
EDUCATION

CHAPTER 128

H. B. No. 696
(Erickson of Burke-Divide)

REPEAL FARM LOAN INVESTMENTS BY BOARD OF UNIVERSITY AND SCHOOL LANDS

AN ACT

To repeal chapter 125 of the North Dakota Session Laws of 1953, relating to investment in farm loans by the board of university and school lands.

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

§ 1. **Repeal.**) Chapter 125 of the North Dakota Session Laws of 1953 is hereby repealed.

Approved February 28, 1955.

CHAPTER 129

S B. No. 242
(Delayed Bills Committee)

PRIVATE SALE OF NON-GRANT SCHOOL LANDS

AN ACT

To amend and reenact section 15-0704 of the North Dakota Revised Code of 1943, relating to private sale of non-grant lands.

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

§ 1. **Amendment.**) Section 15-0704 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-0704. Private Sale; Terms and Prices.) Any land sold under the provisions of this chapter shall be by public sale except purchases under the provisions of sections 15-0710 and 15-0813 of the North Dakota Revised Code of 1943. If the land was acquired through the cancellation of a contract for deed,

the price shall be not less than the amount due at the time of cancellation. If the land was acquired through foreclosure, the price shall be not less than the amount due at the time of the foreclosure sale. In either case, the purchase price also must include interest on the aforesaid amount at the rate of five percent per annum from the date of the cancellation or the foreclosure sale, as the case may be, and the amount of recording fees paid by the state.

Approved March 9, 1955.

CHAPTER 130

S. B. No. 58
(Freed)

CONVEYANCE OF LAND BY BOARD OF HIGHER EDUCATION

AN ACT

Authorizing the state board of higher education to convey to the Dickinson School District, Number One, Stark County, North Dakota, five acres, more or less, of a tract of land situated in the northwest quarter of section four, township one hundred thirty-nine north, range ninety-six west of the fifth principal meridian, in the city of Dickinson, Stark County, North Dakota.

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

§ 1.) It is hereby determined that the property hereinafter described is suited as the site for the erection of an elementary school, the facilities of which would be used and made available for purposes of supervised student teaching and observation by the state teachers college at Dickinson, North Dakota.

§ 2.) The state board of higher education, with the approval of the governor and attorney general, is hereby authorized to convey the property described as follows, to-wit:

A tract of land situated in the northwest quarter of section four, township one hundred thirty-nine north, range ninety-six, in the city of Dickinson, county of Stark, state of North Dakota, is more particularly described as follows: Beginning at a point sixteen feet south and sixty-six feet west of the golf ground's southwest corner which is described in the original college tract of book thirty-eight, page one hundred, book of deeds, thence west and parallel with south boundary of golf grounds a distance of four hundred feet, thence north and parallel with the west boundary of the roadway on the west side of golf grounds, a distance of five hundred forty-four and five tenths feet, thence east and

parallel with south boundary of golf grounds, a distance of four hundred feet, thence south five hundred forty-four and five tenths feet to the point of beginning. This tract contains five acres, more or less, and presently comprises a part of the campus of the state teachers college at Dickinson, North Dakota,

to the Dickinson school district number one, Stark County, North Dakota, as a site for the erection by said school district of an elementary school, the facilities of which shall be made available for purposes of supervised student teaching and observation by the state teachers college at Dickinson, North Dakota.

§ 3.) The conveyance of said property shall be executed in the name of the state of North Dakota by the governor and attested by the secretary of state under the Great Seal of the state of North Dakota, and shall be made without the payment of any consideration by the school district concerned.

Approved March 9, 1955.

CHAPTER 131

S. B. No. 142
(Knudson)

PLEDGE OF RENTALS AT MAYVILLE TEACHERS COLLEGE

AN ACT

Authorizing the Mayville state teachers college to pledge certain rentals to repay any loan for the purpose of building a new residence for the president thereof and remodeling the old residence into a men's dormitory, and declaring an emergency.

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

§ 1. **Authorization To Pledge Rentals.)** The state teachers college at Mayville, North Dakota, is authorized to pledge future rentals from faculty residential units and from the men's dormitory to be converted from the college president's residence, for the purpose of paying any loan or loans for the building of a new president's residence and for remodeling the old president's residence into a men's dormitory at the state teachers college at Mayville.

§ 2. **Emergency.)** This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its approval.

Approved March 3, 1955.

CHAPTER 132

H. B. No. 548

(Legislative Research Committee)

STATE BOARD OF PUBLIC SCHOOL EDUCATION

AN ACT

Amending and reenacting subsection 3 of section 15-1901 and sections 15-1902, 15-1903, 15-1906, 15-4002, 15-2008, 15-4003, 15-4010, and 15-4105 of the North Dakota Revised Code of 1943; and sections 15-2002, 15-2003, 15-2004, 15-2006, 15-2010, subsections 1 and 4 of 15-2012, 15-2013, 15-2014, 15-2015, 15-4021, 15-5303, 15-5701, 15-5902, 15-5903, 15-5905, subsection 6 of 15-6001 and 15-6006 of the 1953 Supplement to the North Dakota Revised Code of 1943; and repealing sections 15-5304 and 15-6002 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school correspondence, vocational education and rehabilitation, the state equalization emergency fund board, the advisory board for school district reorganization, the state board of teaching scholarships, the advisory council on special education, the state school construction fund and other elementary and secondary education functions, and creating the state board of public school education.

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

§ 1. Creation and Operation of State Board of Public School Education.) There is hereby created a "state board of public school education" consisting of the governor, as chairman, attorney general, superintendent of public instruction, a member to be named by the president of the North Dakota educational association and a member to be named by the president of the North Dakota school officers' association, such members to serve for a term beginning July 1, 1955, through December 31, 1955. Thereafter, a member shall be selected by the North Dakota educational association and a member shall be selected by the North Dakota school officers' association at their respective annual conventions who shall be appointed to serve for a two year term beginning on the first day of January in each even numbered year and expiring on the last day of December of each odd numbered year. The superintendent of public instruction shall also serve as executive director and secretary of such board, shall supervise and carry out the policies of the board in relation to all functions of the board, and shall employ such personnel as shall be necessary to carry on such responsibilities as may be placed upon the board by law. No additional compensation shall be paid to any person serving upon the state board of public school education, except that the members from the North Dakota school officers' association and the North Dakota education association shall receive the sum of ten dollars for each day actually engaged

in their duties under this Act and shall receive reimbursement for actual necessary expenses incurred in the performance of their duties from the biennial appropriation of the department of public instruction at the same rates as provided by law for other state officers. The board shall have authority to call upon any state office, officer, department, or agency for such advice and assistance as it may from time to time require.

§ 2. Amendment.) Section 15-2002 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2002. State Treasurer Is Custodian of Vocational Education Funds.) The state treasurer shall be the custodian of all moneys received by this state from any appropriations made under the Act of Congress described in section 15-2001, and he is authorized to receive and provide for the proper custody of such moneys and to make disbursements thereof in the manner provided in such Act of Congress and for the purpose specified in such Act. He shall pay out any moneys appropriated by this state for the purpose of carrying out any of the provisions of this chapter upon the order of the state board of public school education.

§ 3. Amendment.) Section 15-2003 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2003. State Board of Vocational Education; State Director For Vocational Education; Appointment, Qualifications, Assistants, Duties.) The state board of public school education shall be the state board for vocational education. The state board of public school education, acting through the office of the superintendent of public instruction, shall appoint a state director and executive officer for vocational education who shall be charged with the administration, under the direction and supervision of the board, of the provisions of this chapter relating to vocational education. The board, acting through the office of the superintendent of public instruction, shall designate such assistants to the director as may be necessary to carry out the provisions of this chapter. The duties, terms of office, and compensation of the director and of his assistants shall be determined by the board. The director shall be a graduate of a standard college or university. He shall enforce such rules and regulations as the board may adopt and shall prepare such reports concerning vocational education as the board may require.

