

BANKS AND BANKING

CHAPTER 82

S. B. No. 231

(Hernett, Kautzmann)

EXAMINATION FEES

AN ACT

To amend and reenact section 6-01-17 of the North Dakota Century Code, relating to fees for examination of banks.

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

§ 1. Amendment.) Section 6-01-17 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-01-17. Fees for Examination of Banks.) Every state banking association, banking institution, and trust company placed under the jurisdiction and control of the state examiner and his deputy examiners by the provisions of this title, prior to receiving its certificate of authority to commence business, if a new corporation or association, and in all cases within ten days after each examination, shall pay into the state treasury the following fee: two hundredths of one percent of gross amount of the assets of said corporation or association on the day of the examination, exclusive of expenses, interest, and taxes paid, and inclusive of any valuation allowance or allowances deducted by a state banking association from any asset account. Such fee shall not be less than two hundred dollars and not more than three thousand dollars. The state treasurer shall report such payments of fees to the state banking board, and if any such corporation or institution shall be delinquent more than twenty days in making such payment, the board may make an order suspending the functions of such delinquent corporation or institution until payment of the amount due, plus a penalty of five dollars a day additional for the delay.

Approved February 27, 1967.

CHAPTER 83

S. B. No. 244

(Redlin)

STATE EXAMINER'S FEES FOR COUNTY AGENCIES

AN ACT

To amend and reenact section 6-01-21.1 of the North Dakota Century Code, relating to county agencies, examinations and fees.

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

§ 1. Amendment.) Section 6-01-21.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-01-21.1. County Agencies — Examinations — Fees.) The state examiner by his duly appointed deputy examiners or other authorized person or persons shall examine at least each year, if possible, and more often if he, in his discretion, deems it advisable, the official financial records, accounts, and proceedings of boards of county commissioners, county auditors, county treasurers, clerks of district court, county judges, registers of deeds, county superintendents of schools, sheriffs, public administrators, governing boards of irrigation districts and flood irrigation districts, clerks or secretaries of said boards and treasurers of said districts. Fees for such examinations shall be charged by the state examiner for the examinations in this section provided at the rate of forty dollars per day for the time used by himself or other person designated by him in supervising, filing and corresponding in connection with such report and for the time used by each deputy examiner, or other person or persons in making and otherwise preparing and typing the reports of examinations herein provided for. Fee for an extra day shall be paid for each person who may be required to travel to participate in the examinations in this section provided. The fees herein provided shall be paid by the counties and districts examined to the state treasurer, and by him credited to the general fund of the state.

Approved February 27, 1967.

CHAPTER 84

S. B. No. 245
(Redlin)

STATE EXAMINER'S FEES FOR MUNICIPAL AGENCIES,
PARK BOARDS, AND SCHOOL DISTRICTS

AN ACT

To amend and reenact section 6-01-21.2 of the North Dakota Century Code, relating to municipal agencies, park boards, school districts, examinations, fees, and alternative audits.

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

§ 1. **Amendment.)** Section 6-01-21.2 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-01-21.2. Municipal Agencies, Park Boards, School Districts—Examinations—Fees—Alternative Audits.) The state examiner, by his duly appointed deputy examiners or other authorized agents, shall examine the official financial records, accounts, and proceedings of the following governing bodies and officials of the following political subdivisions:

1. City councils and commissions;
2. City auditors and treasurers;
3. Village boards of trustees;
4. Village and park district clerks and treasurers;
5. School boards and boards of education;
6. School district clerks, treasurers, and secretaries; and
7. Trustees and officials of the firemen's relief association.

Such examinations shall be conducted at least once each year in political subdivisions having populations in excess of twelve hundred according to the latest federal decennial census, except school districts which shall be examined annually if the population is in excess of five hundred according to the latest federal decennial census and at least once every three years in political subdivisions having populations of twelve hundred or less, except school districts which shall be examined at least once every three years if the population is five hundred or less. The firemen's relief association shall be examined at least once each year. Examinations may be conducted at more frequent intervals if the state examiner, in his discretion, deems it advisable.

The governing board of any such city, park board, village, or school district may provide for an audit annually by a certified public accountant, and such audit report shall be in such form and contain such information as the state examiner may require in addition to other information, and in such case the state examiner shall not be required to make the examination heretofore provided for in this section. Two copies of such audit reports shall be filed with the state examiner and one copy with the state bonding fund by the certified public accountant making such audit at the same time that the report of audit is delivered to said city, park board, village, or school district, and the governing board of such subdivision shall not pay the fee for such audit until evidence of such filing is furnished. The state examiner may require the correction of any irregularities, objectionable accounting procedures, or illegal actions on the part of the governing boards and officers of such subdivisions disclosed by such audit reports, and failure to make such corrections shall result in examinations being resumed by the state examiner until such irregularities, procedures or illegal actions are corrected, and fees for such examinations, so resumed, shall be paid in accordance with this section.

