

STATE GOVERNMENT

CHAPTER 344

H. B. No. 656
(Solberg)

THEODORE ROOSEVELT ROUGH RIDER AWARDS

AN ACT

Providing for Theodore Roosevelt Rough Rider Awards, selection of award recipients, and making an appropriation.

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

§ 1. Theodore Roosevelt Rough Rider Award.) There shall be awarded by the state of North Dakota in the name of the legislative assembly and the citizens of this state, an award to be known as the Theodore Roosevelt Rough Rider Award. Such award shall be the highest recognition by the state of present or former North Dakotans who have been influenced by this state in achieving national recognition in their fields of endeavor, thereby reflecting credit upon this state and its citizens. The award, of a type and design approved by the governor, shall be awarded by the governor upon the approval of a committee consisting of the governor, secretary of state, and the superintendent of the state historical society. A record of all such awards and pertinent information in regard to each recipient shall be retained by the secretary of state.

§ 2. Appropriation.) There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of \$500.00, or so much thereof as may be necessary, to the governor for the purpose of procuring a supply of Theodore Roosevelt Rough Rider Awards for the purposes described in section 1 of this Act during the biennium beginning July 1, 1963, and ending June 30, 1965.

Approved March 4, 1963.

CHAPTER 345

H. B. No. 653

(Fossum, Reimers, Anderson (McHenry), Christopher, Dahl, Winge)
(Skaar, Erickson, Berg, Vinje, Ganser, Streibel, Haugen, Lindberg)
(Neukircher, Stallman, Unke, Bloom, Belquist)
(Christensen (McLean))

LEGISLATIVE APPORTIONMENT

AN ACT

To amend and reenact section 54-03-01 of the North Dakota Century Code, relating to the apportionment of the state house of representatives, and providing that such house shall consist of one hundred and nine members.

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

§ 1. **Amendment.)** Section 54-03-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-03-01. State Legislative Apportionment.) The senatorial districts of the state shall be formed, and the senators and representatives shall be apportioned as follows:

1. The first legislative district shall consist of the county of Pembina, and shall be entitled to one senator and two representatives;
2. The second legislative district shall consist of the city of Kenmare and that portion of Ward County situated and being in townships one hundred fifty-four, one hundred fifty-five, and one hundred fifty-six of ranges eighty-five, eighty-six, and eighty-seven; township one hundred fifty-seven of ranges eighty-four, eighty-five, eighty-six, and eighty-seven; township one hundred fifty-eight of range eighty-seven; townships one hundred fifty-nine and one hundred sixty of ranges eighty-seven, eighty-eight, and eighty-nine; and township one hundred sixty-one of range eighty-eight, and shall be entitled to one senator and one representative;
3. The third legislative district shall consist of the townships of Perth, Latona, Adams, Silvesta, Cleveland, Norton, Vesta, Tiber, Medford, Vernon, Golden, Lamp-ton, Eden, Rushford, Kensington, Dundee, Ops, Prairie Center, Fertile, Glenwood, Kinless, Shepherd, Sauter, and Dewey, the villages of Lankin, Fordville, Edinburg, Conway, Fairdale, Hoople, Pisek, Adams, and the city of Park River, in the county of Walsh, and shall be entitled to one senator and two representatives;

4. The fourth legislative district shall consist of the townships of Forest River, Walsh Centre, Grafton, Farmington, Ardoch, Harriston, Oakwood, Martin, Walshville, Pulaski, Acton, and St. Andrews, the villages of Forest River and Ardock, and cities of Grafton and Minto, in the county of Walsh, and shall be entitled to one senator and two representatives;
5. The fifth legislative district shall consist of the townships of Gilby, Johnstown, Strabane, Wheatfield, Hegton, Arvilla, Avon, Northwood, Lind, Grace, Larimore, Elm Grove, Agnes, Inkster, Elkmount, Plymouth, Niagara, Moraine, Logan Center, and Loretta, and the cities of Northwood, Inkster, and Larimore, in the county of Grand Forks, and shall be entitled to one senator and one representative;
6. The sixth legislative district shall consist of the fourth, fifth, and sixth wards of the city of Grand Forks, as now constituted, and the townships of Falconer, Turtle River, Ferry, Rye, Blooming, Mekinock, Lakeville, and Levant, in the county of Grand Forks, and shall be entitled to one senator and three representatives;
7. The seventh legislative district shall consist of the first, second, third, and seventh wards of the city of Grand Forks as now constituted and the townships of Grand Forks, Brenna, Oakville, Chester, Pleasant View, Fairfield, Allendale, Walle, Bentrui, Americus, Michigan, Union, Washington, and the first and second wards of the city of Reynolds, in the county of Grand Forks, and shall be entitled to one senator and three representatives;
8. The eighth legislative district shall consist of the county of Traill, and shall be entitled to one senator and two representatives;
9. The ninth legislative district shall consist of the township of Fargo, and the city of Fargo, in the county of Cass, and shall be entitled to one senator and six representatives;
10. The tenth legislative district shall consist of the townships of Noble, Wiser, Harwood, Reed, Barnes, Stanley, Pleasant, Kinyon, Gardner, Berlin, Raymond, Mapleton, Warren, Normanna, Bell, Harmony, Durbin, Addison, Davenport, Casselton, and the fractional township number one hundred thirty-nine, range forty-eight, in the county of Cass, including the villages of Mapleton, Argusville, Gardner, Horace, West Fargo, Grandin, Kindred, Southwest Fargo, Davenport, and the city of

Casselton, and shall be entitled to one senator and three representatives;

11. The eleventh legislative district shall consist of the townships of Gunkel, Rush River, Hunter, Arthur, Amenia, Everest, Maple River, Leonard, Dows, Erie, Empire, Wheatland, Gill, Walburg, Watson, Page, Rich, Ayr, Buffalo, Howes, Eldred, Highland, Rochester, Lake, Cornell, Tower, Hill, Clifton, and Pontiac, and the villages of Page, Buffalo, Tower City, Hunter, Arthur, Amenia, Ayr, and Alice, in the county of Cass, and shall be entitled to one senator and one representative;
12. The twelfth legislative district shall consist of the townships of Eagle, Abercrombie, Dwight, Ibsen, Center, Mooreton, Brandenburg, Summit, Fairmount, DeVillo, LaMars, Waldo, Greendale, the villages of Abercrombie, Great Bend, and Fairmount, and the city of Wahpeton, in the county of Richland, and shall be entitled to one senator and two representatives;
13. The thirteenth legislative district shall consist of the county of Sargent, and shall be entitled to one senator and one representative;
14. The fourteenth legislative district shall consist of the county of Ransom, and shall be entitled to one senator and one representative;
15. The fifteenth legislative district shall consist of the townships of Baldwin, Dazey, Lake Town, Pierce, Uxbridge, Edna, Rogers, Grand Prairie, Minnie Lake, Anderson, Hobert, Potter, villages of Dazey, Wimbleton, Sanborn, Leal, Pillsbury, Rogers, city of Valley City, township one hundred forty-three, range fifty-six; township one hundred forty-three, range fifty-eight; township one hundred forty-two, range fifty-eight; township one hundred forty-one, range fifty-eight; township one hundred forty-one, range fifty-nine; township one hundred forty-one, range sixty-one; and township one hundred forty, range fifty-eight in the county of Barnes, and shall be entitled to one senator and two representatives;
16. The sixteenth legislative district shall consist of the counties of Steele and Griggs, and shall be entitled to one senator and two representatives;
17. The seventeenth legislative district shall consist of the county of Nelson, and shall be entitled to one senator and one representative;
18. The eighteenth legislative district shall consist of the county of Cavalier, and shall be entitled to one senator and two representatives;

19. The nineteenth legislative district shall consist of the county of Rolette, and shall be entitled to one senator and two representatives;
 20. The twentieth legislative district shall consist of the county of Benson, and shall be entitled to one senator and two representatives;
 21. The twenty-first legislative district shall consist of the county of Ramsey, and shall be entitled to one senator and two representatives;
 22. The twenty-second legislative district shall consist of the county of Towner, and shall be entitled to one senator and one representative;
 23. The twenty-third legislative district shall consist of the county of Stutsman, and shall be entitled to one senator and four representatives;
 24. The twenty-fourth legislative district shall consist of the county of LaMoure, and shall be entitled to one senator and two representatives;
 25. The twenty-fifth legislative district shall consist of the county of Dickey, and shall be entitled to one senator and one representative;
 26. The twenty-sixth legislative district shall consist of the county of Emmons, and shall be entitled to one senator and two representatives;
 27. The twenty-seventh legislative district shall consist of the county of Burleigh, and shall be entitled to one senator and five representatives;
 28. The twenty-eighth legislative district shall consist of the county of Bottineau, and shall be entitled to one senator and two representatives;
 29. The twenty-ninth legislative district shall consist of the city of Minot, and that portion of Ward County situated and being in townships one hundred fifty-one, one hundred fifty-two, and one hundred fifty-three of ranges eighty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, and eighty-seven; townships one hundred fifty-four, one hundred fifty-five and one hundred fifty-six, of ranges eighty-one, eighty-two, eighty-three, and eighty-four, and township one hundred fifty-seven of ranges eighty-one, eighty-two, and eighty-three, and shall be entitled to one senator and six representatives;
 30. The thirtieth legislative district shall consist of Morton County, and shall be entitled to one senator and three representatives;
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31. The thirty-first legislative district shall consist of the county of Stark, and shall be entitled to one senator and three representatives;
32. The thirty-second legislative district shall consist of the counties of Eddy and Foster, and shall be entitled to one senator and two representatives;
33. The thirty-third legislative district shall consist of the county of Wells, and shall be entitled to one senator and two representatives;
34. The thirty-fourth legislative district shall consist of the county of McHenry, and shall be entitled to one senator and two representatives;
35. The thirty-fifth legislative district shall consist of the counties of Sheridan and Kidder, and shall be entitled to one senator and two representatives;
36. The thirty-sixth legislative district shall consist of the counties of McIntosh and Logan, and shall be entitled to one senator and two representatives;
37. The thirty-seventh legislative district shall consist of the townships of Walcott, Colfax, Barrie, Helendale, Sheyenne, Viking, Garborg, Freeman, West End, Homestead, Barney, Antelope, Danton, Nanson, Dexter, Wyndmere, Belford, Liberty, Grove, Brightwood, Elma, Duerr, Moran, and Grant, the village of Wyndmere, and the cities of Hankinson and Lidgerwood, in the county of Richland, and shall be entitled to one senator and two representatives;
38. The thirty-eighth legislative district shall consist of the townships of Weimer, Noltimier, Alta, Oriska, Springvale, Cuba, Green, Heman, Mansfield, Meadow Lake, Svea, Scandia, Norma, Binghampton, Raritan, Thordenskjold, Oakhill, Spring Creek, Rosebud, Greenland, township one hundred forty, range sixty-one; township one hundred thirty-nine, range fifty-eight; and township one hundred thirty-eight, range fifty-eight, villages of Litchville, Nome, Kathryn, Fingal, Eckelson, and Hastings, in the county of Barnes, and shall be entitled to one senator and one representative;
39. The thirty-ninth legislative district shall consist of the counties of Billings, Bowman, Slope, and Golden Valley, and shall be entitled to one senator and four representatives;
40. The fortieth legislative district shall consist of the counties of Burke and Divide, and shall be entitled to one senator and two representatives;

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41. The forty-first legislative district shall consist of the county of McKenzie, and shall be entitled to one senator and one representative;
42. The forty-second legislative district shall consist of the county of Pierce, and shall be entitled to one senator and one representative;
43. The forty-third legislative district shall consist of the county of Renville, and shall be entitled to one senator and one representative;
44. The forty-fourth legislative district shall consist of the county of Mountrail, and shall be entitled to one senator and two representatives;
45. The forty-fifth legislative district shall consist of the county of Williams, and shall be entitled to one senator and four representatives;
46. The forty-sixth legislative district shall consist of the county of McLean, and shall be entitled to one senator and two representatives;
47. The forty-seventh legislative district shall consist of the counties of Grant and Sioux, and shall be entitled to one senator and two representatives;
48. The forty-eighth legislative district shall consist of the counties of Mercer, Oliver, and Dunn, and shall be entitled to one senator and three representatives;
49. The forty-ninth legislative district shall consist of the counties of Adams and Hettinger, and shall be entitled to one senator and two representatives.