§ 4. Amendment.) Section 15-2004 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2004. Powers and Duties of State Board of Public School Education Relating To Vocational Education.) The state board of public school education shall have all authority necessary to cooperate with the United States office of education in the federal security agency or other department or agency of the United States of America in the administration of the act of congress relating to vocational education, including the following powers and duties:

1. To administer any legislation enacted by the legislative assembly of this state pursuant to or in conformity with the act of congress relating to vocational education;
2. To administer the funds provided by the federal government and by this state for the promotion of vocational education in agricultural, trade, industrial, home economics and distributive occupational subjects;
3. To formulate plans for the promotion of vocational education in such subjects as are an essential and integral part of the public school system of education in this state;
4. To provide for the preparation of teachers of the subjects mentioned in this section;
5. To fix the compensation of such officers and assistants as may be necessary to administer the federal acts and the provisions of this chapter relating to vocational education and to pay the same and other necessary expenses of administration from any funds appropriated for such purpose;
6. To make studies and investigations relating to vocational education;
7. To promote and aid in the establishments of schools, departments, or classes giving training in the subjects mentioned in this section, and to cooperate with local communities in the maintenance of vocational schools, departments, or classes;
8. To prescribe the qualifications and provide for the certification of teachers, directors, and supervisors in the subjects mentioned in this section; and
9. To cooperate with governing bodies of school districts and with organizations and communities in the maintenance of classes for the preparation of teachers, directors, and supervisors of vocational education, to maintain classes for such purposes under its own direction and control, and to establish and control, by general regulations, the qualifications to be possessed by persons engaged in the training of vocational teachers.

§ 5. Amendment.) Section 15-2006 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2006. Cooperation of School Boards In Vocational Education.) The governing body of any school district and the board of trustees of any county agricultural and training school may cooperate with the state board of public school education in the establishment and maintenance of schools, departments, or classes in vocational education giving instruction in agricultural trade, industrial, home economics, or distributive occupational subjects, and may use any moneys raised by public taxation for such purposes in the same manner as the moneys for other school purposes are used for the maintenance and support of public schools. When any school, department or class giving instruction in vocational education has been approved by the state board of public school education, it shall be entitled to share in any federal and state funds available for vocational education.

§ 6. Amendment.) Section 15-2008 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2008. Reimbursement of Schools Teaching Subjects In Vocational Education.) The state board of public school education, acting through the office of the superintendent of public instruction, shall reimburse approved schools, departments, or classes giving instruction in the vocational education subjects described in this chapter from federal funds allocated to the state for the purpose of vocational education to the extent of one-half of the salaries of teachers of vocational subjects. If the amounts of federal funds are not sufficient to pay, to the full extent, the amount due to the schools, departments, or classes under the provisions of this section, the board may pro rate the sums available among the various schools, departments, or classes meeting the requirements of this chapter and the rules and regulations of the board relating to vocational education.

§ 7. Amendment.) Section 15-2010 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2010. Report of State Board of Public School Education To Governor.) The state board of public school education, in its biennial report to the governor covering the operations of the educational institutions under its control, shall set forth:

1. The condition of vocational education in the state, a list of the schools to which federal and state aid for

vocational education has been given, and a statement of the expenditures of federal and state funds for that purpose.

§ 8. Amendment.) Subsections 1 and 4 of section 15-2012 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

1. "State board" shall mean the state board of vocational education which is the state board of public school education;
4. "Executive officer of the board" shall mean superintendent of public instruction;

§ 9. Amendment.) Section 15-2013 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2013. Director of Division of Vocational Rehabilitation and Executive Officer of the Board.) The state board shall contain a division of vocational rehabilitation. The division shall be administered, under the general supervision and direction of the state board acting through the office of the superintendent of public instruction, by a director appointed by such board, acting through the office of the superintendent of public instruction, in accordance with established personnel standards and on the basis of his education, training, experience, and demonstrated ability. In carrying out his duties under this Act, the director:

1. Shall make regulations governing personnel standards, the protection of records and confidential information, the manner and form of filing applications, eligibility, and investigation and determination thereof, for vocational rehabilitation services, procedures for fair hearings and such other regulations as he finds necessary to carry out the purposes of this Act;
2. Shall establish, with the approval of the state board, appropriate subordinate administrative units within the division;
3. Shall appoint, with the approval of the state board, such personnel as he deems necessary for the efficient performance of the functions of the division;
4. Shall prepare and submit to the state board annual reports of activities and expenditures and, prior to each regular session of the legislature, estimates of sums required for carrying out this Act and estimates of the amounts to be made available for this purpose from all sources;

5. Shall make certification for disbursement, in accordance with regulations, of funds available for vocational rehabilitation purposes;
6. Shall take, with the approval of the state board, such other action as he deems necessary or appropriate to carry out the purposes of this Act; and
7. May delegate, with the approval of the state board, to any officer or employee of the division such of his powers and duties, except the making of regulations and the appointment of personnel, as he finds necessary to carry out the purposes of this Act.

§ 10. Amendment.) Section 15-2014 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2014. Administration of Vocational Rehabilitation.) Except as otherwise provided by law, the state board acting through the office of the superintendent of public instruction, and through the division, shall provide vocational rehabilitation services to disabled individuals determined by the director to be eligible therefor. In carrying out the purposes of this Act, the division among other things, may:

1. Cooperate with other departments, agencies, and institutions, both public and private, in providing for the vocational rehabilitation of disabled individuals, in studying the problems involved therein, and in establishing, developing and providing, in conformity with the purposes of this Act, such programs, facilities and services as may be necessary or desirable;
2. Enter into reciprocal agreements with other states to provide for the vocational rehabilitation of residents of the states concerned;
3. Conduct research and compile statistics relating to the vocational rehabilitation of disabled individuals.

§ 11. Amendment.) Section 15-2015 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2015. Cooperation With Federal Government.) The state board acting through the office of the superintendent of public instruction, and through the division, shall cooperate, pursuant to agreements, with the federal government in carrying out the purposes of any federal statutes pertaining to vocational rehabilitation and may adopt such methods of administration as are found by the federal government to be

necessary for the proper and efficient operation of such agreements or plans for vocational rehabilitation and comply with such conditions as may be necessary to secure the full benefits of such federal statutes.

§ 12. Amendment.) Section 15-4003 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4003. Vocational Education In Agriculture, Home Economics, and Distributive Occupations; Cooperation with Federal Programs.) The amount appropriated by the legislative assembly to the fund for any biennium for vocational education in agriculture, home economics, distributive occupation, and occupational information and guidance, in cooperation with federal programs, or so much thereof as may be necessary, shall be expended by the state board of public school education for such purposes. The state auditor shall pay moneys appropriated for such purposes to such school districts and in such manner as shall be directed in the certificate of the state board of public school education, and such board shall be charged with the duty of administering said funds through the state director of vocational education and shall do all things necessary to cooperate with the program outlined in the Smith-Hughes Act, in the George Deen Act, and in other federal legislation adopted to further vocational education.

§ 13. Amendment.) Section 15-4010 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4010. Emergency Fund: Administration; Membership of Board.) The state board of public school education shall constitute the board to carry out and perform the provisions of this chapter relating to the distribution of the emergency fund. Such board shall prescribe such rules and regulations not inconsistent with the provisions of this chapter as it shall deem reasonable and necessary.