Fees for the examinations provided for in this section shall be charged by the state examiner at the rate of forty dollars per day for the time used by himself or other persons designated by him in supervising, filing and corresponding in connection with such reports of examination, and for time used by each deputy examiner or other person or persons in making such examinations and otherwise preparing and typing the reports of examinations herein provided for, in political subdivisions having populations in excess of twelve hundred according to the latest federal decennial census, and thirty dollars per day for political subdivisions having populations under twelve hundred. Fee for an extra day shall be charged for each person who may be required to travel to participate in the examinations in this section provided, and all fees for examinations herein provided shall be paid by the subdivision examined to the state treasurer and by him credited to the general fund of the state.

Approved February 27, 1967.

CHAPTER 85

S. B. No. 322

(Kautzmann, Stroup)

USE OF THE NAME "BANK"

AN ACT

To amend and reenact section 6-02-01 of the 1965 Supplement to the North Dakota Century Code, relating to banking powers and use of the name "bank".

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

§ 1. Amendment.) Section 6-02-01 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-02-01. Compliance with Chapters Required—Penalty for Noncompliance.) No person, firm, company, copartnership, or corporation, either domestic or foreign, not organized under this chapter, or chapter 6-04 or authorized to take on banking powers under this section, excepting only national banking corporations and the bank of North Dakota, shall make use of or display in connection with its business, in signs, letterheads, advertising, or in any other way, such words as "bank", "banker", "banking", "savings bank", or any other word or words of like import, nor shall any person or concern do or perform anything in the nature of the business of a bank or savings bank until and unless such business is regularly organized or authorized under this chapter or chapter 6-04. If any firm or corporation organized prior to July 1, 1931, shall have been granted a charter permitting it to use any word, words or title contrary to the intent of this section, and by reason of its rights under such charter the provisions of this section may not be enforced against it during the life of such charter, no renewal charter shall be granted to such person, firm, or corporation permitting the continuance of the use of such word, words, or title contrary to or in violation of this section. Any person, firm, or corporation which, by reason of an existing charter right under any law or statute in effect prior to July 1, 1931, may be held by the courts not to be affected by this section and which therefore refuses to comply with the provisions hereof, during the period of noncompliance, prominently and continuously, shall display in plain, legible, and clearly discernible lettering on all of its signs, stationery, circulars, and advertising, and in all of its printed or written matter the following words and language: "NOT UNDER THE SUPERVISION OF THE

STATE BANKING BOARD OR THE STATE BANK EXAMINER", and such language shall be displayed as prominently thereon as is other matter therein. Any person, firm, company, copartnership, or corporation, domestic or foreign, violating any provision of this section shall forfeit to the state one hundred dollars for every day or part thereof during which such violation continues. In an action brought by the state examiner or any aggrieved person, the court may issue an injunction restraining any such person, firm, company, copartnership, or corporation from further using such words, terms, or phrases in violation of this section or from further transacting business in such way or manner as to lead the public to believe that its business is in whole or in part of the nature of a bank or savings bank, or that it is under the supervision of the state banking board or the state examiner. Any trust company duly granted a charter to engage in banking business upon compliance with this chapter, shall be subject to the state banking board in its banking operations as is the case for other chartered banks, and all the laws relating to banks in this title are thereafter applicable. Any trust company desiring to take on banking powers shall make application to the state banking board for a hearing upon said application pursuant to the provisions of section 6-02-06. If the determination of the board is in favor of the applicant the board shall make its order authorizing the applicant to engage in the business of banking. Such order shall be recorded in the office of the register of deeds of the county in which said trust company is established, and the same shall be transmitted to the secretary of state who shall record and carefully preserve the same in his office, and shall certify the facts to the state banking board. Thereafter said trust company shall be subject to the jurisdiction of the state banking board as to its banking operations the same as state banking associations. The provisions of sections 6-02-02, 6-02-03, 6-02-04, 6-02-05, 6-02-07, 6-02-08 and 6-02-09 shall not be applicable to trust companies granted authority to engage in the business of banking by the state banking board.

Approved February 24, 1967.

CHAPTER 86

H. B. No. 769
(Fossum, Freeman)

BANK PAYING AND RECEIVING STATIONS

AN ACT

To amend and reenact section 6-03-14 of the North Dakota Century Code, relating to paying and receiving stations.