Approved March 13, 1963.

CHAPTER 346

S. B. No. 323
(Longmire)

STATE DEPARTMENTAL REPORTS

AN ACT

To amend and reenact sections 54-06-03, 54-06-04, 54-06-05, 2-05-04, 4-02-22, 4-05-03.4, 4-05-10, 4-06-04, 4-13-02, 4-13-09, 4-27-11, 6-01-10, 7-05-03, 15-02-08, 15-10-14, 15-11-14, 15-20-10, 15-20-24, 15-21-14, 15-52-28, 18-01-29, subsection 3 of section 20-02-04, sections 23-01-06, 24-02-10, subsection 7 of section 26-01-02, sections 26-22-04, 26-23-21, 27-15-08, 34-05-01, 34-06-20, 36-01-11, subsection 5 of section 37-03-05, sections 37-14-09, 37-15-19, 38-03-12, 43-01-06, 43-02-06, 43-04-19, 43-09-05, 43-10-08, 43-13-09, 43-15-12, 43-17-12, 43-19-10, 43-23-02, 43-28-09, subsection 3 of section 46-02-04, sections 46-04-14, 47-23-07, 49-01-13, 50-06-13, 52-02-03, 52-10-09, 53-01-08, subsection 9 of section 54-09-02, subsection 3 of section 54-10-01, subsection 12 of section 54-11-01, sections 54-12-05, 54-15-08, subdivision b of subsection 3 of section 54-15-13, sections 54-17-06, 54-21-09, 54-24-06, 54-36-06, subsection 7 of section 54-38-05, section 54-42-05, subsections 15 and 16 of section 54-44-04, sections 54-46-11, 54-49-08, subsection 9 of section 57-01-02, sections 61-03-04, and 65-02-09 of the North Dakota Century Code, relating to reports of executive and administrative agencies and departments, the time when such reports shall be made, the printing and binding of such reports and their distribution, and repealing sections 4-05-08.5, 4-05-09, 46-03-02, 46-04-11, and 46-04-13 of the North Dakota Century Code, relating to official reports, their printing and distribution.

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

§ 1. **Amendment.)** Section 54-06-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-06-03. Report of State Officers and Boards.) Except as otherwise provided by law all officers, departments, boards, commissions, and state institutions which are required to make and transmit reports annually or biennially to the governor and the secretary of state shall submit such reports to the governor and the secretary of state not later than October first of the year in which such report is required to be made.

§ 2. **Amendment.)** Section 54-06-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-06-04. Form and Number of Reports To Be Submitted.)

1. The following executive and administrative officers and departments shall submit to the governor and the secretary of state reports covering their operations for the two preced-

ing fiscal years not later than the first day of October each year preceding the regular session of the legislative assembly:

- a. Secretary of state;
- b. State auditor;
- c. Commissioner of insurance;
- d. Attorney general;
- e. Commissioner of agriculture and labor;
- f. Superintendent of public instruction;
- g. State tax commissioner;
- h. Public service commission;
- i. State board of higher education;
- j. Board of administration;
- k. Highway commissioner;
- l. State laboratories department;
- m. Public welfare board; and
- n. Workmen's compensation bureau including the unemployment division.

2. Three typewritten or mimeographed copies of any report mentioned in subsection 1 shall be submitted in the form and style prescribed by the director of accounts and purchases. One copy of each report shall be submitted to the governor and two copies to the secretary of state. The secretary of state shall require the printing of each report mentioned in subsection 1 into pamphlets, the size and number of copies to be printed to be determined by the secretary of state. The secretary of state shall set aside twenty-five copies of each report printed in pamphlet form to be bound into volumes or sets and to be known as "public documents". The style of binding to be used for the public documents shall be determined by the secretary of state. There shall be provided by the secretary of state a suitable table of contents referring to the reports contained in the public documents. A copy of the public documents shall be distributed by the secretary of state on or before the second day of January of each odd-numbered year to the following agencies:

- a. Governor's office;
- b. Attorney general's office;
- c. Legislative research committee;
- d. State law library;
- e. The state institutions of higher education;
- f. State library; and
- g. Two volumes shall remain in the office of the secretary of state for official and public use.

The remaining volumes or sets of the public documents shall be retained by the secretary of state to be distributed at his discretion.

3. The director of accounts and purchases and the state treasurer shall make annual reports to the governor and the secretary of state not later than the first day of October of each year upon their operations for the preceding fiscal year. The reports submitted by the director of accounts and purchases and the state treasurer shall be typewritten or mimeographed in the same form and style prescribed for the reports in subsection 1. One copy of each report shall be submitted to the governor and two copies to the secretary of state. The secretary of state shall require the printing of the reports received from the director of accounts and purchases and the state treasurer in pamphlet form and include them in the public documents.

4. The state budget board and the legislative research committee shall make biennial reports as prescribed by sections 54-15-08 and 54-35-07, which may, at their discretion, be included in the public documents.

5. This section shall not prohibit the executive and administrative officers and departments enumerated in subsection 1 from receiving such additional copies of their reports as may be made available and printed in pamphlet form by the secretary of state for the purpose of distribution as the administrative officers and departments shall deem necessary.

6. All other officers, departments, boards, commissions, and state institutions required to submit reports to the governor and the secretary of state shall submit typewritten or mimeographed copies of their reports in the form and style prescribed by the director of accounts and purchases on or before the first day of October in each year preceding the regular session of the legislative assembly. One copy of each report shall be submitted to the governor and two copies to the secretary of state. The secretary of state shall cause to be prepared sixteen copies of each report submitted under the provisions of this subsection and shall bind these reports into volumes or sets to be known as "biennial reports of administrative agencies and boards" which shall be distributed as provided in subsection 2 of this section. The style of binding to be used for the biennial reports of administrative agencies and boards shall be determined by the secretary of state. The reports included in this subsection shall not be further printed or reproduced except as provided for in this subsection and section 54-06-05.

7. All executive and administrative officers and departments responsible for submitting reports under the provisions

of this section shall bear the costs of the preparation and any printing of the reports.

8. Any executive and administrative officers and departments not required to submit a report by law, but electing to do so, shall submit such report under the provisions of subsection 6.

§ 3. Amendment.) Section 54-06-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-06-05. Secretary of State May Condense Report—Number of Copies of Report.) The secretary of state may condense any typewritten or mimeographed report submitted to him and, if in his discretion the need is apparent and clearly essential in the operation of the agency concerned or clearly essential for other governmental purposes or public uses, may order a copy of the condensed report to be printed at the expense of the agency submitting the report. Unless the number of copies of any report to be printed is fixed by law, the secretary of state shall specify the number thereof to be printed.

§ 4. Amendment.) Section 2-05-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2-05-04. Commission Organization—Reports—Offices.) The commission shall, within thirty days after its appointment, organize, and make such rules and regulations for its administration, as it may deem expedient. On or before the first day of October of each even-numbered year, the commission shall submit a report to the governor and the secretary of state in the manner prescribed by subsection 6 of section 54-06-04 of its proceedings during the preceding two fiscal years, an itemized statement of all revenue and of all expenditures made, and any additional information which may be required by the governor. The commission shall maintain its office in the state capitol.

§ 5. Amendment.) Section 4-02-22 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-02-22. Executive Committee Appointed by Directors — Duties.) The board of directors of each district association shall appoint an executive committee to keep an accurate account of the expenditures of all moneys appropriated to it by the state and of all its receipts and expenditures. Such committee shall consist of five members. Each committee shall collect, arrange, and collate all the information in relation to the nature and preparation of soils, the cultivation

and growth of crops, the breeding and management of stock, the application and character of manure and fertilizers, the introduction of new cereals and other grains and other agricultural subjects.

§ 6. **Amendment.)** Section 4-05-03.4 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-03.4. Official in Charge.) The superintendent of the present Dickinson branch station will have administrative power over the additional activities of the station.

§ 7. **Amendment.)** Section 4-05-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-05-10. Reports to Director at Fargo and to State Board of Higher Education.) The superintendent of each experiment station shall make a biennial report to the director of the experiment station at Fargo on or before the first day of August of each even-numbered year. Each report shall set forth in detail the investigations and experiments made during the preceding fiscal biennium, recommendations for the welfare of the station, the financial condition of the station, how all moneys have been expended, and the results of experiments carried on. The director shall submit these reports, with a biennial report of the Fargo station, to the board of higher education on or before the first day of September of each even-numbered year. The board of higher education shall include a composite of the reports from the experimental stations in its biennial report to the governor and the secretary of state.

§ 8. **Amendment.)** Section 4-06-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-06-04. Commissioners to Constitute Agricultural Code Commission.) The state commissioners shall constitute an agricultural code commission, and shall compile facts and data, and make recommendations in respect thereto. They shall furnish to the governor and the secretary of state on or before the first day of October of each even-numbered year, a report in the manner prescribed by subsection 6 of section 54-06-04 containing such information, facts, and data, and the recommendations based thereon.

§ 9. **Amendment.)** Section 4-13-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-13-02. Executive Committee of Association—Appointment and Duties.) The board of directors of the association shall appoint an executive committee to keep an accurate account of the expenditures of all moneys appropriated to it by the state and all other receipts and expenditures, and to collect information in relation to the poultry industry in the state, and report the same, with a statement of its doings, to the governor and secretary of state on or before the first day of October of each even-numbered year as provided for by section 54-06-03 and subsection 6 of section 54-06-04. All moneys appropriated to such association shall be paid over to the treasurer thereof on the order of the president attested by the secretary.

§ 10. Amendment.) Section 4-13-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-13-09. Report Made by Board.) The board shall make a biennial report of all its proceedings and transactions for the preceding two fiscal years to the governor and the secretary of state as prescribed by section 54-06-03 and subsection 6 of section 54-06-04.

§ 11. Amendment.) Section 4-27-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-27-11. Dairy Products Promotion Commission.) The commission shall make a full and complete report to the governor and the secretary of state of its activities for the preceding two fiscal years on or before October first of each even-numbered year as prescribed by subsection 6 of section 54-06-04. The books, records and accounts shall be audited annually by the state auditor, the cost of such audit to be paid from the funds of the North Dakota dairy products promotion commission.

§ 12. Amendment.) Section 6-01-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-01-10. State Examiner to Keep Records and Make Reports—Report of State Banking Board.) The chief deputy examiner shall act as secretary and keep all proper records and files pertaining to the duties and work of his office and the proceedings of the board. The state examiner shall report to the board annually, touching on all his official acts and those of his deputy examiners, giving abstracts of statistics and of the conditions of the various institutions to which his duties relate, and making such recommendations and sugges-

tions as he may deem proper. The state banking board biennially shall make a full report of its proceedings to the governor and secretary of state as prescribed by section 54-06-03 and subsection 6 of section 54-06-04. There shall be included in the banking board's report a summary or abstract of the reports of the state examiner.

§ 13. Amendment.) Section 7-05-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

7-05-03. Building and Loan Associations.) The state examiner shall keep and preserve in permanent form a full record of his proceedings, including a concise statement of each association examined, and he shall make a biennial report to the governor and the secretary of state as prescribed by subsection 6 of section 54-06-04, of the general conduct and condition of the building and loan associations doing business in this state with such suggestions as he may deem expedient. Such report also shall include the information contained in the statement required of the association arranged in tabulated form. He also shall report the whole amount of the income of his office paid by such associations, the source from which derived, and the expense in detail during the preceding two fiscal years.

§ 14. Amendment.) Section 15-02-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-02-08. Commissioner to Keep Record of Permanent Funds—Biennial Report to Governor and Secretary of State.) The commissioner shall keep a record in suitable books showing a detailed quarterly statement of the condition of all of the permanent funds under the control of the board of university and school lands, the amount of each fund, how invested, when due, interest paid, and all acts connected with the management of such funds. All records and record books shall be open at all times for inspection by the public. The commissioner shall report biennially to the governor and the secretary of state as prescribed by subsection 6 of section 54-06-04 all investments of such funds. Such report also shall show the work done during the preceding fiscal biennium, and shall show the number of acres of land sold or leased by the department, the amount received therefor, the amount of interest received to the credit of the several funds, the expense of administration of the department, and all such other matters relating to his office as shall be necessary to disclose fully the operation of the department.