§ 14. Amendment.) Section 15-4021 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4021. Method of Making Payment From Fund; Duty of State Auditor; Use of Moneys Restricted.) The state auditor shall make the payments provided for in this chapter for high school correspondence work, for vocational education in agriculture, home economics, and distributive occupations, and for occupational information and guidance, upon the receipt of the certificates therefor from the state board of public school education, except that until January 1, 1957, such certificates

for high school correspondence work shall be submitted by the state board of higher education, and he shall make the payments from the emergency fund on the basis of need, the high school tuition payments, and the payments to county tuition funds and county high school equalization funds upon receipt of the certificates therefor from the superintendent of public instruction. Such payments shall be by the auditor's warrants drawn upon the fund and made payable to the respective school districts, schools or county auditors, as the case may be, or to the county superintendent of schools, as directed by the superintendent of public instruction. If such warrants are sent to the county superintendents, they shall deliver them to the school districts, schools, or county auditors within their respective counties. Each clerk, secretary or other official shall make a record of each such warrant received by him and shall deliver such warrant to the treasurer. Such payments shall be deposited to the general fund of the school district or to the county tuition fund or county high school equalization fund as the case may be.

§ 15. Amendment.) Section 15-4105 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4105. State Board of Public School Education To Prescribe Qualifications Prerequisite To High School Obtaining Aid Under Federal Acts.) The state board of public school education, acting as the state board for vocational education, shall make all rules and regulations required for compliance with the program of the Smith-Hughes Act, the George Deen Act, and other federal acts under which a high school may participate in financial benefits accorded by the federal government, and to be eligible for such benefits, a high school must comply with such rules and regulations and conform to all qualification requirements and conditions therein specified.

§ 16. Amendment.) Section 15-5303 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5303. State Committee; Members; Expenses.) The state committee upon school district reorganization shall be the state board of public school education.

§ 17. Amendment.) Section 15-5701 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5701. State Board of Teaching Scholarships.) The state board of public school education shall constitute the state board of teaching scholarships.

§ 18. Amendment.) Section 15-5902 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5902. Advisory Council On Special Education.) The state board of public school education shall constitute the advisory council on special education.

§ 19. Amendment.) Section 15-5903 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5903. Director of Special Education.) A qualified director of special education and such assistance as may be necessary shall be employed by the superintendent of public instruction with the advice and approval of the advisory council.

§ 20. Amendment.) Section 15-5905 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5905. Powers and Duties of Advisory Council and Director of Special Education.) The advisory council, acting through the office of the superintendent of public instruction, shall establish general state policy within the provisions of this Act and shall endeavor to insure a cooperative special education program coordinating all available services. It shall cooperate with private agencies, soliciting their advice and cooperation in the establishment of policy and in the coordination and development of special education programs. With the approval of the advisory council and in accordance with the provisions of this Act and the policy of the council, the director of special education shall prescribe rules and regulations for the special education of exceptional children and for the administration of this Act and he shall assist the school districts of the state in the inauguration, administration and development of special education programs, establish standards and provide for the approval of certification of schools, teachers, facilities, and equipment.

§ 21. Amendment.) Subsection 6 of section 15-6001 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

6. "Board" shall mean the state board of public school education.

§ 22. Amendment.) Section 15-6006 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-6006. Governing Body.) Upon the effective date of this Act or as soon as possible thereafter, the board shall meet for the purpose of making plans for the administration of the school construction fund and the receiving and reviewing of applications for construction or improvements. The total membership of the board shall constitute a quorum for the purpose of conducting the business thereof and for all other purposes, and all other actions shall be taken by a unanimous vote of the members of the board. The board shall have full authority to manage the properties and business of the board. The board, acting through the office of the superintendent of public instruction, shall fix and determine the number of officers, agents and employees it shall employ and their respective compensation and duties, and may delegate to one or more of their number, or to one or more of said officers, agents or employees, such powers and duties as it may deem proper.

§ 23. Joint Meetings of Board of Higher Education and State Board of Public School Education.) The state board of higher education and state board of public school education shall hold at least one joint meeting each year at the joint call of the superintendent of public instruction and the commissioner of higher education for the purpose of coordinating their programs and specifically considering matters in relation to teacher training, teaching standards, and teacher certification.

§ 24. Repeal.) Sections 15-5304 and 15-6002 of the 1953 Supplement to the North Dakota Revised Code of 1943 are hereby repealed.

§ 25. Amendment.) Subsection 3 of section 15-1901 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

3. Every child living in a rural community in the state, upon compliance with the regulations of the state board of public school education acting through the office of the superintendent of public instruction, shall be entitled to the benefits of this chapter up to and including the second year of high school, and such child shall be entitled to high school work for the third and fourth years if space is available in the local school;

§ 26. Amendment.) Section 15-1902 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-1902. Director of High School Correspondence Courses: Appointment and Duties.) The state director of correspondence courses in secondary education shall be appointed by

the state board of public school education acting through the office of the superintendent of public instruction. The board shall determine his qualifications and fix his compensation. The director shall coordinate the correspondence work of participating institutions for the best interests of the state and with the object of providing high school education for all pupils in the state who are capable of receiving the instruction and who are eligible to receive the benefits provided under the provisions of this chapter. He shall make annual reports containing such information as the state board of public school education may specify. Such reports shall be furnished to the state board of public school education.

§ 27. Amendment.) Section 15-1903 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-1903. Duty of County Superintendent of Schools.) All enrollments under the provisions of this chapter shall be certified by the county superintendent of schools to the institution designated by the state board of public school education.

§ 28. Amendment.) Section 15-1906 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-1906. Correspondence Courses To Be Financed From State Equalization Fund.) The cost of operating the correspondence courses under the provisions of this chapter shall be paid out of the state equalization fund. All vouchers shall be approved by the superintendent of public instruction.

§ 29. Amendment.) Section 15-4002 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4002. High School Correspondence Work.) The amount of money appropriated to the fund by the legislative assembly for correspondence work for a biennium, or so much thereof as may be necessary, shall be expended first by the state board of public school education for high school work by correspondence.

§ 30. Effective Date of Certain Sections.) The provisions of sections 25, 26, 27, 28 and 29 of this Act shall be effective January 1, 1957.

Approved March 10, 1955.

CHAPTER 133

H. B. No. 623
(Hofstrand and Fine)

TRANSPORTATION OR MAINTENANCE OF PUPILS, LEVY

AN ACT

To amend and reenact section 15-3409 of the North Dakota Revised Code of 1943, relating to transportation or maintenance of pupils on discontinuance of a high school, and authorizing a levy for such purposes.

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

§ 1. **Amendment.)** Section 15-3409 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3409. Transportation or Maintenance of Pupils Permitted on Discontinuance of High School.) Any school district which has maintained a high school and which discontinues such high school may provide transportation from the places of residence or, where convenient or more economical, may pay a reasonable allowance for board and lodging, at the option of the school board, for pupils who are eligible to attend high school and who reside in the district, in order that such pupils may attend a high school in another school district in the county, or in an adjoining county. Such transportation or allowance shall be provided in such manner and in such amounts as shall be determined by the board of the district furnishing such transportation or allowance.

§ 2. **Levy for Transportation and Maintenance of Pupils Authorized.)** The school board of any school providing transportation or an allowance for students attending high school in another district as provided in section 1 of this Act shall be authorized to levy up to five mills for such purposes, which levy shall not be subject to any mill levy limitations prescribed by law.

Approved March 8, 1955.

CHAPTER 134

H. B. No. 589
(Committee on Education)

VEHICULAR SCHOOL TRANSPORTATION CONTRACTS

AN ACT

To amend and reenact section 15-3412 of the North Dakota Revised Code of 1943, relating to vehicular school transportation.

