

purchase price of real estate, and in case of default the holder of a real estate mortgage or land contract shall be entitled only to a foreclosure of the mortgage or the cancellation or foreclosure of the contract. Except as otherwise provided in sections 32-1904 and 32-1906, neither before nor after the rendition of a judgment for the foreclosure of a real estate mortgage or for the cancellation or foreclosure of a land contract made after July 1, 1951, shall the mortgagee or vendor, or the successor in interest of either, be authorized or permitted to bring any action in any court in this state for the recovery of any part of the debt secured by the mortgage or contract so foreclosed. It is the intent of this section that no deficiency judgment shall be rendered upon any note, mortgage, or contract given after July 1, 1951, to secure the payment of money loaned upon real estate or to secure the purchase price of real estate, and in case of default the holder of a real estate mortgage or land contract shall be entitled only to a foreclosure of the mortgage or the cancellation or foreclosure of the contract except as provided by sections 32-1904 and 32-1906.

§ 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 February 21, 1951.

LABOR AND EMPLOYMENT

CHAPTER 218

S. B. No. 124
(Geelan and Blume)

LIMITATION OF ACTION TO RECOVER OVERTIME OR PREMIUM PAY OR PENALTIES ON WAGES REQUIRED BY STATUTE

AN ACT

To amend and reenact section 34-0113 of the 1949 Supplement to the North Dakota Revised Code of 1943 relating to time limit for action to recover overtime or premium pay or penalties on wages required or authorized by any statute.

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

§ 1. AMENDMENT.) Section 34-0113 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

34-0113. ACTIONS UNDER FAIR LABOR STANDARDS ACT MUST BE BROUGHT WITHIN CERTAIN TIME.) That all suits and actions for the recovery of overtime, damages, fees or penalties accruing under laws respecting the payment of wages, and specifically under the Act of Congress known as the Fair Labor Standards Act of 1938, as same has been or may hereafter be amended, and all other similar Acts shall be brought within two years after the accrual of such cause of action, and all causes of action accruing prior to the date hereof shall be brought within one year after passage of this Act. This Act shall not affect suits pending at the time of its passage.

Approved February 28, 1951.

CHAPTER 219

H. B. No. 710
(Holand, Langseth, Richland)

MEDIATION OF DISPUTES AND GRIEVANCES BETWEEN STATE AND SUBDIVISIONS OF GOVERNMENT AND THEIR EMPLOYEES; MEDIATION BOARDS, ETC.

AN ACT

To provide for the mediation of disputes and grievances between the state government as an employer and its employees and between subordinate units of government within the state and the employees thereof; to provide for the appointment of mediation boards with authority to issue subpoenas; to consider terms of settlement between the disputants; and to make recommendations for the bona fide consideration of the parties concerned.

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

§ 1.) No provisions of this Act shall be construed to mean that the state or any subordinate jurisdiction thereof or any board, commission or department within such public jurisdiction shall be compelled to accept the recommendations of a mediation board as binding nor shall any group of employees affiliated with a union or otherwise be compelled to abide by the recommendations of such mediation board; provided, however, that both parties to any dispute or grievance in the public employee field covered by this Act be required to proceed in good faith according to the terms hereof to create a mediation board and to cooperate fully with such board in attending hearings, supplying data concerning all matters in dispute, to answer questions and in all other particulars to respond in good faith and to cooperate fully with such board

in its attempt to settle the matter in dispute. Nor shall anything in this Act be construed to affect, limit, or impair the right of any public employee to express his views, to make complaint or give testimony concerning any grievance pertaining to public employment or to the betterment of his or her working conditions. Nor shall the provisions herein be construed to authorize any public employer covered by this Act to attempt to or deter any public employee working subject to his jurisdiction from affiliating with any union, association or other group of public employees nor shall a public employer refuse to consider grievances concerning employment problems with the representatives duly chosen by such union, association or affiliation of public employees.

§ 2.) Whenever a public employer or the employing head of a board, commission, or department in the state service or in the services of any subordinate jurisdiction or whenever any union, association or group of public employees of a public unit of government decides by vote of such group that a grievance or matter in dispute which has been considered between the employer and the employee cannot be settled amicably and without disruption of the public service it shall be the duty of the employer or the employees or both to request in writing of the chief executive officer of the unit of government, namely the governor in the state service, the chairman of the county board or commission in county services and the mayor or city manager of the city in city services, that it is the wish of one or both parties concerned in such dispute or grievance that the provisions of this Act be made use of by the designation of such officer of two members of a mediation board, one to be recognized as a representative of the employer in the public service and one to be a bona fide employee who is a member of the union, association or group of employees and who is interested in the point of view of such group of employees. The two persons so designated shall upon their appointment forthwith meet and agree upon a third person who shall be chairman of the mediation board.

§ 3.) It shall be the duty of such mediation board to hold public hearings to consider the matter in dispute or the grievance at any place in the state for state employee-employer disputes or grievances, at any place within the jurisdiction of the county in county disputes and within the limits of the city in a city dispute. Such board shall have the authority to subpoena witnesses, to compel their attendance, to administer oaths, to take testimony and received evidence and it shall possess the authority to discuss informally the matter of dispute or the grievance in the presence of both the employer or the employee or their representatives. Following the conclusion of such public hearings or such public considerations of the problem involved, such board shall within thirty days make determination of the issues involved in such dispute

or grievance, prepare recommendations thereon in writing and submit a signed copy to the governor in the case of a dispute in the state employee field, to the chairman of the county board or commission in the case of a county dispute and to the mayor or city manager in the case of a dispute in city service, and a signed copy to the employer and to the representative of the employees.

§ 4.) The employer and the employees concerned shall in good faith study the recommendations so prepared by the mediation board and if either party to the dispute or grievance after such consideration of the recommendations feels that for some reason it cannot accept the recommendation it shall notify the opposing party in writing and give reasons therefor. In such event either party to the dispute shall be entitled to ask the board of mediators for further consideration. Whenever further consideration is so requested both parties to the dispute shall be bound to respond a second time as hereinbefore provided and the mediation board shall be privileged to exercise all of the powers with which it is clothed.

§ 5.) The members of boards of mediation shall not receive compensation for their work but they shall be reimbursed for any actual or necessary expenses incurred in connection therewith, and the unit of government involved shall be obligated upon proper affidavit therefor to pay from the treasury actual costs including subpoena services and other expenses.

Approved March 10, 1951.

LIVESTOCK

CHAPTER 220

S. B. No. 72
(Legislative Research Committee)
at the request of
The Livestock Sanitary Board and Board of
Veterinary Medical Examiners

PRACTICE OF VETERINARY SCIENCE; QUALIFICATIONS

AN ACT

To amend and reenact section 36-0205 of the North Dakota Revised Code of 1943, relating to the practice of veterinary science.

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

§ 1. AMENDMENT.) Section 36-0205 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows: