjustment Act and declaring an emergency.

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

§ 1.] The disability of minority of any person otherwise eligible for guaranty or insurance of a loan pursuant to the Servicemen's Readjustment Act of 1944 as amended—P. L. 346, 79th Cong., as amended,—and of the minor spouse of any eligible veteran irrespective of his or her age, in connection with any transaction entered into pursuant to said Act as amended, is hereby removed, for all purposes in connection with such transaction including, but not limited to, incurring of indebtedness or obligations and acquiring, encumbering, selling, releasing, or conveying property, or any interest therein, and litigating or settling controversies arising therefrom, if all of part of any obligations incident to such transaction be guaranteed or insured by the administrator of veteran's affairs pursuant to such Act. This Act shall not be construed to impose any other or greater right or liabilities than would exist if such person and such spouse were under no such disability.

§ 2. 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 20, 1947.

## CHAPTER 252

H. B. No. 303—(Committee on Veterans and Military Affairs)

## COMPOSITION N. D. NATIONAL GUARD

## AN ACT

Relating to the composition of the national guard and prescribing that the ages for original enlistments and reenlistments conform to the National Defense Act; repealing sections 37-0202 and 37-0701 of the North Dakota Revised Code of 1943 and all acts or parts of acts in conflict with this act; and declaring an emergency.

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

§ 1. NORTH DAKOTA NATIONAL GUARD COMPOSITION OF.] The North Dakota National Guard shall consist of the regularly enlisted and enrolled male citizens, within the age limits prescribed by the National Defense Act of 1920, as amended; organized, armed, and equipped as provided in this title, and of commissioned officers within the ages conforming to the rules and regulations promulgated by the War Department as conditions precedent to Federal recognition. Such national guard shall be composed of such units as the War Department of the United States may allocate and designate, with the approval of the governor of this state.

§ 2. ORIGINAL ENLISTMENTS IN THE NATIONAL GUARD; QUALIFICATIONS.] Any male person who is a citizen of the United States, or who has declared his intention to become a citizen, if within the ages set forth in the National Defense Act of 1920, as amended, able-bodied, free from disease, of good character, and of temperate habits, may be originally enlisted in the national guard of this state under the restrictions contained in this title for a term of not less than three years and as provided by national guard regulations promulgated by the Secretary of War.

§ 3. REPEAL.] Sections 37-0202 and 37-0701 of the North Dakota Revised Code of 1943 and all acts or parts of acts in conflict with this act are hereby repealed.

§4. 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, 1947.