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

§ 1. **Amendment.**) Section 15-3412 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3412. Vehicular Transportation: Bids; Contracts; Bonds.) The school board or board of education of any school district which furnishes vehicular transportation to any of its schools, prior to the opening of school each year, shall enter into written contracts for the furnishing of such transportation, for the ensuing school year. If vehicle furnished is privately owned, the driver of the vehicle and the board of education may enter into a contract not to exceed three years. The board shall give at least ten days' notice of the time and place of the letting of such contracts and shall call for sealed bids therefor by posting notices thereof in at least three of the most public places in the school district. The notices shall describe the route to be covered by each contract, and shall state that the board reserves the right to reject any and all bids, that a bond will be required of each successful bidder, in the sum of five hundred dollars, conditioned for the faithful performance of the duties prescribed by the contract, and that the bids submitted must name the person or persons who will operate the vehicle and describe the nature of the vehicle.

Approved March 8, 1955.

CHAPTER 135

S. B. No. 134
(Schrock)

APPROPRIATIONS AND USE OF SCHOOL LIBRARIES;
PENALTIES

AN ACT

To amend and reenact section 15-2507 of the North Dakota Revised Code of 1943, relating to school libraries.

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

§ 1. **Amendment.)** Section 15-2507 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2507. School Library: Appropriations; Use of; Penalties for Misuse of Books.) For the purpose of acquiring a school library for each school in the district, the school board shall expend for each such school the following amounts:

1. Not less than twenty-five dollars each year until the library contains two hundred books;
2. Not less than ten dollars each year after the library contains two hundred books and until it contains three hundred books;
3. After the library contains three hundred books, the board shall not be required to purchase additional books to increase such number, but it shall keep the books in good condition and shall replace annually as many books as shall have become lost, destroyed, or obsolete.

Books purchased under this section shall be selected by the board and the teacher from any list of books authorized by the superintendent of public instruction and furnished by him to the county superintendent of schools. All such books shall be bound in cloth or in an equally durable material. Whenever school is in session and at all other practicable times, the library shall be kept in the schoolhouse, and no books shall be loaned from such library to any person who is not a resident of the school district. The board may impose and collect penalties for injuries done to books by the act, negligence, or permission of any person who takes or has possession thereof, and may exchange temporarily any part or all of any library in the district with any other district or person, but each district shall recall its books before the close of the school

term. The board may accept donations of books for the library, but it shall exclude from the library all books unsuited to the cultivation of good character and good morals and manners. No sectarian publications devoted to the discussion of sectarian differences and creeds shall be admitted to the library.

Approved March 1, 1955.

CHAPTER 136

H. B. No. 749

(Hammer, Kjos, Ettestad)

ADMISSION OF NONRESIDENT ELEMENTARY PUPILS

AN ACT

To amend and reenact sections 15-2511 and 15-29082 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary non-resident pupils.

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

§ 1. Amendment.) Section 15-2511 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2511. Pupils: Admission of From Other Districts; Distribution Within Districts; Tuition.) The school board shall admit to the schools of the district pupils other than high school pupils from other districts when it can be done without injuring or overcrowding the schools, and shall make regulations for the admission of such pupils. When a pupil is admitted from another district, credit on his tuition shall be given by the district admitting him to the extent of school taxes paid in the admitting district by the parent or guardian of the admitted pupil, or if such parent or guardian is a tenant, then to the extent that the landlord pays school taxes in that district. If the attendance of a pupil from another district is necessitated by shorter distance or other reasons of convenience, approval or disapproval shall be given by the county superintendent of schools within fifteen days after consulting the boards of education of both districts concerned, and the balance of the tuition, after credit for taxes paid, shall be paid by the district from which the pupil is admitted, but the whole amount of the tuition shall not exceed the average cost of elementary education per child in the county. Such costs

shall include expenditures from the general and sinking and interest funds. The board may admit to the schools in the district pupils residing in unorganized territory adjacent to the district and may arrange with the parents or guardians of such pupils for the payment of tuition. The board shall not refuse school privileges to, nor collect tuition from, pupils residing in adjacent unorganized territory if the parents or guardians of such pupils are the holders of property and taxpayers in the district. The board may make proper and necessary rules for the assignment and distribution of pupils to and among the schools in the district and for their transfer from one school to another.

§ 2. Amendment.) Section 15-29082 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-29082. Admission of Pupils From Other Districts; Tuition.) The board of education of any special school district shall admit to the schools of the district pupils other than high school pupils from other districts when it can be done without injuring or overcrowding the schools, and shall make regulations for the admission of such pupils. When a pupil is admitted from another district, credit on his tuition shall be given by the district admitting him to the extent of school taxes paid in the admitting district by the parent or guardian of the admitted pupil. If the attendance of a pupil from another district is necessitated by shorter distance or other reasons of convenience, approval or disapproval shall be given by the county superintendent of schools within fifteen days after consulting the boards of education of both districts concerned, and the balance of the tuition, after credit for taxes paid, shall be paid by the district from which the pupil is admitted, but the whole amount of tuition shall not exceed the average cost of elementary education per child in the county. Such costs shall include expenditures from the general and sinking and interest funds.

Approved March 10, 1955.

CHAPTER 137

H. B. No. 667
(Nygaard)

TUITION PAYMENTS FOR PUPILS ATTENDING OTHER
DISTRICTS

AN ACT

To amend and reenact section 15-2512 of the North Dakota Revised Code of 1943 and section 15-5602 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to common school districts and providing for agreements between boards of districts of residence and boards of districts of enrollment, and determining the district of enrollment of elementary pupils and the credit for tuition therefor.

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

§ 1. **Amendment.)** Section 15-2512 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2512. Pupils: Sending of To Other Districts; Tuition; Approval of County Superintendent; Agreements Between Boards.) When, on account of shorter distances and other conveniences, it is to the best interests of a school district to send pupils into another school district, the district sending such pupils, with the approval of the county superintendent of schools, may pay the tuition of such pupils to the district to which they are sent. The board may arrange, and when petitioned to do so by a majority of electors of the district shall arrange, with the school boards of other districts to send to such other districts pupils who can be taught conveniently therein, and for the payment of their tuition and for furnishing and paying for their transportation to and from the schools in such other districts. Such other districts shall receive pupils only when the board of the sending district and the board or boards of the receiving district or districts have entered into an agreement governing in which district such pupils shall be enrolled.

§ 2. **Amendment.)** Section 15-5602 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5602. Credit for Tuition Paid By District of Residence.) A credit of seventy-five dollars shall be allowed against tuition charged by the district in which an elementary pupil is enrolled in all cases where the tuition for such pupil is paid by

the district in which the pupil resides. An elementary student who lives in a county in this state bordering on another state and who, because of more convenient roads, distances or other circumstances, has the recommendation of the county superintendent of schools to attend a public school in an adjoining state, may attend such public school. The home county shall pay the school district in such neighboring state the amount of \$75.00 toward the elementary tuition for such pupil. Such elementary students attending public schools in a foreign state shall be counted in the county from which they come in calculating the obligations of said county. The payment of such foreign elementary tuition shall be paid by the home county.

Approved March 7, 1955.