§ 15. **Amendment.)** Section 15-10-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-10-14. Accounts and Records of Institutions — Biennial Report.) The state board of higher education shall prescribe for all of the institutions under its control standard systems of accounts and records and, biennially on or before the first day of October of each even-numbered year as prescribed by section 56-04-04, shall make a report to the governor and the secretary of state covering in detail the operations of the educational institutions under its control.

§ 16. **Amendment.)** Section 15-11-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-11-14. Annual Report by State Board of Higher Education on Surveys.) On or before the first day of October of each year preceding the regular session of the legislative assembly, the state board of higher education shall make a biennial report to the governor and the secretary of state as prescribed by section 54-06-04, showing the progress of the geological surveys for the preceding two fiscal years, accompanied by such maps, drawings, and specifications as may be necessary and proper to exemplify the same.

§ 17. **Amendment.)** Section 15-20-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-20-10. Report of State Board of Public School Education to Governor and Secretary of State.) The state board of public school education, shall make a biennial report to the governor and the secretary of state on or before the first day of October of each even-numbered year as prescribed by section 54-06-03 and subsection 6 of section 54-06-04 covering the operations of the educational institutions under its control. The state board in its report shall set forth 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.

§ 18. **Amendment.)** Section 15-20-24 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-20-24. Report to Governor and Secretary of State by State Board.) The state board, in its biennial report to the governor and the secretary of state covering the operations

of the educational institutions under its control shall set forth the condition of vocational rehabilitation education in the state, a list of schools to which federal and state aid in vocational rehabilitation has been given, and a detailed statement of expenditures of federal and state funds for that purpose.

§ 19. Amendment.) Section 15-21-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-21-14. Biennial Report—Contents.) On or before the first day of October preceding each regular session of the legislative assembly, the superintendent of public instruction shall make and transmit to the governor and secretary of state as prescribed by section 54-06-04 a report showing:

1. The number of school districts in the state and the number of teachers employed, and pupils taught therein, the attendance of pupils, and the studies pursued by them;
2. The financial condition of the various public schools, their receipts and expenditures, the value of school-houses and property, the costs of tuition, and the salaries of teachers;
3. The condition, educational and financial, as far as it can be ascertained, of the private schools and academies of the state; and
4. Such general matters, information, and recommendations relating to the educational interests of the state as he may deem important.

§ 20. Amendment.) Section 15-52-28 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-52-28. Board Biennial Report.) The chairman shall prepare a biennial report as prescribed by subsection 6 of section 54-06-04 of the activities of the board and submit such report to the governor and secretary of state, together with such recommendations as the board deems desirable.

§ 21. Amendment.) Section 18-01-29 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-01-29. Biennial Report of Fire Marshal.) The state fire marshal shall submit biennially a detailed report as prescribed by subsection 6 of section 54-06-04 of his official actions to the governor and the secretary of state.

§ 22. Amendment.) Subsection 3 of section 20-02-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Keep an accurate record of all the transactions and expenditures of his department and on or before the first day of October of each year preceding the regular session of the legislative assembly make and file with the governor and the secretary of state a detailed report as prescribed by subsection 6 of section 54-06-04 of such transactions and expenditures for the preceding two fiscal years;

§ 23. Amendment.) Section 23-01-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-01-06. Report of State Health Officer—Contents.) The state health officer, on or before the first day of October of each even-numbered year, shall make a report to the governor and the secretary of state as prescribed by subsection 6 of section 54-06-04 covering the preceding two fiscal years on the following subjects:

1. The activities of the various divisions, the work accomplished during the two years covered by the report, and an analysis of the program of each of the divisions;
2. The expenditures of the state department of health;
3. The expenditures in each county board of health or the district board of health; and
4. Any reports relating to the hospital program as required by the health council.

§ 24. Amendment.) Section 24-02-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-02-10. Biennial Report.) On or before the first day of October of each even-numbered year, the commissioner shall transmit to the governor and secretary of state a full and complete biennial report as prescribed by section 54-06-04 of the activities of his office for the preceding two fiscal years.

§ 25. Amendment.) Subsection 7 of section 26-01-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

7. To furnish a written report as prescribed by section 54-06-04 to the governor and the secretary of state on or before the first day of October of each even-numbered year showing his official acts, the receipts and expenditures of his department during the preceding two fiscal

years, an abstract only of the reports of the various insurance companies doing business in this state showing the condition of such companies, and such other information as will exhibit the affairs of his department;

§ 26. **Amendment.)** Section 26-22-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

26-22-04. Accounts—Report to the Governor—Preparation of Forms.) The commissioner of insurance shall keep an accurate account of all moneys expended and disbursed by the department and not later than the first day of October of each year preceding the regular session of the legislative assembly shall include in his report filed with the governor and the secretary of state a report as prescribed by section 54-06-04 of the activities of the department for the preceding two fiscal years. The commissioner shall prepare all forms and blanks necessary or convenient in accomplishing the purpose of this chapter.

§ 27. **Amendment.)** Section 26-23-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

26-23-21. Publication of Statement of Fund—Biennial Report to Governor and Secretary of State.) The commissioner, on or about the first day of October in each year preceding the regular session of the legislative assembly, shall publish in four newspapers of general circulation within the state a copy of the statement of his work and of the condition of the fund during the preceding year. He shall make a biennial report on or before October first of each even-numbered year as prescribed by section 54-06-04 to the governor and to the secretary of state containing a detailed statement of the work and the condition of said fund during the preceding two fiscal years.

§ 28. **Amendment.)** Section 27-15-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-15-08. Report and Recommendations to Governor—Suggestion of Rules to Supreme Court.) The judicial council shall submit to the governor and the secretary of state not later than the first day of October of each even-numbered year a report as prescribed by subsection 6 of section 54-06-04 upon the work of the various branches of the judicial system of the state. The council may recommend to the governor or to the legislative assembly such measures as it shall deem advisable and from time to time may submit for the consideration of

the supreme court suggestions regarding rules of practice and procedure.

§ 29. Amendment.) Section 34-05-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

34-05-01. Statistics Relating to the Employment of Labor.)

The commissioner of agriculture and labor shall collect, systematize, and present in biennial reports as prescribed by section 54-06-04 to the governor and secretary of state statistical details relating to the employment of labor in the state. The statistics may be classified as the commissioner of agriculture and labor deems best.

§ 30. Amendment.) Section 34-06-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

34-06-20. Biennial Report of Commissioner.) On or before the first day of October in each even-numbered year, the commissioner shall make a concise report as prescribed in section 54-06-04 to the governor and the secretary of state of his work and the proceedings under this chapter during the preceding two fiscal years.

§ 31. Amendment.) Section 36-01-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

36-01-11. Reports of Board.) On or before the first day of October in each even-numbered year, the state livestock sanitary board shall make a report as prescribed by subsection 6 of section 54-06-04 to the governor and the secretary of state of its proceedings and transactions during the two preceding fiscal years.

§ 32. Amendment.) Subsection 5 of section 37-03-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. Make a report as prescribed by subsection 6 of section 54-06-04 of his doings to the governor and the secretary of state on or before the first day of October in each even-numbered year which shall include a detailed statement of all the expenditures for military purposes during the preceding two fiscal years.

§ 33. Amendment.) Section 37-14-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-14-09. Records — Report to Governor and Secretary of State.) The veterans' aid commission shall keep full records

and files of all transactions, applications, advancements, and business of the commission and shall present a report as prescribed by subsection 6 of section 54-06-04 to the governor and the secretary of state containing a full and complete audit and report of all its business and the disbursements made from, and repayments made to, the veterans' aid fund during the preceding two fiscal years.

§ 34. Amendment.) Section 37-15-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-15-19. Reports of Board of Trustees to Governor and Secretary of State.) On or before the first day of October of each year preceding the regular session of the legislative assembly, the board of trustees shall make to the governor and the secretary of state a full and detailed report as prescribed by subsection 6 of section 54-06-04 of the disbursements of the home for the two preceding fiscal years and of its condition financially and otherwise.

§ 35. Amendment.) Section 38-03-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

38-03-12. Biennial Report of Inspector to Governor and Secretary of State—Contents.) On or before the first day of October in each even-numbered year, the inspector shall make a biennial report as prescribed in subsection 6 of section 54-06-04 to the governor and the secretary of state of his proceedings as such inspector and of the condition of each and every coal mine in this state. He shall describe in such report all accidents that have happened in or about each such mine and shall set forth all suggestions he may deem important as to further legislation on the subject of coal mines. The inspector may secure from the owners or operators of mines any information required to complete such report.

§ 36. Amendment.) Section 43-01-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-01-06. Board to Make Biennial Report.) The board shall make a biennial report to the governor and the secretary of state on or before the first day of October as prescribed by subsection 6 of section 54-06-04. Such report shall contain a statement of the receipts and disbursements of the board for the preceding biennium, a full statement of its doings and proceedings, and such recommendations as to it may seem proper for the better carrying out of the intents and purposes of this chapter.

§ 37. Amendment.) Section 43-02-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-02-06. Records of Board — Report to Governor and Secretary of State.) The board shall keep a complete record of all its proceedings and shall present to the governor and secretary of state on or before the first day of October of each even-numbered year a detailed report as prescribed by subsection 6 of section 54-06-04 of its receipts and disbursements during the preceding two fiscal years, with a statement of its acts and proceedings and such recommendations as it may deem proper.

§ 38. Amendment.) Section 43-04-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-04-19. Report to Governor and Secretary of State.) The board shall make a biennial report on or before the first day of October of each even-numbered year as prescribed by subsection 6 of section 54-06-04 to the governor and secretary of state. Such report shall contain the following:

1. A full statement of the receipts and disbursements of the board for the preceding two fiscal years;
2. A full statement of the doings and proceedings of the board for the preceding two fiscal years; and
3. Such recommendations as may seem proper, looking to the better carrying out of the purposes of this chapter.

§ 39. Amendment.) Section 43-09-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-09-05. Powers and Duties of State Electrical Board — Report.) The board shall adopt a seal and may make reasonable rules and regulations to carry out the provisions of this chapter. On or before the first day of October of each year preceding the regular session of the legislative assembly it shall file a biennial report as prescribed by subsection 6 of section 54-06-04 with the governor and the secretary of state showing all fees received and disbursements made, a list of all persons who have complied with the provisions of this chapter, and all action taken by the board under the provisions of this chapter during the preceding two fiscal years. The board shall appoint qualified inspectors, who shall within fifteen days after notice of completion of any electrical wiring installation involving a value of fifty dollars or more in municipalities having ordinances requiring such inspection, inspect such electrical installation and approve or condemn the same.

A report thereof shall be made on forms prescribed by the board.

§ 40. Amendment.) Section 43-10-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-10-08. Board to Report to Governor and Secretary of State.) The board on or before the first day of October of each even-numbered year shall make a report as prescribed by subsection 6 of section 54-06-04 to the governor and secretary of state containing a detailed statement of the nature of the receipts and the manner of the expenditures, and the balance of money remaining at the end of the preceding two fiscal years after the payment of all the necessary expenses.

§ 41. Amendment.) Section 43-13-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-13-09. Report to Governor and Secretary of State.) On or before the first day of October of each even-numbered year, the board shall make a biennial report of its proceedings to the governor and the secretary of state as prescribed by subsection 6 of section 54-06-04. The report shall contain an account of all moneys received and disbursed pursuant to this chapter and such other information as may be necessary to disclose the general proceedings of the board in carrying out the purposes and enforcing the provisions of this chapter during the period covered by the report.

§ 42. Amendment.) Section 43-15-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-15-12. State Board of Pharmacy—Report.) The board shall make a biennial report to the governor and secretary of state, and an annual report to the North Dakota pharmaceutical association rendering an account of all moneys received and disbursed by it. The report to the governor and secretary of state shall be due on or before the first day of October of each even-numbered year as prescribed by subsection 6 of section 54-06-04.

§ 43. Amendment.) Section 43-17-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-17-12. Board to Make Biennial Report to Governor and Secretary of State.) The board, on or before the first day of October of each even-numbered year, shall file with the governor and secretary of state as prescribed by subsection 6 of

section 54-06-04 a biennial report of all annual registration fees received and the disbursements made therefrom during the preceding two fiscal years.

