

§ 2. 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 January 31, 1931.

## STATE AUDITOR

### CHAPTER 261

(S. B. No. 205—Gronvold.)

#### POWERS AND DUTIES STATE AUDITOR

An Act amending Section 132, Compiled Laws of North Dakota for the year 1913, prescribing the powers and duties of the State Auditor.

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

§ 1. AMENDMENT.] Section 132, Compiled Laws of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

§ 132. It is the duty of the State Auditor:

1. To superintend the fiscal affairs of the state.
2. To report to the Governor on or before the fifteenth day of November next preceding each regular session of the Legislative Assembly a statement of the funds of the state, its revenues, of the public expenditures during the two preceding fiscal years, together with a detailed estimate of the expenditures to be defrayed from the treasury for the two ensuing fiscal years, specifying therein each object of expenditure, and distinguishing between such as are provided for by permanent or temporary appropriation and such as must be provided for by a new statute and suggesting the means from which such expenditures are to be defrayed.
3. To accompany his biennial report with tabular statements showing the amount of each appropriation for the two preceding fiscal years, the amount expended and the balance, if any; also showing the amount of revenue chargeable to each county for such years, the amount paid and the amount unpaid or due therefrom.
4. When requested, to give information in writing to either house of the Legislative Assembly, relating to the fiscal affairs of the state or to the administration of his office.
5. To suggest measures for the improvement and management of the public revenue.
6. To keep and state all accounts in which the state is interested.
7. To keep an account of all warrants drawn upon the Treasurer, and a separate account under the head of each specific appropriation, showing at all times the unexpended balance of such appropriation.
8. To keep an account between the State and State Treasurer, and charge the State Treasurer therein with the balance in the

treasury when he came into office and with all moneys received by him and credit him with all warrants drawn on and paid by him.

9. To keep a registry of warrants showing the fund upon which they are drawn, the number, in whose favor, for what issued, the appropriation applicable to the payment thereof, when the liability accrued, and a receipt from the person to whom the warrant is delivered, and to register all orders or certificates drawn upon the State Treasurer.

10. To audit all claims against the state, the payment of which is authorized by law.

11. To examine and settle the accounts of all persons indebted to the state, and certify the amount to the Treasurer, and upon presentation and filing of the Treasurer's receipts therefor to give such person a release, and charge the Treasurer with such amount.

12. To require, in his discretion, any person presenting an account for settlement to be sworn before him, and to answer orally or in writing as to any facts relating thereto.

13. To require all persons who have received any moneys belonging to the state, and who have not accounted therefor to settle their accounts.

14. To inspect, in his discretion, the books of any person charged with the receipt, safe keeping or disbursement of public moneys.

15. To require at such times and in such forms as he may designate all persons, who have received money or securities or who have had the disposition or management of any property of the state of which an account is kept in his office, to render statements thereof to him, and all such persons must render such statements when so required by said auditor.

16. To direct and superintend the collection of all moneys due the state and institute suits in the name of the state for all official delinquencies in relation to the assessment, collection and payment of the revenue, and against persons who by any means have become possessed of public moneys or property and who fail or neglect to pay for or deliver the same, and against all persons indebted to the state.

17. To draw warrants on the State Treasurer for the payment of money directed by law to be paid out of the treasury; which warrants shall be numbered consecutively in the order in which they are drawn; but no warrant shall be drawn unless authorized by law, nor unless there are funds in the treasury applicable to the payment thereof to meet the same; provided, that in case of emergency, and in anticipation of taxes already levied and in process of collection, the Auditor, with the advice and consent of the State Auditing Board, may issue warrants in payment of duly authorized vouchers which warrants so issued shall be paid by the State Treasurer out of any funds in his hands other than sinking funds and funds, the use of which is limited by the Constitution of this state. Every warrant

must be drawn upon the fund out of which it is payable and specify for what it is drawn and when the liability accrued.

18. To furnish the State Treasurer monthly with a list of all warrants drawn upon the treasury, specifying the amount and number of each warrant and the name of the person in whose favor it is drawn.

19. To authenticate with his official seal all drafts and warrants drawn by him and all copies of papers issued from his office.

20. To discharge the duties of a member of the following state boards: Equalization; State Canvassers; Trustees of Public Property; University and School Lands; State Auditing Board; State Historical Society; State Board of Auditors, and Commissioners of Public Printing, and to perform such other duties as are or may be prescribed by law.

Approved March 11, 1931.

## STATE DEPARTMENT OF HEALTH

### CHAPTER 262 (S. B. No. 108—Stucke.)

#### ACCEPTANCE OF FUNDS BY STATE HEALTH DEPARTMENT

An Act to amend and re-enact Section 396d6 Supplement to the Compiled Laws of 1913, authorizing the State Department of Health to accept funds from various sources for public health work and prescribing conditions of acceptance.

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

§ 1. AMENDMENT.] Section 396d6 Supplement to the Compiled Laws of 1913, is hereby amended and re-enacted to read as follows:

§ 396d6. The State Department of Health shall be authorized to accept funds from cities, counties, the Federal Government, private organizations and individuals for infancy and maternal hygiene, and other public health work and to match the same from any unexpended portion of their budget, in accordance with specifications agreed to or required by Congressional Act when approved by the Governor of the State. All such work shall be done by the State Department of Health.

Approved March 6, 1931.