

physician. The provisions of this section shall not apply to cooperative or to non-profit associations or non-profit corporations.

Approved March 20, 1947.

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## OFFICES AND OFFICERS

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### CHAPTER 301

H. B. No. 335—(Callahan)

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#### VACANCIES IN PUBLIC OFFICE AND CAUSES THEREOF AN ACT

To amend and reenact Section 44-0201 of the North Dakota Revised Code of 1943, relating to vacancies in public office and causes thereof; and declaring an emergency.

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

§ 1. AMENDMENT.] That Section 44-0201 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

44-0201. VACANCIES; CAUSES THEREOF.] An office shall become vacant if the incumbent shall:

1. Die in office;
2. Be adjudged insane;
3. Resign from office;
4. Be removed from office;

5. Fail to discharge the duties of his office, when such failure has continued for sixty consecutive days, except when prevented from discharging such duties by reason of his service in the army, navy, or marine corps of the United States, by sickness, or by other unavoidable cause, provided, however, that as to any office which under the law the vacancy must be filled by the Governor, the Governor for good cause shown may extend the period, which the incumbent may be absent, for an additional period of sixty days. No remuneration on

account of such office shall be paid to an absentee officeholder during his absence, and such office in all cases shall become vacant upon the termination of the term for which he was elected or appointed;

6. Fail to qualify as provided by law;
7. Cease to be a resident of the state, district, county or township in which the duties of the office are to be discharged, or for which he may have been elected;
8. Be convicted of a felony or any offense involving moral turpitude or a violation of his official oath;
9. Cease to possess any of the qualifications of office prescribed by law; or
10. Have his election or appointment declared void by a competent tribunal.

§ 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 13, 1947.