§ 44. **Amendment.)** Section 43-19-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-19-10. Records and Reports.) The board shall keep a record of its proceedings and a register of all applications for registration. Such register shall show:

1. The name, age, and residence of each applicant;
2. The date of the application;
3. The place of business of such applicant;
4. The educational and other qualifications of the applicant;
5. Whether or not an examination was required;
6. Whether the applicant was rejected;
7. Whether a certificate of registration was granted;
8. The date of the action of the board; and
9. Such other information as may be deemed necessary by the board.

The records of the board shall be prima facie evidence of the proceedings of the board set forth therein, and a transcript thereof, duly certified by the secretary of the board under seal, shall be admissible in evidence with the same force and effect as if the original were produced. Biennially, on or before the first day of October of each even-numbered year as prescribed by subsection 6 of section 54-06-04, the board shall submit to the governor and secretary of state a report of its transactions of the preceding two fiscal years, and also shall transmit to them a complete statement of the receipts and expenditures of the board, attested by affidavits of its chairman and secretary.

§ 45. **Amendment.)** Section 43-23-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-23-02. Commission—Term—Duties—Records.) The members of the commission shall be appointed by the governor for a term of five years, staggered so the term of one member expires each year. At the expiration of the term of any member of the commission, the governor shall appoint a successor for a term of five years. In the event of a vacancy on the commission for any reason the governor shall appoint a member for the unexpired term of that member.

A majority of the commission, in meeting duly assembled, may perform and exercise all of the duties and powers devolving on the commission. The commission shall report biennially on or before the first day of October of each even-numbered year as prescribed by subsection 6 of section 54-06-04 to the governor and secretary of state, its receipts and expenditures and a full statement of its work during the year together with such recommendations as it may deem expedient.

The commission shall adopt a seal with North Dakota Real Estate Commission engraved thereon, by which it shall authenticate its proceedings. Copies of all records and papers in the office of the commission, duly certified and authenticated by the seal of such commission, shall be received in evidence in all courts equally and with like effect as the original.

§ 46. Amendment.) Section 43-28-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-28-09. Report to Governor and Secretary of State.) On or before the first day of October in each even-numbered year, the board shall make a report as prescribed by subsection 6 of section 54-06-04 of its proceedings during the preceding two fiscal years to the governor and the secretary of state. Such report shall contain an account of all moneys received and disbursed by the board during said time.

§ 47. Amendment.) Subsection 3 of section 46-02-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. The printing of voluntary reports made by any officers, departments, boards, commissions, and state institutions not required to be reported in addition to the printing and binding of the pamphlets which make up the public documents and the reports which make up the biennial reports of administrative agencies and boards, as prescribed by section 54-06-03, shall constitute the third class;

§ 48. Amendment.) Section 46-04-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

46-04-14. Secretary of State to Forward Laws to Counties.) As soon as the laws of each session of the legislative assembly are printed and ready for distribution, the secretary of state shall forward those to which each county is entitled to the county auditor of the county.

§ 49. Amendment.) Section 47-23-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

47-23-07. State Laboratories Department to Make Investigation—Report Results—Report Licenses Sold and Account for Funds.) The state laboratories department shall make investigations to determine the character of the products offered for sale in the state or shipped from this state under the North Dakota trade-mark. The information gathered shall be published as bulletins. The state laboratories department shall make a biennial report on or before the first day of October of each even-numbered year as prescribed by section 54-06-04 to the governor and the secretary of state accounting for all funds for the preceding two fiscal years and shall give a list of all products licensed, together with the name, address, and license number assigned.

§ 50. Amendment.) Section 49-01-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-01-13. Biennial Report to Governor and Secretary of State.) The commission, on or before the first day of October in each even-numbered year, shall make a report as prescribed by section 54-06-04 to the governor and the secretary of state of its doings for the preceding two fiscal years.

§ 51. Amendment.) Section 50-06-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

50-06-13. Biennial Report to Governor and Secretary of State.) The public welfare board biennially shall prepare and submit to the governor and the secretary of state a complete and full report as prescribed by section 54-06-04 which shall show:

1. Its activities during the preceding two years;
2. Such suggestions as it may deem necessary; and
3. Such other matters as it may think are for the benefit of the people of the state.

§ 52. Amendment.) Section 52-02-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

52-02-03. Bureau to Report Biennially to Governor and Secretary of State—Contents of Report—Recommendations by Bureau.) The bureau shall submit, not later than the first day of October of each even-numbered year, to the governor and secretary of state, a report as prescribed by section 54-06-04 covering the administration and operation of this title during the preceding two fiscal years, and shall make such recommendations for amendments to this title as it deems

proper. Whenever the bureau believes that a change in contribution or benefit rates shall become necessary to protect the solvency of the fund, it shall inform the governor and the legislative assembly promptly and make recommendations with respect thereto.

§ 53. Amendment.) Section 52-10-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

52-10-09. Studies and Reports.) The state agency shall submit a report as prescribed by subsection 6 of section 54-06-04 to the governor and the secretary of state on or before the first day of October of each even-numbered year, covering the administration and operation of this chapter for the preceding two fiscal years, including such recommendations for amendments to this chapter as it considers proper.

§ 54. Amendment.) Section 53-01-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

53-01-08. Commission—Biennial Report to Governor and Secretary of State.) The commission biennially shall make to the governor and secretary of state a full report as prescribed by subsection 6 of section 54-06-04 of its proceedings for the preceding two fiscal years, and may submit with such report such recommendations pertaining to its affairs as it shall deem desirable.

§ 55. Amendment.) Subsection 9 of section 54-09-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

9. Biennially report to the governor with copies filed in his office as prescribed by section 54-06-04 all moneys received from any source for services performed, and accompany such report with a detailed statement under oath of the manner in which the appropriations for his office have been expended during the preceding two fiscal years;

§ 56. Amendment.) Subsection 3 of section 54-10-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Be responsible for the above functions and shall report thereon to the governor and secretary of state as prescribed by section 54-06-04 or more often as circumstances may require; and

§ 57. Amendment.) Subsection 12 of section 54-11-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

12. Report to the governor and secretary of state, on or before the first day of October of each year as prescribed by subsection 3 of section 54-06-04, the exact balance in the treasury to the credit of the state. The report shall show in detail the receipts and disbursements, together with a summary thereof, the balances in the various funds at the beginning and ending of the fiscal year, and also shall show where the funds of the state are deposited. It shall be certified by the state treasurer and approved by the governor;

§ 58. **Amendment.)** Section 54-12-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-12-05. Report of Attorney General to Governor and Secretary of State.) The attorney general shall make a biennial report to the governor and the secretary of state as prescribed by section 54-06-04 on or before the first day of October of each even-numbered year, covering the business of his office to and including the thirtieth day of June last preceding. The report shall state:

1. The number, character, condition, and result of the actions prosecuted or defended by him in behalf of the state;
2. The cost of prosecuting or defending each action; and
3. The amount of fines and penalties collected.

He also shall direct attention to any defect in the practical operations of the law relating to revenue and criminal offenses, and shall suggest such amendments and changes as in his judgment are necessary to subserve the public interest.

§ 59. **Amendment.)** Section 54-15-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-15-08. Estimates Transmitted to the Legislative Assembly.) When the estimates for a state budget have been prepared by the state budget board, copies shall be filed with the secretary of state and shall also be transmitted to each member of the legislative assembly together with the recommendations of the board not later than the first day of December of the year preceding the meeting of the legislative assembly, together with such recommendations, reasons, and explanations with regard to the estimates as shall be deemed necessary by the state budget board. The board, in such estimates, shall not alter the amount requested by the judicial and legislative branches of government and their officers and agencies. The board, at the same time, shall transmit to the

legislative assembly all statements, estimates, and requests, or copies thereof, which were filed with the director of the department of accounts and purchases by officers, boards and commissions.

§ 60. Amendment.) Subdivision b of subsection 3 of section 54-15-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

- b. To prepare and submit a biennial report, if he deems it necessary, to the state budget board at least sixty days prior to the commencement of the ensuing legislative session, which report shall contain definite and specific proposals and recommendations to accomplish the following purposes:
 - (1) To simplify the entire governmental structure of the state so as to render it more economical and efficient;
 - (2) To eliminate all obsolete and unnecessary offices, departments, institutions, boards, bureaus and commissions of the state;
 - (3) To consolidate the functions, services and activities of all state offices and agencies thereof so as to eliminate duplication of service and expense wherever it exists;
 - (4) To correlate the functions and services of the several offices and agencies of the state government;
 - (5) To eliminate obsolete methods, unnecessary functions and services carried on by the state government and to render those functions and services which are determined to be absolutely essential, more economical and efficient;
 - (6) To assist the state budget board and legislative assembly in the preparation of the budget and the formulation of the public policy in the administration of governmental affairs with the objective of establishing the highest degree of efficiency consistent with the maximum degree of economy, to assure the citizens of this state that they will receive the best governmental service at the minimum possible cost.

§ 61. Amendment.) Section 54-17-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-17-06. Biennial Report of Commission.) The industrial commission shall prepare a biennial report as prescribed by subsection 6 of section 54-06-04 and file it in the office of the

governor and the secretary of state not later than the first day of October of each even-numbered year. The report shall contain an itemized account of its expenditures and a complete and detailed financial statement of each utility, industry, enterprise, and business project under its control, showing fully all items of income and disbursements and liabilities of every nature for the preceding two fiscal years. The report also shall set forth a list of all persons in the employ of the commission, with the name of each person drawing a salary under its authority, the amount of the salary, and all other emoluments received, and the fund from which drawn.

§ 62. Amendment.) Section 54-21-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-21-09. Report of Board of Administration to Governor and Secretary of State.) The board shall file a report as prescribed by section 54-06-04 on or before the first day of October in each even-numbered year with the governor and secretary of state, covering in detail the operations of the institutions under its control.

§ 63. Amendment.) Section 54-24-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-24-06. Records Kept by Commission — Report to the Governor and Secretary of State.) The state library commission shall keep statistics of the free public libraries of North Dakota and a record of the work done and books loaned by the commission. It shall make a full report as prescribed by subsection 6 of section 54-06-04 to the governor and secretary of state of all its expenditures and of such statistics and records as shall show:

1. The work done by the commission;
2. The use made of the traveling libraries; and
3. All other matters which it deems expedient.

§ 64. Amendment.) Section 54-36-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-36-06. Report and Recommendations.) The Indian affairs commission may submit their recommendations to the legislative assembly in the form of proposed legislation or resolutions and may make a report as prescribed by subsection 6 of section 54-06-04 to the governor and secretary of state.

§ 65. Amendment.) Subsection 7 of section 54-38-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

7. Report to the governor and the secretary of state biennially as prescribed by subsection 6 of section 54-06-04 incorporating such recommendations as it may deem advisable.

§ 66. Amendment.) Section 54-42-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-42-05. Biennial Report.) On or before the first day of October in every even-numbered year, the merit system council shall submit a biennial report as prescribed by subsection 6 of section 54-06-04 to the governor and the secretary of state and also to the state budget board of the activities of the merit system council and a complete statement of all expenditures of state and of federal funds by the merit system council.

§ 67. Amendment.) Subsections 15 and 16 of section 54-44-04 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

15. Shall report annually as prescribed by subsection 3 of section 54-06-04 to the governor and the secretary of state on or before the first day of October a statement of the funds of the state, the revenues of the state, and public expenditures during the preceding fiscal year;
16. Shall accompany his annual report with tabular statements showing the amount of each appropriation for the preceding fiscal year, the amount expended, and the balance, if any, and also the amount of revenue chargeable to each county for such year, the amount paid, and the amount unpaid or due therefrom;

§ 68. Amendment.) Section 54-46-11 of the North Dakota Century Code Supplement is hereby amended and reenacted to read as follows:

54-46-11. Biennial Report.) The administrator shall make a biennial report as prescribed by subsection 6 of section 54-06-04 to the governor and secretary of state. The report shall describe the status and progress of programs established pursuant to this chapter and shall include the recommendations of the administrator for improvements in the management of records in the state government.