CHAPTER 138

H. B. No. 662

(Sortland, Miller and Engen)

COMPENSATION FOR CLERKS IN COMMON SCHOOL DISTRICTS

AN ACT

To amend and reenact section 15-2515 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to compensation for clerks in common school districts

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

§ 1. Amendment.) Section 15-2515 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2515. Clerk: Duties: Reports: Compensation.) The clerk of the school board shall keep an accurate record of all proceedings of the board, give or post all notices, prepare all reports and statements, and perform all other duties required by law or by direction of the Board. He shall prepare annually an itemized financial report containing a statement of the receipts and expenditures of the district from the beginning of the school year to and including the first Tuesday in June, and a statement of estimated receipts and expenditures to the end of the school year. A copy of such report shall be posted in each school polling place before the opening of the polls on the day of the annual school election, and the clerk shall read the report or cause it to be read immediately preceding

the opening of the polls. His annual compensation shall be fixed by the board in an amount of not less than twenty dollars nor more than twenty dollars if there is no school in operation, and not to exceed one hundred dollars for one school or teacher employed, with twenty dollars for each additional school or each additional teacher employed in the district in operation, but such compensation shall not exceed one hundred sixty dollars in any year except in districts containing more than four townships and operating ten or more schools, or school districts which operate four-year high schools, in which case such compensation shall not exceed two hundred dollars in any year. He shall receive four dollars, for attending general county meetings of school officers convened by the county superintendent of schools. He shall be paid such additional compensation for taking the annual school census as the board may allow.

Approved March 7, 1955.

CHAPTER 139

S. B. No. 158
(Schrock)

ASSESSMENTS, ANNUITIES, WITHDRAWALS, ETC.; TEACHERS INSURANCE AND RETIREMENT FUND

AN ACT

To amend and reenact sections 15-3914, 15-3915, 15-3931, 15-3926 and subsection 1 of section 15-3928 and section 15-3940 of the 1953 Supplement to the North Dakota Revised Code of 1943, and section 15-3923 of the North Dakota Revised Code of 1943, all relating to assessments, annuities, reduced annuities, withdrawals, qualifications and investment of funds of the North Dakota teachers' insurance retirement fund.

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

§ 1. Amendment.) Section 15-3914 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3914. Amount of Assessments.) Every teacher who is a member of the fund shall be assessed upon his salary as teacher as follows:

1. Four percent per annum, but not more than one hundred twenty dollars per year, for each of his first eight years of service as a teacher; and

2. Five percent per annum, but not more than one hundred eighty dollars per year, for each of the second eight years of service as a teacher; and
3. Six percent per annum, but not more than two hundred dollars per year, for each successive year of service as a teacher thereafter.

The total amount of assessments paid, however, shall not be less than the full amount of annuity to which the teacher shall be entitled under the provisions of this chapter for the first year of retirement. When a political subdivision or institution covered by the benefits of the teachers' retirement fund provides sick leave and employs substitute teachers at additional cost to said subdivisions or institutions, they shall in no event be required to pay in excess of one hundred twenty dollars per year as matching fund for any one teaching position.

§ 2. Amendment.) Section 15-3915 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3915. Teacher Coming From School Not Included In Provisions of Chapter To Pay Back Assessments.) Any teacher who comes from a school or educational institution supported by public taxation in another state of this nation including the territories of Alaska and Hawaii and becomes a teacher in a public school or state institution within North Dakota may elect to have not to exceed seven years out of state teaching accredited in North Dakota provided he declares his request to the board of trustees of this fund for such out of state credit within the first year after he begins teaching in North Dakota. Every such teacher shall be advised of the provisions of this section by the school board in writing at the time of employment, and a copy of such notice with written acknowledgment thereof, shall be filed with the teachers' insurance and retirement fund board. Before receiving any retirement annuity, he shall pay assessments to the fund for the number of years out of state teaching he elects based upon his first annual salary in a public school or state institution in this state, or, if he has taught in North Dakota previously, upon his first salary in the state after his resumption of teaching in this state. After July 1, 1949, assessment payments on out of state teaching shall be doubled. The rate of interest shall be six percent, the same interest as required of North Dakota teachers having delinquent assessments within the state.

§ 3. Amendment.) Section 15-3923 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3923. Sum To Be Set Aside From County Tuition Fund and Transmitted To State Treasurer.) Each county treasurer, annually, shall set aside from the county tuition fund a sum equal to twenty cents for each child enumerated on school census report in his county and shall transmit such sum to the state treasurer at the time at which he transmits the funds received from the school boards, boards of education, and board of county commissioners under the provisions of this chapter. The county treasurers shall certify to the board under oath the amount so transmitted to the state treasurer.

§ 4. Amendment.) Section 15-3926 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3926. Investment of Moneys In Fund.) The board, when authorized to do so by a resolution duly adopted by the industrial commission of the state of North Dakota, may invest moneys in the fund in bonds and mortgages or other securities the payment of which is guaranteed by the United States of America, bonds of the state of North Dakota or any other state, refunding bonds provided for by chapter 40-36 of the North Dakota Revised Code of 1943 in certificates of indebtedness of the state of North Dakota or in bonds or certificates of indebtedness of any political subdivisions of the state of North Dakota which constitutes the general obligations of the issuing tax authority. Before any investment is made in any securities, however, the investment shall be approved by the board and the securities shall be approved by the attorney general as to the form and legality thereof. The state treasurer shall be the custodian of all such bonds and certificates, and the board shall deliver any securities so purchased to the state treasurer as such custodian. This section shall constitute a continuing appropriation out of the fund of all moneys that may be required for the making of the investments authorized by this section. Any member of the board and any officer thereof who shall participate in the investment of any moneys in the fund without first having obtained the authorization of the industrial commission as provided in this section shall be guilty of a misdemeanor.

§ 5. Amendment.) Subsection 1 of section 15-3928 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3928. Retirement Annuity.) Each teacher who shall have retired from service in the public schools, or state institutions under the provisions of section 15-3927 shall be entitled to receive an annuity as follows:

1. If said teacher shall have attained the age of fifty-five years at the time of applying for the annuity, he annually and for life, shall be entitled to receive as an annuity a sum equal to two percent of the total earnings as salary for the years of teaching service for which assessments were paid. Said annuity however, shall not exceed twelve hundred dollars in any one year upon completion of twenty-five years of service and attaining the age of fifty-five nor be less than six hundred dollars in any one year and shall be subject to all the provisions of this chapter. Provided, however, a teacher who has completed twenty-five years of teaching service in compliance with the retirement law and has earned an annuity of twelve hundred dollars at that age and continues to teach beyond the age of fifty-five, shall be eligible to annuity increases of sixty dollars per year up to the maximum annuity of eighteen hundred dollars, and provided further that a teacher who has completed twenty-five years of teaching service in compliance with retirement law and attained the age of fifty-five may have her annuity calculated at that age and granted the six hundred dollar minimum if her total salary is less than thirty thousand dollars. Provided further that if said teacher continues to teach the annuity shall be increased by one hundred dollars per year until the annuity reaches twelve hundred dollars after which time the annuity shall be increased by sixty dollars per year up to the maximum of eighteen hundred dollars.
 - a. A teacher who has completed all requirements for retirement previous to July 1, 1947, may choose to retire under the provisions of the insurance and retirement fund then in effect. This does not preclude, however, continuation of payments to the retirement fund after July 1, 1947, at the rate prescribed by law for the remaining teaching career of such person.
 - b. A teacher who has completed all requirements for retirement previous to July 1, 1947, and does not teach after July 1, 1947, must retire under the provisions of the insurance and retirement fund act in effect prior to July 1, 1947.
 - c. A teacher in service after July 1, 1947, who had previous to that date completed all requirements for retirement under the insurance and retirement fund act may at his own option pay into the fund assessments on salaries earned between the date of completing payments and July 1, 1947. The rate of payment shall be six percent on the total salary earned, plus six percent interest on such assessments per annum.

- d. If a teacher chooses not to pay the assessments on the interim period, those years may not be used in calculating the final annuity payment.
- e. The increased annuity benefits provided through this section shall be available to all teachers who were qualified for an annuity on July 1, 1949 or have qualified since that date and who are now teachers upon the payment of maximum assessments of two hundred dollars per annum less the assessments paid at the time of service plus interest at the rate of six percent from date of service to date of payment. The selection of increased annuity to be made on a voluntary basis.