§ 69. Amendment.) Section 54-49-08 of the North Dakota Century Code Supplement is hereby amended and reenacted to read as follows:

54-49-08. Reports.) The council shall make a report as prescribed by subsection 6 of section 54-06-04, to the governor

and secretary of state of its findings and recommendations and such additional reports as may be required of it by the legislature or the legislative research committee. The council shall also report upon its findings and recommendations to council members as it is deemed advisable.

§ 70. Amendment.) Subsection 9 of section 57-01-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

9. Shall transmit to the governor and the secretary of state on or before the first day of October of each even-numbered year as prescribed by section 54-06-04 the report of the commissioner and state board of equalization, with such recommendations as shall seem advisable;

§ 71. Amendment.) Section 61-03-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-03-04. Report of State Engineer to Governor and Secretary of State—Contents.) On or before October first of the year preceding the regular session of the legislative assembly the state engineer shall prepare and deliver to the governor and the secretary of state as prescribed by subsection 6 of section 54-06-04 a full report of his office, including a detailed statement of the expenditures thereof, with such recommendations for legislation as he may deem advisable.

§ 72. Amendment.) Section 65-02-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-02-09. General Information to Public—Biennial Report of Bureau.) The bureau, from time to time may publish and distribute among employers and employees such general information as to the business transacted by the bureau as in its judgment may be useful. Biennially, on or before the first day of October, the bureau, under the oath of at least two of its members, shall make a report as prescribed by section 54-06-04 to the governor and the secretary of state for the preceding two fiscal years including:

1. A statement of the number of awards made by it;
2. A general statement of the causes of accidents leading to the injuries for which the awards were made;
3. A detailed statement of the disbursements from the fund;
4. A statement of the conditions of the various funds carried by the bureau; and

5. Any other matters which the bureau wishes to call to the attention of the governor, including any recommendation for legislation or otherwise which it may have to make.

§ 73. **Repeal.**) Sections 4-05-08.5, 4-05-09, 46-03-02, 46-04-11, and 46-04-13 of the North Dakota Century Code are hereby repealed.

Approved March 16, 1963.

CHAPTER 347

H. B. No. 862
(Brown)

STATE OFFICIALS' TRAVEL EXPENSE

AN ACT

To amend and reenact section 54-06-09 of the North Dakota Century Code, relating to travel expense of state officers and employees.

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

§ 1. **Amendment.**) Section 54-06-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-06-09. Mileage and Travel Expense of State Officers and Employees.) State officials, whether elective or appointive, and their deputies, assistants, and clerks, or other state employees, entitled by law to be reimbursed for mileage or travel expense, shall be allowed and paid for mileage and travel expense the following amounts:

1. The sum of eight and one-half cents per mile for each mile actually and necessarily traveled within this state in the performance of official duty when such travel is by motor vehicle or by private airplane, but when any such motor vehicle or airplane is owned by the state or by any department or political subdivision thereof, no allowance shall be made or paid for such mileage;
2. When travel is by rail or certificated air taxi commercial operator or other common carrier, including regularly scheduled flights by airlines, the amount actually and necessarily expended therefor in the performance of official duties.

Before any allowance for any such mileage or travel expenses shall be made, the official, deputy, assistant, clerk, or other

employee shall file with the director of the department of accounts and purchases an itemized statement showing the mileage traveled, the days when and how traveled and the purpose thereof, verified by his affidavit. The statement shall be submitted to the state auditing board for approval and shall be paid only when approved by said board.

Approved March 2, 1963.

CHAPTER 348

S. B. No. 276

(Holand, Foss)

AUDITING BOARD MEMBERS AND DUTIES

AN ACT

To amend and reenact sections 54-14-02 and 54-14-03 of the North Dakota Century Code, providing that members of the state auditing board may appoint a deputy or substitute to act in their behalf when such members are unable to attend meetings of the auditing board and the state auditing board may delegate to the director of accounts and purchases authority to approve payments for payrolls, purchases, and other items deemed desirable.

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

§ 1. Amendment.) Section 54-14-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-02. Meetings of Board.) The state auditing board shall hold its meetings at the office of the director of the department of accounts and purchases or at such other place as the board may decide. Meetings shall be had at least monthly and at such other time as the board may deem necessary or advisable. Each member of the auditing board may appoint a deputy or substitute to serve in his stead at such meetings as he may be unable to attend.

§ 2. Amendment.) Section 54-14-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-14-03. Powers and Duties of State Auditing Board.) The state auditing board shall audit all claims, accounts, bills, or demands against the state, except those of state owned utilities, enterprises, and business projects, and such others as are specifically excepted by law. The board, in its discretion, may require the filing of any additional information which it

may deem necessary to the proper understanding and audit of any claim, account, bill, or demand against the state. It may require the filing of a sworn statement in such form as it may prescribe. The state auditing board may delegate to the director of accounts and purchases authority to approve payments for payrolls, purchases, and such other items as in their discretion they deem feasible and desirable. Any person or department aggrieved by the disallowance of a claim by the director of accounts and purchases under the authority delegated herein may appeal such disallowance to the auditing board, which may reverse or affirm the action of the director of accounts and purchases.

Approved March 16, 1963.

CHAPTER 349

S. B. No. 359

(Delayed Bills Committee)

(Holand)

BUDGET BOARD ORGANIZATION

AN ACT

To amend and reenact sections 54-15-01, 54-15-03, and 54-15-04 of the North Dakota Century Code, relating to the membership, organization, and compensation of the state budget board.

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

§ 1. **Amendment.)** Section 54-15-01 of the North Dakota Century Code Supplement is hereby amended and reenacted to read as follows:

54-15-01. State Budget Board—Members—Vacancies—How Filled.) There shall be a state budget board which shall consist of the governor, the chairman of the appropriations committees of the senate and the house of representatives of the preceding legislative assembly, the state auditor, and the secretary of state. In addition, there shall be appointed by the speaker of the house of representatives five additional representatives, and by the lieutenant governor three additional senators to serve upon such board. Such additional representatives shall be appointed from lists of six names submitted to the speaker by each political party, and such additional senators shall be appointed from lists of five names submitted to the lieutenant governor by each political party. At least one of the appointees from each the senate and the house of

representatives shall be a member of the respective appropriations committees, and one of the appointees from the senate and two of the appointees from the house of representatives shall be members of the minority party. In case of inability on the part of any member of the legislative assembly to serve on the board, the vacancy shall be filled by the governor by appointment from the membership of the appropriations committee, or the political party as the case may be, of that branch of the preceding legislative assembly in which such vacancy occurs.

§ 2. Amendment.) Section 54-15-03 of the North Dakota Century Code Supplement is hereby amended and reenacted to read as follows:

54-15-03. Compensation and Mileage of Members of Budget Board.) The members of the state budget board shall receive the travel expenses provided by law for state officials and in addition thereto the legislative members, or such other members as may be appointed by the governor to fill a vacancy, each shall receive ten dollars per day for each day of actual service. A member of the state budget board who is not a member of the succeeding legislative assembly shall receive for his services during the legislative session the same compensation as that paid to the members of the legislative assembly.

§ 3. Amendment.) Section 54-15-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-15-04. Budget Board Organization Meeting—Chairman—Vice Chairman—Secretary—Records.) The state budget board shall meet and organize in the governor's office at the state capitol at the call of the governor within thirty days after the close of each regular session of the legislature, and at such other times and places as the governor, or a majority of the board, may from time to time determine. The governor shall be chairman of the board, with a vice chairman to be elected by the membership of the board who shall serve in the absence of the governor, and the director of the department of accounts and purchases or such other member of that department as may be designated by him shall be its secretary. The secretary shall keep the minutes of the board and shall record them in a suitable book to be kept for that purpose. The minutes of the board shall be a public record and at all times shall be open to public inspection.

Approved March 21, 1963.

CHAPTER 350

H. B. No. 547

(Link, Brown, Saugstad, Knudsen, Aamoth, Anderson (McHenry))
(Fossum, Hauf, Backes, Miller)

(From LRC Study)

CANCELLATION OF UNEXPENDED APPROPRIATIONS

AN ACT

To amend and reenact section 54-27-09 of the North Dakota Century Code, relating to the cancellation of unexpended appropriations.

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

§ 1. **Amendment.)** Section 54-27-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-27-09. Department of Accounts and Purchases to Cancel Unexpended Appropriations—When They May Continue.) The department of accounts and purchases, thirty days after the close of each biennial period, shall cancel all unexpended appropriations or balances of appropriations, which shall have remained undrawn after the expiration of the biennial period during which they became available under the law. Two members of the legislature serving on the budget board with the auditing board may continue appropriations or balances in force for new construction projects and for major repair or improvement projects for not more than two years after the expiration of the biennial period during which they became available upon recommendation of the department of accounts and purchases.

§ 2.) The provisions of this Act shall not apply to the appropriations made for buildings in section 5 of chapter 1 of the 1961 Session Laws.

Approved February 18, 1963.

CHAPTER 351

H. B. No. 651

(Christopher, Paulsen, Schaffer, Collette, Mueller, Burk, Vendsel)
(Lowe, Dornacker, Opedahl, Unke)

STATE PLANNING AGENCY

AN ACT

Creating a state planning agency in the office of the director of economic development who shall be director of state planning; creating a state planning fund; providing for assistance to the state director of planning; authorizing regional and metropolitan planning commissions; establishing powers and duties of such office, director, and commissions and providing for acceptance of federal aid.

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

§ 1. Definitions.) In this Act, unless the context or subject matter otherwise requires the term "planning agencies" shall mean and include the departments, agencies, instrumentalities of the federal, state, county, township, or municipal governments engaged in planning activities, including regional and metropolitan planning agencies as authorized herein, and educational institutions, research organizations, whether public or private, civic groups, and private persons and organizations engaged in planning activities.

§ 2. State Planning Agency Created.) In order to promote the health, safety and general welfare of the citizens of this state, there is hereby created a state planning agency headed by the director of economic development who shall also be known as the director of state planning.

§ 3. State Planning Agency—Purposes.) It shall be the purpose of the state planning agency to advise, consult, coordinate, assist, and contract with or on behalf of the various planning agencies in developing and harmonizing the planning activities of this state. Nothing in this Act shall operate in derogation of planning powers conferred upon departments, agencies or instrumentalities of state, counties, townships or municipal corporations, by any existing state or local law.

§ 4. State Planning Agency—Powers and Duties.) The state planning agency shall:

1. Prepare plans for the physical development of this state;
2. Inform, advise, assist, cooperate with, and contract with or on behalf of the various planning agencies;

3. Accept and receive funds, grants and services from the various planning agencies; and
4. Act as fiscal agent for or on behalf of any of the planning agencies;
5. Advise, study, recommend and report to the governor and legislative assembly on all phases of state and local planning;
6. Coordinate the planning activities of the various agencies;
7. Exercise all powers necessary and proper for the discharge of its duties.

§ 5. State Planning Fund—Maintaining and Administering—What Constitutes.) A special fund, separate and apart from all public moneys or funds of this state, and known as the state planning fund, is hereby created and shall be maintained in the state treasury and shall be administered by the state planning agency exclusively for the purpose of this Act. All moneys which are deposited or paid into this fund are appropriated and made available to the state planning agency. The fund shall consist of all moneys appropriated by this state, and all moneys received from the United States of America, or any agency thereof, or from any county, township, municipal corporation or other political subdivision of this state, or from any other source, for such purpose. All moneys in this fund shall be deposited, administered, and disbursed in the manner and under the conditions and requirements provided by law for other special funds in the state treasury. Any balances in this fund, except moneys appropriated by the legislative assembly, shall not lapse at any time, but shall be available continuously to the state planning agency for expenditure consistent with this Act.

§ 6. Director—Powers and Duties.) The director shall be responsible for the operation of such agency and shall exercise all other duties necessary and proper for the discharge of the duties of such agency.

§ 7. Economic Development Commission to Assist in Planning.) The economic development commission shall advise and assist the director of planning in the performance of the duties of the state planning agency.

§ 8. Assistance to Metropolitan, Regional or Local Planning Agencies—Application of Federal Funds in Aid of Local Planning Activities.) The state planning agency may render financial or other planning assistance to any governmental planning agency. Such assistance may be conditioned on contributions by the planning agency which requests such assistance, but in any case in which funds or services are

requested and received by the state planning agency from any federal agency for planning assistance to such agencies the condition imposed by federal law or regulation shall be carried out.