§ 6. Amendment.) Section 15-3931 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3931. Board May Diminish Annuities.) The board may reduce the annuities provided in this chapter ratably whenever, in its judgment, the conditions of the fund require a reduction in such annuities. Before any reduction of annuities of one thousand two hundred dollars or less may be made, all annuities of over one thousand two hundred dollars shall be reduced to one thousand two hundred dollars per year on a prorata basis, except that no annuity shall be reduced below one thousand two hundred dollars until all annuities in excess of one thousand two hundred dollars have been reduced to one thousand two hundred dollars.

§ 7. Amendment.) Section 15-3940 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3940. Withdrawal of Member From Fund; Death of Member; Refund.) Any teacher who shall cease to be a teacher in the public schools or state institutions of this state without receiving any benefit or annuity from the fund upon such retirement, upon making written application therefor to the board shall be entitled to the return of one-half of the amount of assessments which he has paid into the fund on salaries earned prior to July 1, 1947, and the return of the full amount of assessments which he has paid into the fund on salaries earned after July 1, 1947 without interest. If such teacher, after having withdrawn from the fund as provided in this section, shall become a teacher again in the public schools or state institutions of this state, he, within one year after he again becomes a teacher, shall return to the fund the amount which was returned to him, with simple interest at a rate to be set by the board, but not exceeding four percent per annum, from the time of such withdrawal. If the teacher who is or

was a member of the fund shall die before he has retired as provided in this chapter his designated beneficiary, or if no beneficiary has been designated, his executor or administrator, or if no executor or administrator has been appointed then the surviving spouse or heirs at law shall be entitled to receive from the fund the total amount without interest to which the beneficiary or heirs may be entitled.

Approved March 9, 1955.

CHAPTER 140

H. B. No. 864
(Delayed Bills Committee)

HIGH SCHOOL TUITION PAYMENTS

AN ACT

Relating to tuition payments for high school students.

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

§ 1. Amendment.) Section 15-4016 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4016. High School Tuition Payments From Fund Are Exclusive, Exception.) No school district shall charge or collect from any nonresident high school student, his parents or guardian, or the district of his residence, any tuition, registration, text book, or laboratory fee, or any other fee or charge which is not charged to or for all resident high school students, and the high school tuition payments made from the fund shall be the only compensation received by a district for the attendance therein of nonresident high school students, except that the district of residence of the high school student may at its discretion agree to make reasonable tuition payments to the receiving district. This chapter, however, shall not affect the right of a school district to charge and collect such tuition as may be fixed by agreement from students who are not residents of this state.

Approved March 7, 1955.

CHAPTER 141

S. B. No. 172

(Nelson, Schrock, Welander and Meidinger)

HIGH SCHOOL TUITION PAYMENTS FROM STATE
EQUALIZATION FUND

AN ACT

To amend and reenact section 15-4014 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school tuition payments from state equalization fund, and declaring an emergency.

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

§ 1. Amendment.) Section 15-4014 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4014. High School Tuition Payments From Fund; Amount; Student Attending School In Foreign State.) Subject to the provisions of this chapter, there shall be paid out of the fund to each school district or county agricultural and training school in the state or state school for the blind, or state school for the deaf, or state training school, the sum of three dollars for each week of regular enrollment during the preceding semester by a high school student who was a resident of North Dakota. Such payments shall not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, teachers have been paid not less than the minimum legal salaries, and the other standards prescribed by this chapter have been met. Districts that did not maintain high schools during the year of 1954-1955 shall not be eligible for payments unless they have a minimum enrollment of twenty-five pupils if four years of high school work are offered, a minimum enrollment of twenty pupils if three years of high school work are offered, a minimum enrollment of fifteen pupils if two years of high school work are offered, and a minimum enrollment of ten pupils if one year of high school work is offered. A student who lives within twenty miles of another state or in a county bordering on another state and in a school district which has no high school, with the approval of the county superintendent of schools, may attend a four year public high school in an adjoining state and high school tuition shall be paid from the fund to the district in which the high school which he attends

is located in the amount of three dollars for each week such student attends the high school.

§ 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 9, 1955.

CHAPTER 142

H. B. No. 708
(Educational Committee)

COUNTY HIGH SCHOOL EQUALIZATION FUND TAX LEVY AND PAYMENTS

AN ACT

To amend and reenact sections 15-4019, 15-5803, subsections 1, 2, and 3 of section 57-1514, and 57-15251 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county high school equalization fund tax levy and payments, limitations in school districts, and determination of sums due county tuition funds and county high school equalization funds.

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

§ 1. Amendment.) Section 15-4019 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4019. Determination of Sums Due County Tuition Funds and County High School Equalization Funds.) On or before the first day of September of each year the county superintendent of schools of each county shall submit to the superintendent of public instruction a request for a grant in aid from the state equalization fund for the county tuition fund, and at the close of each semester he shall submit to the superintendent of public instruction a request for grant in aid from the state equalization fund for the county high school equalization fund. The requests shall be filed on forms furnished by the superintendent of public instruction and shall state the full amount of the elementary per pupil payments and county high school equalization payments to be made to each school or school district that has complied with the provisions of law relating to such funds. The superintendent of public instruction shall determine the amount of the grants in aid to which each county is entitled by subtracting from the full amount

of the elementary per pupil payments to be made in the county, the product of the taxable assessed valuation of property in the county multiplied by nine and five tenths mills and from the full amount of the county high school equalization payments to be made the product of the taxable assessed valuation of the county multiplied by 1.425 mills. The balance will be the amounts of aid to which the county is entitled for such funds.

§ 2. Amendment.) Section 15-5803 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5803. County High School Equalization Payments.) Subject to the provisions of this Act, there shall be paid out of the county high school equalization fund to the schools or school districts of the county to the state school for the blind, state school for the deaf and the state training school, and to any school or school districts of another state receiving payments of high school tuition from the North Dakota state equalization fund for the attendance of any student who is a resident of the county, the sum of three dollars for each week or major fraction thereof of regular enrollment during the preceding school semester by a student for whom high school tuition payments from the state equalization fund are received. The county superintendent of schools shall certify to the county auditor in a manner and form and at such times as shall be prescribed by the superintendent of public instruction, a list of the schools or school districts entitled to county high school tuition payments together with the amounts to which the several schools or districts are entitled. Payments shall be made by auditors warrants drawn upon the county high school equalization fund to the respective school districts or schools and payments to districts or schools in this state shall be deposited in the general fund of the district or school.

§ 3. Amendment.) Subsections 1, 2, and 3 of section 57-1514 of the 1953 Supplement to the North Dakota Revised Code of 1943 are hereby amended and reenacted to read as follows:

1. Any school district giving two years of standard high school work may levy taxes not to exceed twenty-four mills;
2. Any school district giving three years of standard high school work may levy taxes not to exceed twenty-seven mills;
3. Any school district giving four years of standard high school work may levy taxes not to exceed thirty mills;

§ 4. Amendment.) Section 57-15251 of the 1953 Supplement

to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

57-15251. County High School Equalization Fund; Tax Levy.) Each year, at the same time as other county taxes are levied, there shall be levied in each county in the state a tax of three mills on every dollar of the net taxable assessed valuation in the county, which tax levy shall not be included within the tax levy limit otherwise provided by law for counties. The proceeds of such tax shall be covered into the county high school equalization fund.

Approved March 11, 1955.

CHAPTER 143

H. B. No. 698

(Saugstad, Haugland, Balerud and Dahlund)

BURLINGTON PROJECT PAYMENTS TO SCHOOL DISTRICTS

AN ACT

Authorizing the industrial commission to make payments to certain school districts subject to appropriation.