§ 9. Grants to Planning Commission—Right to Contract.)

The state planning agency or any governmental planning agency is authorized to apply for, accept and expend grants from any other planning agency as defined herein for the purpose of this Act, and to contract with reference thereto.

§ 10. Creation of Regional and Metropolitan Planning Areas—Agreement for Regional and Metropolitan Planning.)

Two or more governmental planning agencies may by agreement establish a regional and metropolitan planning commission. A regional planning area shall consist of one or more adjoining townships and/or counties or parts thereof which have common problems and interests. A metropolitan planning area shall be a regional planning area consisting of one or more municipal corporations and the territory adjacent thereto, which are so interdependent as to form a unit for planning purposes. Such agreement shall include the number and qualifications of the members of any such commission and the terms and method of appointment or removal of such members.

§ 11. Regional or Metropolitan Planning Commission — Powers and Duties.)

By such agreement such joint planning commission may be given the authority to exercise any or all the powers and functions conferred by state law upon either or any or all the parties to such agreement, including the power to establish and enforce zoning regulations within the joint planning area.

§ 12. Regional or Metropolitan Plans — How Made Effective.)

The governing bodies of each planning agency entering into an agreement for joint regional or metropolitan planning shall make such regional or metropolitan plan or plans or any revision, amendment, extension, or addition thereto effective by following substantially the form of procedure required by law to make effective any local planning within such planning agency. When each such agency has complied with such laws and all the governing bodies of such agencies have adopted such plan and filed the same with regional or metropolitan planning commission and with the governing body of each agency which is a party thereto such plan shall become effective.

§ 13. Regional or Metropolitan Development Plan—Filing — Distribution.)

Upon the preparation of the regional or metropolitan development plan or of any phase or functional

part thereof, or upon the preparation of an amendment or revision of the plan or of any part thereof, or upon the preparation of any extension of or addition to the plan, the regional or metropolitan planning commission shall file such plan, part of a plan, amendment, revision, extension or addition in the office of the director of state planning and with the other planning agencies in adjoining areas.

§ 14. Local Governments and Planning Agencies Filing of Plans and Reports — Submission of Proposals.) To facilitate effective and harmonious planning of the regional or metropolitan area, all planning agencies shall file with the appropriate regional or metropolitan planning commission, for its information, all plans, zoning ordinances, official maps, building codes, subdivision regulations, or amendments or revisions of any of them, as well as copies of their regular and special reports dealing in whole or in part with planning matters. County, township or municipal legislative bodies, or county, township, municipal or other local planning agencies may also submit proposals for such plans, ordinances, maps, codes, regulations, amendments or revisions prior to their adoption, in order to afford an opportunity to the regional or metropolitan planning commission to study such proposals and to render its advice thereon.

§ 15. Federal, State and Local Aid to Regional and Metropolitan Planning Commissions.) Any planning agency may request and accept grants of funds or services from the federal government or any other planning agency.

Approved March 14, 1963.

CHAPTER 352

S. B. No. 188

(Holand, Longmire, Redlin, Kee)

LEGISLATIVE AUDIT AND FISCAL REVIEW COMMITTEE

AN ACT

Providing for a legislative committee on audits and fiscal review, defining its organization, powers, and duties, making an appropriation, and creating section 54-14-03.1 of the North Dakota Century Code, relating to reports by the auditing board.

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

§ 1. Committee on Audits and Fiscal Review.) For the purpose of studying and reviewing the financial transactions of this state; to assure the collection and expenditure of its revenues and moneys in compliance with law and legislative intent and sound financial practices; and to provide the legislative assembly with formal, objective information on revenue collections and expenditures to provide a basis of legislative action to improve the fiscal structure and transactions of this state, there shall be a committee on audits and fiscal review, hereafter referred to as the "committee". The committee shall consist of the lieutenant governor as chairman, four members of the house of representatives, and three members of the senate. The members shall be appointed in the same manner and for the same terms as provided for members of the legislative research committee in section 54-35-01, except that each political faction shall be required to submit a list of only five members to the respective presiding officers, and except that at least one member of the respective appropriation committees of each house of the legislative assembly shall be appointed to the committee. Vacancies between sessions shall be filled in the same manner as vacancies upon the legislative research committee as provided in section 54-35-01.

§ 2. Powers and Duties.) It shall be the duty of the committee to study and review audit reports submitted by the state auditor, confer with the auditor and deputy auditors in regard to such reports, and when necessary to confer with representatives of the department, agency, or institution audited in order to obtain full and complete information in regard to any and all fiscal transactions and governmental operations of any department, agency, or institution of the state. Each department, agency, or institution shall furnish to the committee such aid, information, and assistance in regard to fiscal transactions and governmental operations as

it may from time to time request. The committee, through its members or such persons as may be directed or employed by it, shall be authorized, within the limits of legislative appropriations, to make such additional or supplemental audits, examinations, or studies of the fiscal transactions or governmental operations of departments, agencies, or institutions of the state as it may deem necessary.

§ 3. Meetings—Quorum—Officers.) The committee, or any subcommittee composed of members of the committee, may meet at such time and place as it may deem desirable, but the committee shall meet at least once in each quarter year. All meetings shall be held at the call of the chairman or a call signed by four members of the committee. At any meeting five members shall constitute a quorum, and a majority of such quorum shall have authority to act in any matter falling within the jurisdiction of the committee. The committee may prescribe its own rules of procedure.

The committee shall select a vice chairman who shall carry out the duties of the chairman during his absence or inability to act. It may make arrangements with the legislative research committee for the provision of clerical assistance and for assistance in drafting any legislation it may recommend.

§ 4. Reports and Recommendations.) The committee shall prior to each session of the legislative assembly, and at such other times as it deems necessary, make a report to the governor and members of the legislative assembly in regard to its activities, findings, and recommendations, and shall prepare suitable legislation to carry out such recommendations for the consideration of the legislative assembly.

§ 5. Compensation of Members.) The chairman and members of the committee shall be compensated for their service on the committee in the same manner and at the same rate as provided for members of the legislative research committee in section 54-35-10.

§ 6. Appropriation.) There is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, the sum of \$12,900.00, or so much thereof as may be necessary, to the committee on audits and fiscal review, for the purpose of carrying out its duties under this Act for the biennium beginning July 1, 1963, and ending June 30, 1965.

§ 7.) Section 54-14-03.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-14-03.1. Reports to Committee on Audits and Fiscal Review.) It shall be the duty of the state auditing board, in

the course of the pre-audit of claims against the state, or in otherwise carrying out its duties, to note irregularities in the fiscal practices of the state and its departments, agencies, and institutions and areas where more uniform and improved fiscal procedures are desirable, and it shall further note expenditures and governmental activities that the board or its members may believe to be contrary to the intent of law or the intent of the legislative assembly. The board or its individual members shall regularly report such matters to the committee on audits and fiscal review.

Approved March 15, 1963.

CHAPTER 353

H. B. No. 572

(Brown, Stockman, Neukircher, Lowe, Mueller, Vendsel)

JOINT EXERCISE OF GOVERNMENTAL FUNCTIONS

AN ACT

To provide that any municipality or political subdivision thereof may enter into agreements with one another or with the county in which they are located for joint or cooperative projects.

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

§ 1. Joint Functions—Who May Participate.) Any municipality or political subdivision of this state upon approval of their respective governing bodies may enter into agreements with one another for joint or cooperative action, on a cost-sharing basis, or otherwise, to carry out any function or duty which may be authorized by law or assigned to one or more of them, and to expend funds of such municipality or political subdivision pursuant to such agreement, and otherwise share or contribute property in accordance with such agreement in jointly or cooperatively carrying out such function or duty.

Approved March 8, 1963.

CHAPTER 354

H. B. No. 829

(Diehl, Wastvedt, Poling, Johnston)

COUNTY RECORDS MANAGEMENT

AN ACT

To provide for a uniform system of retaining and disposing of county records to be promulgated by the secretary of state.

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

§ 1. County Records — Uniform System Established by Secretary of State.) On or before July 1, 1965, the secretary of state shall promulgate rules and regulations consistent with specific requirements of state law for a uniform system of cataloguing, reproducing, retaining, and disposing of county records. Upon promulgation of such rules and regulations all county offices, departments, and agencies shall be authorized to establish and maintain such uniform system as prescribed by the secretary of state. The secretary of state may, from time to time, revise such rules and regulations as he deems necessary.

Approved March 9, 1963.

CHAPTER 355

S. B. No. 149

(Becker, Chesrown, Kautzmann, Sinner)

PEACE OFFICERS' COMMISSION

AN ACT

To establish a commission on peace officers' standards and training, to provide for the appointment of a director and other employees, to provide for the establishment of standards and curriculum for peace officers' school and making an appropriation therefor.

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

§ 1. Commission on Peace Officers' Standards and Training — Purpose.) There is hereby created the commission on peace officers' standards and training, which shall provide courses of instruction not to exceed two weeks in duration at convenient location in the state, for training peace officers in

their powers and duties, in the use of approved equipment, in police traffic supervision, youth correction, and in the latest techniques for detection, identification, and apprehension of criminals.

§ 2. Officers—Compensation—Expenses.) The members of such commission shall be the officer in charge of the North Dakota state bureau of criminal identification as chairman, the president of the North Dakota peace officers' association, and one member appointed by the dean of the University of North Dakota law school for a term of one year. Meetings shall be held at the call of the chairman or upon request of any two members. Each member of the commission, except the chairman, shall be paid at the rate of twenty-five dollars for attendance at each meeting, regardless of the length of the meetings, not to exceed six meetings per year. In addition, all members of the commission shall receive the mileage and travel expenses in the same manner and at the same rates as other state officials.

§ 3. Membership Not Grounds for Disqualification.) No member of the commission shall be disqualified from holding any public office or employment, nor shall he forfeit any such office or employment by reason of his membership on the commission, notwithstanding the provisions of any general, special or local law, ordinance or city charter.

§ 4. Director — Employees.) The director of the peace officers' school shall be the director of the bureau of criminal identification. The director may appoint such officers, employees, agents and consultants as he may deem necessary, prescribe their duties, fix their compensation and provide for reimbursement of their expenses within the limits of legislative appropriation, subject to the approval of the commission. Membership on the commission shall not preclude such person from being so appointed an officer, employee, agent or consultant.

§ 5. Course of Instruction.) The director shall prepare not later than November 1, 1963, and not later than August first of each year thereafter, a written schedule of subject material, the scheduled instructors for each subject, and the time and place for each subject presentation for the following calendar year. This material shall be submitted to the commission, and may be approved or disapproved by a majority vote of the commission within thirty days, and if disapproved, shall be revised and resubmitted to the commission for their review in like manner.

§ 6. Rules and Regulations.) The commission may adopt rules and regulations for the guidance and operation of such

school, and among other things, may provide for rules and regulations governing the following:

1. Admission and eligibility;
2. Maximum and minimum hours of training per officer, with differentiation provided for the first twelve months and succeeding year of service;
3. Charges for board and room;
4. Rating, reporting, attendance and other records, and certificates of attendance and completion; and
5. Such other matters as necessary.

§ 7. Donations, Contributions, Grants or Gifts.) The commission may accept any donations, contributions, grants or gifts from private individuals or foundations or the federal government and the proceeds thereof shall become the property of the state of North Dakota, and shall be deposited with the state treasurer, and are hereby appropriated to the commission for carrying out the provisions of this Act.

§ 8. Student Records.) The director of the school shall cause to be maintained daily attendance records of all those persons enrolled for classes. In the event any officer is absent for eight hours in any day, a written report shall be sent to his employing authority within forty-eight hours. In all other cases, an accurate record shall be made for each student, and a complete report of attendance for each person shall be sent to his employing authority within thirty days after completion of the prescribed course, together with his achievement grades. Such other records, reports and certificates shall be provided in accordance with the rules and regulations of the commission.

§ 9. Eligibility for Attendance.) Any officer or employee of the state of North Dakota involved in law enforcement, except licensed attorneys, any police officer or elected or appointed peace officer of any county or municipality of the state of North Dakota, and such other persons as by the rules and regulations promulgated by the commission may qualify, shall be eligible to attend such training courses as herein provided, in accordance with and subject to the rules and regulations of the commission.