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

§ 1. Payments From Burlington Project To School Districts.) The state industrial commission is hereby authorized to make such agreements as it may deem appropriate with the Burlington School District Number 7 and St. Mary's School District Number 17, in Ward County, for payments to be made to those school districts annually in amounts to reimburse the schools for the tuition cost of children attending and residing within the Burlington Project area, pursuant to legislative appropriation.

Approved March 11, 1955.

Note: This project is now designated as the "Judge A. M. Christianson Project" pursuant to Senate Concurrent Resolution "J", S.L. 1955.

CHAPTER 144

H. B. No. 856

(Delayed Bills Committee)

TAX LEVY FOR BUILDING FUND PURPOSES FOR CERTAIN
AGRICULTURAL HIGH SCHOOLS

AN ACT

Authorizing a special ten mill levy for certain county agricultural high schools for building fund purposes, and declaring an emergency.

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

§ 1.) Any common or special school district within which there is located a county agricultural and training school in accordance with the provisions of chapter 15-42 of the North Dakota Revised Code of 1943, as amended, and which school is located in a city or village of twelve hundred population or over, shall be authorized upon the approval of the governing board thereof to levy not to exceed ten mills, the proceeds of which shall be paid to the governing board of the county agricultural and training school for building fund purposes, which levy may be over and above any existing mill levy authorization and outside any mill levy limitation prescribed by law.

§ 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 7, 1955.

CHAPTER 145

H. B. No. 587
(Committee on Education)

AGES OF SCHOOL CHILDREN

AN ACT

To amend and reenact section 15-4701 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to school ages.

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

§ 1. Amendment.) Section 15-4701 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4701. Schools Free and Accessible; School Ages.) The public schools of the state shall be equally free, open, and accessible at all times to all children between the ages of six and twenty-one except that children who do not arrive at the age of six years by midnight, December thirty-first, shall not start school until the beginning of the following school year.

Approved March 8, 1955.

CHAPTER 146

H. B. No. 588
(Committee on Education)

RENEWAL OF TEACHERS' CONTRACTS

AN ACT

To amend and reenact section 15-4727 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to renewal of teachers' contracts.

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

§ 1. Amendment.) Section 15-4727 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4727. Time For Renewal of Teachers' Contracts.) Any teacher who has been employed by any school district or state board of higher education in this state during any school year,

shall be notified in writing by the school board, board of education or state board of higher education, as the case may be, on or before the 15th day of April in the school year in which he or she has been employed to teach, of the board's determination not to renew the teacher's contract for the ensuing school year, and failure to give such written notice on or before said date shall constitute an offer on the part of the board to renew the contract for the ensuing school year under the same terms and conditions as the contract for the then current year. On or after April 15th in any year, the board may notify all teachers of a date, which shall not be less than 15 days after the date of such notice, upon which they will be required to accept or reject such proffered re-employment, and failure on the part of the teacher to accept said offer within such time shall be deemed to be a rejection of the offer. Any teacher who shall have accepted the offer of re-employment, either by the action of the board, or non-action of the board on or before April 15, as herein provided, shall be entitled to the usual written contract for the ensuing school year, as provided by law and shall notify the board in writing of his or her acceptance or rejection on or before May 1. Failure on the part of the teacher to so notify the board shall relieve the board of the continuing contract provision of this Act. Nothing in this section shall be construed as in any manner repealing or limiting the operation of any existing law with reference to the dismissal of teachers for cause.

Approved March 8, 1955.

CHAPTER 147

H. B. No. 545
(Legislative Research Committee)

SCHOOL DISTRICT CONTRACTS FOR JOINT DRIVER EDUCATION

AN ACT

Permitting school districts to make contracts for joint employment of qualified driver education instructors and equipment.

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

§ 1. Contracts of School Districts For Joint Driver Education.) In addition to its general powers to make contracts, any school district may contract with any other school district for the joint use or employment of qualified driver education

instructors, driver training cars, or equipment to be used in establishing complete driver training courses in the respective school districts.

Approved March 2, 1955.

CHAPTER 148

H. B. No. 727
(Larson)

CONDUCT OF SCHOOL ELECTION FOR INCREASING DEBT LIMIT

AN ACT

To amend and reenact section 15-4803 of the North Dakota Revised Code of 1943, relating to school elections.

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

§ 1. **Amendment.)** Section 15-4803 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-4803. Conduct of Election; Ballots; Hours Polls Open.) Printed or typewritten ballots shall be used in submitting the question of increasing the debt limit at any election, and the question to be voted upon shall be set forth on the ballot in clear and concise language. On such ballots there shall be printed or typewritten, below the question to be voted upon, the following words and characters:

For Increasing the Limit of Indebtedness..... ☐

Against Increasing the Limit of Indebtedness.... ☐

Such election shall be conducted, and the votes shall be canvassed as in the case of other school elections within such districts.

Approved March 7, 1955.

CHAPTER 149

H. B. No. 640

(Larson, Hofstrand and Leet)

SCHOOL PURCHASING AGENT—COMMISSIONS

AN ACT

To prohibit the offering or giving of commissions, fees or rewards to the agent of any school or school district for or on account of the purchase of any school books, furniture or other supplies for the use of such school, school district, employees thereof, or students, and to provide a penalty.

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

§ 1. Offering Or Giving Commission, Fee Or Reward To School Purchasing Agent Prohibited; Penalty.) It shall be unlawful for any person to give or offer to any county superintendent of schools, deputy county superintendent of schools, school district director, member of a board of education, clerk, treasurer, or principal of any accredited school or to a teacher or employee therein or for such persons to receive, any commission, fee, reward or remuneration for or on account of a purchase of school books, furniture or other supplies for use of the school district, school, their employees, or students. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall be punished by a fine of one thousand dollars or by imprisonment in the county jail for one year, or by both such fine and imprisonment.

Approved March 11, 1955.

CHAPTER 150

H. B. No. 649

(Hofstrand, Engen and Link)

TRANSPORTATION IN REORGANIZED SCHOOL DISTRICTS

AN ACT

To amend and reenact section 15-5315 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to transportation in reorganized school districts.

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

§ 1. **Amendment.**) Section 15-5315 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5315. Transportation Required.) After the effective date of this Act any reorganization plan shall provide for the transportation of students from one part of such new district to a central point, and shall specify if family type or public school bus type of transportation shall be used, and if such plan is approved by the voters of such new district, then it shall be mandatory upon the school board of such new school district to provide adequate and practical transportation of the type specified, except that if family type transportation is specified, the school board may later substitute a superior type of public school bus transportation. Any school district reorganized prior to or after the effective date of this Act which provides family conveyance type of transportation shall not be bound by the schedules of fees or limitations provided in section 15-3404 of the 1953 Supplement to the North Dakota Revised Code of 1943, and shall establish such schedule of transportation fees as may be proper under the circumstances affecting that district, but in no event shall such newly established schedule of fees be less than twice the amounts specified in section 15-3404 of the 1953 Supplement to the North Dakota Revised Code of 1943 for family conveyance type transportation.

Approved March 7, 1955.

CHAPTER 151

H. B. No. 643

(Strand, Berntson and Isakson)

LEVY OF TAXES IN REORGANIZED SCHOOL DISTRICTS

AN ACT

Relating to levy of taxes in reorganized school districts, and permitting adjustment of the tax burden equitably between merged rural and urban areas.