All peace officers of any county or municipality employed at the effective date of this Act shall attend such training courses within two years after the effective date of this Act. All peace officers of counties or municipalities elected or employed after the effective date of this Act shall attend such training courses within a period of one year after the date he qualifies for office or the date of his employment as a peace officer.

The commission may in its discretion exempt any person from the required training program when it is shown that such person has previously received the equivalent of such training program.

§ 10. Tuition — Student Expenses.) No tuition shall be charged any police officer, sheriff, state employee, or other person who qualifies for attendance at any training school herein provided for. Each state, county, or municipal employee, while in attendance at such school, shall receive his regular salary, and may be reimbursed by the employing authority at his discretion for his cost of meals, travel and lodging while in attendance at the school.

§ 11. Appropriation.) There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of ten thousand dollars, or so much thereof as may be required, to be expended during the biennium ending June 30, 1965, to carry out the provisions of this Act.

Approved March 18, 1963.

CHAPTER 356

S. B. No. 210

(Roen, Lips, Sorlie, Trenbeath, Chesrown, Brooks, Meidinger)

GIRL SCOUTS ROUND-UP COMMISSION

AN ACT

To create a Girl Scouts Round-Up Commission for the purpose of encouraging and aiding the Girl Scouts of the United States of America to hold their 1965 Round-Up in North Dakota, making an appropriation therefor, and declaring an emergency.

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

§ 1. Legislative Intent.) The public policy of the state is declared to be that to foster, promote, and protect opportunities for economic security and growth, individual rights and enterprise, develop tourist attractions and increase travel by non-residents to our state, promote the prosperity and general welfare of all of the people of our state, the accomplishment of which, among other things, requires and demands the establishment of a Girl Scouts Round-Up Commission for the purpose and with the object of encouraging and promoting a site within North Dakota, to be selected by the Girl Scouts of the United States of America, in the year 1965.

§ 2. Girl Scouts Round-Up Commission Members.) There is hereby created the Girl Scouts Round-Up Commission which shall consist of the governor as chairman, a co-chairman who shall be the president of the Theodore Roosevelt National Memorial Park and Badlands Association, and such additional members as the governor may appoint. Members of the commission shall serve without pay or expense remuneration.

§ 3. Girl Scouts Round-Up Commission—Meetings—Legal Advisor.) Meetings of such commission shall be at times and places selected by the chairman. The attorney general shall act as legal advisor to the commission or designate an assistant for that purpose.

§ 4. Girl Scouts Round-Up Commission—Powers and Duties.) In the administration of this Act, the commission shall have the following powers, authority, and duties.

1. To publish and disseminate reliable information on the desirability of North Dakota for the 1965 Girl Scouts of the United States of America Round-Up;
2. To contact and cooperate with any person, firm, corporation, association, or with any local, state, or federal department or agency for executing and carrying on a program or programs of research, education, and publicity in connection with the 1965 Girl Scouts of the United States of America Round-Up;
3. To lease, purchase, own, equip, maintain, and operate a commission office;
4. To request such information, aid, and assistance as may be deemed necessary from any department, agency, or institution of this state, and such departments, agencies, and institutions are directed to cooperate with such commission to the maximum extent practical and feasible. The state highway department is specifically directed to cooperate with such commission in the construction and maintenance of access routes and campsite development and construction; the state water commission is directed to cooperate in locating and testing for adequate ground water supplies; and the national guard is directed to cooperate in all ways within its capabilities in the development, construction, and maintenance of facilities which includes acting as security officers to guard Girl Scout equipment and supplies for sixty days before, the two weeks during, and fifteen days after, the encampment. The highway department is hereby authorized to expend funds from the state highway construction fund for such purposes, and the state water commission and the national guard

are hereby authorized to expend such funds as may be available to such agencies for such purposes.

5. To appoint, employ, bond, discharge, fix the compensation and prescribe the duties of such administrative, clerical, technical and other personnel, employees, and agents as it may deem necessary to conduct the business and affairs of the commission;
6. To accept donations of funds, property, and services or other assistance, financial or otherwise, from federal, state, and other public or private sources for the purpose of aiding and promoting the work and objectives of the commission, depositing all funds so received in the Girl Scouts Round-Up Commission fund in the state treasury, and such are hereby appropriated to the commission to carry out the provisions of this Act and the purposes of the donors.

§ 5. Girl Scouts Round-Up Commission Appropriation.)

There is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of fifteen thousand dollars to the Girl Scouts Round-Up Commission to carry out the provisions of this Act during the period beginning July 1, 1963, and ending September 30, 1965.

§ 6. 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 16, 1963.

CHAPTER 357

S. B. No. 126
(Baker, Longmire)

SALE OF EMPLOYMENT SERVICE PROPERTY, GRAND FORKS

AN ACT

Authorizing the state of North Dakota acting by its North Dakota workmen's compensation bureau for the North Dakota state employment service to sell and convey the westerly or front one hundred forty feet of lot fourteen, in block thirty-two, town of Grand Forks, according to the plat thereof on file and of record in the office of the register of deeds of said county and state and recorded in book "A" of deeds, on page twenty-two, in Grand Forks County, North Dakota.

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

§ 1.) The state of North Dakota acting by its North Dakota workmen's compensation bureau for the North Dakota state employment service is hereby authorized to sell and convey the westerly or front one hundred forty feet of lot fourteen, in block thirty-two, town of Grand Forks, according to the plat thereof on file and of record in the office of the register of deeds of said county and state and recorded in book "A" of deeds, on page twenty-two, in Grand Forks County, North Dakota.

§ 2.) The workmen's compensation bureau may cause the above described land to be sold in the manner prescribed by sections 54-01-05.1 and 54-01-05.2. Proceeds from such sale shall be used only for acquisition and purchase of real property in Grand Forks, Grand Forks County, North Dakota as authorized and provided for in section 52-02-16 of the North Dakota Century Code.

Approved March 4, 1963.

CHAPTER 358

S. B. No. 133
(Longmire, Baker)

SALE OF EMPLOYMENT SERVICE PROPERTY, MINOT

AN ACT

Authorizing the state of North Dakota acting by its North Dakota workmen's compensation bureau for the North Dakota state employment service to sell and convey the lots six and seven of block eleven, Brooklyn Addition to the city of Minot, Ward County, North Dakota.

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

§ 1.) The state of North Dakota acting by its North Dakota workmen's compensation bureau for the North Dakota state employment service is hereby authorized to sell and convey the lots six and seven of block eleven, Brooklyn Addition to the city of Minot, North Dakota, in Ward County, North Dakota at such price as may be determined by said bureau to be adequate and proper in the light of the cost thereof and of the improvements thereto.

§ 2.) The workmen's compensation bureau may cause the above described land to be sold in the manner prescribed by sections 54-01-05.1 and 54-01-05.2. Proceeds from such sale shall be used only for acquisition and purchase of real property in Minot, Ward County, North Dakota as authorized and provided for in section 52-02-16 of the North Dakota Century Code.

Approved March 4, 1963.

CHAPTER 359

S. B. No. 235

(Baker, Reichert, Brooks)

SALE OF BOARD OF HIGHER EDUCATION LANDS

AN ACT

To authorize the state board of higher education to sell its interest in certain lands to the state highway department for use as a radio tower site and access road and highway rights-of-way.

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

§ 1.) The state board of higher education is hereby authorized to sell to the state of North Dakota for the use and benefit of the state highway department its interest in certain lands described as follows:

For a radio tower site and access road to such tower site:

A portion of the northwest quarter of the northwest quarter of section eleven, township one hundred and fifty-four north, range eighty-three west.

For a highway right-of-way:

A portion of the northeast quarter of section eleven and a portion of the northwest quarter of section twelve all in township one hundred and fifty-four north, range eighty-three west.

For a highway right-of-way:

A portion of section five, township one hundred and thirty-nine north, range ninety-six west; also a portion of the south one-half of section thirty-two, township one hundred and forty north, range ninety-six west.

For a highway right-of-way:

A portion of the west one-half of section twenty-six; a portion of the northeast quarter and southeast quarter of section twenty-seven; a portion of the west one-half of section thirty-five, north of the railroad right-of-way, and a portion of the northeast quarter of section thirty-four, all in township one hundred and forty north, range forty-nine west.

All necessary documents to accomplish the transfer of the above described lands may be executed by the governor and attested by the secretary of state upon the payment of fair market value for the lands transferred, from the state

highway fund to the institutional income account of the agricultural experiment station, North Dakota state university of agriculture and applied science.

Approved March 4, 1963.

CHAPTER 360

S. B. No. 326

(Brooks, Wadeson, Sinner)

QUITCLAIM DEED TO FARGO FAIRGROUNDS

AN ACT

To authorize the execution of quitclaim deeds to certain property owned at one time by the North Dakota state fair association for Fargo, and possibly subject to a reversionary interest.

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

§ 1. Land Transfer Authorized.) It appearing that the North Dakota state fair association for Fargo, in the year 1905 did convey to the state of North Dakota, pursuant to chapter 46 of the 1905 Session Laws of the state of North Dakota, that tract of land owned by such association and described as:

The north half of the northwest quarter of section thirty-one (31) in township one hundred forty (140) north of range forty-eight (48) west of the fifth principal meridian in the county of Cass and state of North Dakota;

and it further appearing that the deed conveying such land contained a reversionary clause running in favor of such fair association should the state of North Dakota ever fail to appropriate money for fair purposes, and that no such appropriation has been made since the 1931 legislative session; and it further appearing that the land has, since the date of conveyance, passed into the hands of a number of grantees and been used for a variety of beneficial purposes, and that such fair association has ceased to exist and has not for many years attempted to use or exercise any control over said land, now therefore: the governor and the secretary of state on behalf of the state of North Dakota are hereby authorized in accordance with the provisions of section 54-01-05.1, upon receipt of the sum of twenty-five dollars, to execute such quitclaim deeds as may be necessary for the purpose of disclaiming and quitclaiming all right, title, and interest which the state of North Dakota may possess in the above described property and thus curing the titles of the present record owners of such property.

Approved March 6, 1963.

CHAPTER 361

S. B. No. 357

(Committee on Delayed Bills)

EASEMENT TO CITY OF MINOT

AN ACT

To grant the city of Minot, North Dakota, a perpetual underground easement for storm sewer purposes across the property of the state of North Dakota Normal School in the city of Minot, North Dakota, and declaring an emergency.

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

§ 1.) A perpetual easement for the installation and maintenance of an underground storm sewer utility line is hereby granted to the city of Minot, North Dakota, a municipal corporation, across the following described property owned by the state of North Dakota Normal School:

The south 469.2 feet of the east 660 feet of the northwest quarter of the northeast quarter of section 14, township 155 north, range 83 west.

The south 469.2 feet of the west 222 feet of the northeast quarter of the northeast quarter of section 14, township 155 north, range 83 west.

The east one-half of the southwest quarter of the northeast quarter of section 14, township 155 north, range 83 west.

The west 222 feet of the southeast quarter of the northeast quarter of section 14, township 155 north, range 83 west.

§ 2.) The North Dakota board of higher education is hereby authorized to negotiate with the city of Minot for the exact legal description of the above described easement. Such easement shall be for a strip of land lying sixteen and one-half feet on either side of the centerline of said pipeline. Centerline shall be determined by proper survey and approved by said board of higher education and upon such approval the easement hereby granted shall be limited to such specific description so approved and not to the remainder of the property described in section one hereof.

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

Approved March 15, 1963.

CHAPTER 362

H. B. No. 570
(Johnson)

EASEMENT TO CITY OF VALLEY CITY

AN ACT

Authorizing an easement over certain property owned by the state of North Dakota and under the control of the board of higher education to the city of Valley City for the construction of power transmission lines, and to repeal chapter 144 of the 1959 Session Laws authorizing the board of higher education to lease property to the Valley City Development Corporation.

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

§ 1.) Authorization is hereby granted for the conveyance of an easement to the city of Valley City for the purpose of construction of power transmission lines by the Valley City Municipal Utilities over certain property owned by the state of North Dakota and under the control of the state board of higher education, said property described as follows:

A strip of land twenty feet, ten feet on either side of a center line more particularly described as follows: Beginning at a point on the north line of lot one, block seven, Andrus and Siftons Addition to Valley City, North Dakota which is 68.8 feet west of the northeast corner of this lot; thence by an angle of 83°09' to the left a distance of 60.1 feet; thence by an angle of 12°44' to the right a distance of 124.6 feet; thence by an angle of 60° to the right a distance of 252.0 feet; thence by an angle of 3°22' to the right a distance of 352.0 feet; thence by an angle of 78°08' to the left a distance of 131.2 feet; thence by an angle of 73°39' to the right a distance of 212.0 feet; thence by an angle of 71°45' to the left 141.0 feet; thence by an angle to the right of 89° a distance of 455.0 feet; thence by an angle of 2°38' to the left a distance of 230.0 feet more or less to a point on the east line of Fourth Avenue Southwest in the city of Valley City, North Dakota which is 227.0 feet south of the northwest corner of lot one, block six of said Andrus and Siftons Addition,

subject to the right of reversion in the grantor in case the easement granted is not used for said purpose or is abandoned.

§ 2. **Repeal.)** Chapter 144 of the 1959 Session Laws is hereby repealed.

Approved February 18, 1963.

CHAPTER 363

H. B. No. 583

(Reimers, Ganser, Christensen (Ward), Lindberg)

EXCHANGE OF STATE LAND IN STUTSMAN COUNTY

AN ACT

Authorizing the board of administration to convey certain described lands belonging to the state of North Dakota.

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

§ 1.) It having been discovered that a misdescription of certain lands occurred in House Bill 717* of the Thirty-seventh Legislative Assembly and in the conveyance executed pursuant to said bill, whereby certain lands were conveyed to the Stutsman County soil conservation district by the board of administration on behalf of the state of North Dakota for a consideration of five hundred dollars which has been paid, the board of administration is hereby authorized to cause to be conveyed to the Stutsman County soil conservation district in accordance with the provisions of section 54-01-05.1, that tract of land containing approximately six acres described as follows:

All of that portion of land in the northeast quarter of section six, township one hundred thirty-nine north, range sixty-three west, lying southwesterly of the Northern Pacific Railway right-of-way, northerly of the interstate highway 94 right-of-way, and northeasterly of the Midland Continental Railway right-of-way; excepting county road and section line right-of-way.

§ 2.) In consideration for such conveyance, the Stutsman County soil conservation district shall convey to the state highway department on behalf of the state of North Dakota, that portion of highway right-of-way erroneously received containing approximately seven acres described as follows:

That land lying in section six, township one hundred thirty-nine north, range sixty-three west, beginning at a point 1706.21 feet north eighty-nine degrees fifty-six minutes west and 33.0 feet south of the northeast corner of said section six, thence running north eighty-nine degrees fifty-six minutes west 612.3 feet, thence south sixty-three degrees forty-three minutes east 450.0 feet, thence south twenty-six degrees forty-nine minutes west 764.7 feet, thence south seventy-three degrees fifty

*Note: Chapter 328 of the 1961 Session Laws.

minutes west 2278.0 feet, thence north sixteen degrees ten minutes west 125.0 feet, thence south seventy-three degrees fifty minutes west 634.7 feet to a point on the west line of said section six, thence south along the section line 598.7 feet, thence north seventy-three degrees fifty minutes east 801.4 feet, thence north sixteen degrees ten minutes west 150.0 feet, thence north seventy-three degrees fifty minutes east 2063.22 feet, thence south eighty-three degrees thirty-five minutes east 475.0 feet, thence south fifty-eight degrees thirty-seven minutes east 600.0 feet to a point, thence due east to a point on the westerly right-of-way line of the Midland Continental Railway, thence northwesterly along said right-of-way line to the point of beginning.

In the event that the Stutsman County soil conservation district shall cease to exist, the land described in section 1 of this Act shall revert to the state of North Dakota.

Approved March 2, 1963.

CHAPTER 364

H. B. No. 702

(Johnston, Wagner, Brown)

QUITCLAIM DEED TO BAPTIST HOME

AN ACT

To authorize the conveyance of certain described property to the Baptist Old Peoples Home Society of the Dakota Conference, of Bismarck, North Dakota.

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

§ 1. Legislative Policy.) It is hereby determined that the state of North Dakota has an apparent interest of record in property which is hereinafter described, but that no claim based upon such interest, if any, has ever been made by the state of North Dakota and the state apparently has never used the land for any purpose. It is further determined that in 1883, the capitol commission established by the Dakota Territorial Legislature caused to be platted an area which was known as Capitol Park until the vacation thereof by the Act of the Thirty-fourth Legislative Assembly in 1955 and that said plat omitted an eighty foot strip on the east side thereof, a part of which is the area hereinafter described. It moreover is determined that, by error in deeds and platting including therein all land in such section located to the east of Capitol

Park, said strip of land has come to be included as a part of said replat and a subsequent purchaser, the Baptist Old People's Home Society of the Dakota Conference, of Bismarck, North Dakota, has acquired such property, for good and valuable consideration, in the belief that their title was good in law. It further has been determined that the area at the time of said replat was uncultivated prairie land of little value, but that such area now constitutes the west eighty feet of property upon which a valuable old people's home has been constructed in which a number of our senior citizens have innocently and in good faith established their residences. For these reasons, and because the interest of the state of North Dakota, if any, has come about through the original omission of this strip of land from the plat of Capitol Park, and because the legislative assembly, in chapter 338 of the 1957 Session Laws corrected this omission as it affected private property owners to the north of the property in question, the legislative assembly has concluded that it would be unconscionable for the state now to assert a claim to the property hereinafter described, and declares its policy to be that the state should assist in every manner in curing any apparent defects which now exist in the title to said property.

§ 2. Board of Administration Authorized to Execute Quitclaim Deed.) The board of administration is hereby authorized, upon receipt of the total sum of twenty-five dollars, to execute the necessary quitclaim deed in behalf of the state of North Dakota, to the Baptist Old Peoples Home Society of the Dakota Conference, disclaiming all right, title, and interest in and to the said property, for the purpose of curing the title to the property described as follows:

The real property in the city of Bismarck, Burleigh County, North Dakota, described as the west eighty feet of that certain tract of land in the east half of the northeast quarter of section thirty-three, township one hundred thirty-nine, range eighty, beginning at the southeast corner of Capitol Park Addition to Bismarck on the west line of Eleventh Street projected north, running thence north three hundred sixty-three feet, thence east two hundred forty feet, thence south to the north line of McKenzie and Coffin's Addition to Bismarck, thence west to the northeast corner of block ninety-six of said McKenzie and Coffin's Addition, thence north to the point of beginning,

such conveyance to be free of all reservations, restrictions, or rights of reversion.

Approved March 4, 1963.

CHAPTER 365

H. B. No. 744
(Poling)

CONVEYANCE OF FORT UNION HISTORIC SITE

AN ACT

To permit the state historical society to transfer by deed and title the parcel of land known as Fort Union Historic Site.

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

§ 1.) Authorization for the transfer by deed and title, ten and twenty-six hundredths acres, more or less of land in township one hundred fifty-two, range sixty-five, section seven, Williams County to that division of federal government, normally the National Park Service, Department of Interior with the understanding that they shall further develop the area as a national historic landmark.

§ 2.) The parcel of land is further identified as follows: Beginning at the northeast corner of lot three, section seven, township one hundred fifty-two, north range one hundred four west, thence seven hundred feet in a westerly direction along the north line of lot three to a point; thence at right angles five hundred feet, more or less in a southerly direction to a point, thence at right angles seven hundred feet, more or less in an easterly direction to a point on the east line of lot three, thence five hundred feet, more or less in a northerly direction along this east line of lot three to the point of beginning said tract containing eight and twenty-six hundredths acres more or less. Also a right in the general public to travel over and upon the tract described as follows, which right-of-way is to connect the tract above described with the county road: Beginning at the southwest corner of lot two, section seven, township one hundred fifty-two north, range one hundred four west, thence north along section line a distance of nine hundred sixty and four-tenths feet thence east along county road and Great Northern Railway a distance of sixty-six feet; thence south to the one-fourth line, thence west sixty-six feet to the point of beginning; containing an area of one and four-tenths acres more or less and all lying in lot two of said section seven. Also, beginning at the southwest corner of lot two, section seven, township one hundred fifty-two north, range one hundred four west, thence east along the one-fourth line five hundred twenty-nine and fifty-eight hundredths feet, thence south sixty-six feet, thence west five hundred twenty-nine and fifty-eight hundredths feet, thence

north sixty-six feet to the point of beginning; containing an area of eight-tenths of an acre more or less and all lying in lot three of said section seven.

Approved March 6, 1963.

CHAPTER 366

H. B. No. 758

(Hertz, Meyer, Brown, Gietzen, Johnston)

LEASE OF INDUSTRIAL SCHOOL PROPERTY

AN ACT

Authorizing the board of administration to lease certain property now owned by the state and under the control of the state industrial school.

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

§ 1.) The board of administration is hereby authorized to lease to the Supercrete Industries the following described lands:

A tract of land lying and being in the southwest quarter of section twenty-eight, township one hundred thirty-nine north, range eighty-one west, Morton County, North Dakota, and more fully described as follows:

Beginning at a point four hundred seventy-five feet east of the southwest quarter of the southwest quarter of section twenty-eight, township one hundred thirty-nine north, range eighty-one west, said point being on the south boundary line of said southwest quarter; thence east along the south boundary line of said southwest quarter a distance of two hundred feet; thence north on a line parallel to the west boundary line of said southwest quarter a distance of ninety-four feet more or less to the south boundary line of the Northern Pacific Railroad right-of-way; thence westerly on a curve along said right-of-way boundary line to the northeast corner of Auditors Lot "D" of the southwest quarter of section twenty-eight, township one hundred thirty-nine north, range eighty-one west; thence south along the east boundary line of Auditors Lot "D" a distance of one hundred ten feet to the point of beginning, said tract containing 0.47 acres more or less

and

A tract of land lying and being in the northwest quarter of section thirty-three, township one hundred thirty-nine

north, range eighty-one west, Morton County, North Dakota, and more fully described as follows:

Beginning at a point four hundred seventy-five feet east of the northwest corner of the northwest quarter of section thirty-three, township one hundred thirty-nine north, range eighty-one west, said point being on the north boundary line of said northwest quarter; thence south on a line parallel to the west boundary line of said northwest quarter a distance of three hundred seventy feet; thence east on a line parallel to the north boundary line of said northwest quarter a distance of two hundred feet; thence north on a line parallel to the west boundary line of said northwest quarter a distance of three hundred seventy feet to the north boundary line of said northwest quarter of section thirty-three; thence west along the north boundary line of the northwest quarter of section thirty-three, township one hundred thirty-nine north, range eighty-one west, a distance of two hundred feet to the point of beginning, said tract containing 1.70 acres more or less.

Such lease shall be for a term of twenty-five years at an annual rental payable in advance of one hundred dollars per year. The lease shall be upon such terms and conditions as the board of administration shall prescribe, but shall specifically contain a requirement that the existing road upon such premises shall be maintained by Supercrete Industries for use of vehicles and equipment of the state industrial school, and that the irrigation ditch located upon the premises shall be relocated in such manner as may be prescribed by the board of administration.

Approved March 6, 1963.

CHAPTER 367

H. B. No. 888

(Delayed Bills Committee)

(Unke, Jacobson, Schaffer, Christopher, Lundene, Leahy, Halcrow)

SALE OF FORMER BLIND SCHOOL PROPERTY

AN ACT

To authorize the board of administration to sell all real property owned by the state at Bathgate, North Dakota and formerly utilized by the school for the blind, and declaring an emergency.

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

§ 1.) The board of administration is hereby authorized to sell all buildings and lands formerly used as the school for the blind at Bathgate to the Pembina County Pioneer Rest Home, a North Dakota nonprofit corporation, for the consideration of one dollar. The provisions of this Act shall not be construed as authorizing the sale of land in excess of forty acres. The deed of conveyance shall contain a provision for a reversion to the state of North Dakota of all right, title and interest in the property should the property cease to be used as a home for the aged by a nonprofit corporation.

§ 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 19, 1963.