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

§ 1. Reorganized School Districts; Proportionate Rate of Tax.) Where any school district is in the process of being formed or reorganized under the provisions of chapter 15-53 of the 1953 Supplement to the North Dakota Revised Code of 1943, the county committee shall include in its reorganization plan submitted under the provisions of section 15-5310 of the 1953 Supplement to the North Dakota Revised Code of 1943, a recommendation for a proportionate rate of tax for school purposes to be levied on and between agricultural land and personal property having taxable situs on agricultural land as one class of property within the proposed reorganized school district, and other taxable property as a second class of property in the same school district, where an unequal tax burden would result from a uniform rate of tax on all property in the district. This proportionate rate between classes of property shall be approved, disapproved, or adjusted by the state committee.

§ 2. Alteration of Proportionate Rate.) After approval or adjustment by the state committee, the proportionate rate of tax between the two classes of property set forth in section 1 of this Act shall not be altered by the school board of the new district without approval by vote of a majority in each class of the respective taxpayers affected. For the purposes of such vote, a person may vote as a member of one class only, and where there is a conflict in his interests because he will pay taxes under this Act on properties in both classes, he shall vote as an owner of the class of property on which his residence is situated.

§ 3. Definition.) For the purposes of this section "agricultural lands" shall have the same meaning and classification as "agricultural lands" within the purview of subsection 15 of section 57-0208 of the North Dakota Revised Code of 1943

wherein farm structures and improvements located on such lands are in a class for tax exemption.

Approved March 17, 1955.

CHAPTER 152

H. B. No. 613
(Power)

PAYMENT OF PUBLICATION COSTS IN SCHOOL DISTRICT REORGANIZATION PROCEEDINGS

AN ACT

Relating to the payment of publication costs in school district reorganization proceedings.

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

§ 1. Publication Costs.) All costs of publishing such notices as may be required in school district reorganization proceedings as provided in chapter 15-53 of the 1953 Supplement to the North Dakota Revised Code of 1943 shall be paid by the district or districts initiating such proceedings should the reorganization plan fail to be approved by the voters at the election at which the plan is submitted. Should such reorganization plan be approved at the election, all such costs shall be paid by the newly reorganized school district.

Approved March 8, 1955.

CHAPTER 153

H. B. No. 786

(Committee on Appropriations)

TAX EXEMPT BOND ISSUE FOR BUILDINGS AT INSTITUTIONS
OF HIGHER LEARNING

AN ACT

To authorize the state board of higher education to issue tax exempt bonds and construct revenue producing buildings at institutions of higher learning, under the provisions of chapter 15-55 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

§ 1.) In accordance with the provisions of chapter 15-55 of the 1953 Supplement to the North Dakota Revised Code of 1943, the state board of higher education is hereby authorized and empowered to issue and sell tax exempt bonds for the purpose of constructing revenue producing buildings at institutions of higher learning, under the jurisdiction of the said board, at such maximum amounts, at such locations, and for such purposes as hereinafter provided:

1. University of North Dakota, Grand Forks
 - a. Permanent housing\$297,000.00
 - b. Men's dormitory 600,000.00
 - c. Women's dormitory 450,000.00
2. North Dakota agricultural college, Fargo
 - a. Dormitory 600,000.00
 - b. Permanent housing 300,000.00
3. State teachers college, Valley City
 - a. Men's dormitory 275,000.00

Approved March 10, 1955.

CHAPTER 154

H. B. No. 717
(Committee on Education)

ELEMENTARY PER PUPIL PAYMENTS FROM THE
COUNTY TUITION FUND

AN ACT

To amend and reenact section 15-5601 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to elementary per pupil payments from the county tuition fund.

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

§ 1. Amendment.) Section 15-5601 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5601. Elementary Per Pupil Payments; Amount.) There shall be paid out of the county tuition fund to the school districts of the county as elementary per pupil payments based on enrollment in such districts:

1. To districts maintaining one room rural schools, if the district is composed of eighteen sections of land or less, the sum of eight hundred fifty dollars for ten pupils or less in a school;
2. To districts maintaining one room rural schools, if the district is composed of more than eighteen sections of land, the sum of twelve hundred fifty dollars for ten pupils or less in a school;
3. To districts receiving payments under subsections 1 and 2 of this section, seventy-five dollars for each pupil in excess of ten in a school;
4. To districts maintaining elementary schools of 2, 3 or 4 rooms one hundred five dollars per pupil for eighteen pupils or less average enrollment per room in the school, and the sum of eighteen hundred ninety dollars for each room in which eighteen or more pupils are enrolled, or seventy-five dollars per pupil whichever is greater, but not in excess of twenty-five hundred dollars for any one room; and
5. To the districts of the county, for all other schools including the state school for the blind, the state school for the deaf and the state training school, seventy-five

dollars per pupil for thirty pupils or less in a room or thirty pupils or less for each teacher; and fifty dollars per pupil for each pupil in excess of thirty in a room or in excess of thirty pupils for each teacher.

6. It is further provided that districts with a one-room rural school or schools closed subsequent to July 1, 1949 shall receive payments under subsections 1 and 2 of this section providing the school board has made a written agreement for the attendance of the pupils in another public school and vehicular transportation is furnished. Districts receiving payments under subsections 1 and 2, where less than four pupils are enrolled, shall receive a proportional amount of the payments provided in such subsections as the total enrollment bears to four.

When an elementary school term in a district is one of less than nine months, elementary per pupil payments shall be only such percentage of the full payment as the term for which the school in such district actually was open bears to a nine month term. Any balance remaining in the county tuition fund after making payments as provided in this section shall be divided among the school districts of the county according to the number of elementary pupils enrolled.

Approved March 11, 1955.

CHAPTER 155

S. B. No. 133
(Schrock)

CERTIFICATION OF CANDIDATES FOR TEACHING SCHOLARSHIPS

AN ACT

To amend and reenact sections 15-5704 and 15-5707 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to teaching scholarships.

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

§ 1. Amendment.) Sections 15-5704 and 15-5707 of the 1953 Supplement to the North Dakota Revised Code of 1943 are hereby amended and reenacted to read as follows:

15-5704. Certification of Candidates and Alternates.) On or before July fifteenth of each year the county superintendent

of schools of each county in this state shall certify to the board, the names of six candidates and six alternates from his county for scholarships. The candidates shall be selected according to the provisions of this chapter and the rules established by the board, and consideration shall be given first to high school graduates of the school year just preceding the selection.

15-5707. Selection of Additional Candidates At Large.) If a county fails to provide six candidates who accept the scholarship by August fifteenth, of each year the board may accept alternates from other counties. If less than three hundred eighteen scholarships have been awarded in the state in either year, the board may select from the alternates certified and from the list of qualified and partially qualified candidates such additional candidates, chosen at large, without regard to county quota, as may be necessary to fill the state quota for such year.

Approved March 1, 1955.

CHAPTER 156

H. B. No. 702

(Committee on Education)

LIMITATIONS OF SCHOOL CONSTRUCTION FUND PURPOSES AND EXPENDITURES

AN ACT

To amend and reenact section 15-6004 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the limitations of purposes and amount expended from the school construction fund.

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

§ 1. Amendment.) Section 15-6004 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-6004. Limitations of Purposes and Amount Expended.) The governing board shall limit the total amount expended for construction or improvements for any district to 10 per cent of its taxable valuation and under extreme emergency conditions the board may expend 15 per cent of its taxable valuation, but in no case shall the amount expended to any one school district exceed one hundred fifty thousand dollars. Be it further

provided that the governing board may expend ten per cent of its taxable valuation to school districts having a taxable valuation of one million five hundred thousand dollars or more, but not to exceed four hundred thousand dollars to any one school district. Be it further provided that no money shall be expended for gymnasiums or auditoriums except that in event an entire school unit is constructed, the auditorium or gymnasium may be considered as part of the total plant and the district may be eligible, provided priority shall first be given the construction and improvements of school units not including an auditorium or gymnasium.

Approved March 7, 1955.