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

§ 1. **Amendment.)** Section 6-03-14 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-03-14. Paying and Receiving Stations Authorized.) Any banking institution may establish and maintain within the county in which the home office of the applicant banking institution is located, or in any adjoining county, or in any other county provided the location of the community to be served is within a thirty-five mile radius of such home office, subject to the approval and supervision of the state banking board, a receiving and paying station in any city, town, or village organized under the laws of this state not having an established banking institution located therein. Provided, however, this limitation shall not apply to any banking institution which has already received a permit for the construction of such a receiving and paying station. No additional capital shall be required for the operation of such station. This section shall not be construed as committing this state in any manner to a policy of permitting branch banking.

Approved March 14, 1967.

CHAPTER 87

H. B. No. 811
(Sanstead, Hickie)

ASSETS AND TRANSACTIONS OF BANKS

AN ACT

To amend and reenact section 6-03-38 of the North Dakota Century Code, and to create and enact subsection 10 of section 10-04-06 of the North Dakota Century Code, relating to the use of the assets of a bank and the exemption of transactions from the corporation law of the state of North Dakota, and declaring an emergency.

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

§ 1. **Amendment.)** Section 6-03-38 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-03-38. Assets Not To Be Used in Other Business—Violation a Misdemeanor.) No bank, except as otherwise specifically authorized in this title, shall employ its money or other assets as principal, directly or indirectly, in trade or commerce, nor shall it employ or invest any of its assets or funds in the stock of any corporation, bank, partnership, firm, or association, provided, however, that a state bank may to the extent that banks subject to the laws of the federal government are permitted to do so, purchase shares of stock in small business investment companies organized under Public Law No. 85-699, Eighty-fifth Congress, known as the Small Business Investment Act of 1958, and any amendments thereto, or chapter 10-30 of the North Dakota Century Code, but in no event shall any state bank hold shares in small business investment companies in an amount aggregating more than two percent of the bank's capital and surplus, nor in speculative margins of stock, bonds, grain, provisions, produce, or other commodities, except that it shall be lawful for a bank to make advances for grain or other products in store or in transit to market. Any officer, director, or employee of any bank who shall invest or use its funds contrary to the provisions of this title shall be guilty of a misdemeanor.

§ 2. **Amendment.)** Subsection 10 of section 10-04-06 of the 1965 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

10. The sale of capital stock of a corporation may be exempted by the securities commissioner if the corporation is organized under chapter 10-30 of the laws of

North Dakota or approved by the small business administration as qualifying for loans under section 502 of the Small Business Investment Act of 1958, as amended.

§ 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 February 28, 1967.

CHAPTER 88

H. B. No. 678
(Unruh, Bullis)

COMMINGLING OF TRUST FUNDS

AN ACT

To amend and reenact section 6-05-15.1 of the 1965 Supplement to the North Dakota Century Code, regarding commingling of trust funds.

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

§ 1. **Amendment.)** Section 6-05-15.1 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-05-15.1. Corporate Trustee—Investment of Trust Funds—Commingling Funds.) Any trust company may invest all moneys received by it in authorized securities, and shall be responsible to the owner or cestui que trust for the validity, regularity, quality, value, and genuineness of these investments and securities so made, and for the safekeeping of the securities and evidences thereof. When special directions are given in any order, judgment, decree, will, or other written instrument as to the particular manner or the particular class or kind of securities or property in which any investment shall be made, it shall follow such directions, and in such case it shall not be further responsible by reason of the performance of such trust. In all other cases it may invest funds held in any trust capacity in authorized securities using its best judgment in the selection thereof, and shall be responsible for the validity, regularity, quality, and value thereof at the time made, and for their safekeeping. Whether it be the sole trustee or one of two or more cotrustees, it may invest in fractional parts of, as well as in whole, securities, or may commingle funds for investment. If it invests in fractional parts of securities or commingles funds for investment, all of the fractional

parts of such securities, or the whole of the funds so commingled shall be owned and held by the trust company in its several trust capacities, and it shall be liable for the administration thereof in all respects as though separately invested; provided, that not more than one hundred thousand dollars, at the cost price of such investments, shall be so invested for any one trust at any one time in fractional parts or as commingled funds for investment, unless the authority to invest in fractional parts or as commingled funds be given in the order, judgment, decree, will, or other written instrument governing such trust. Funds so commingled for investment shall be designated collectively as a common trust fund. It may, in its discretion, retain and continue any investment and security or securities coming into its possession in any fiduciary capacity. The foregoing shall apply as well whether a corporation trustee is acting alone or with an individual co-trustee.

Approved February 25, 1967.

CHAPTER 89

S. B. No. 203
(Rait, Geving)

CREDIT UNION SUPERVISION

AN ACT

To amend and reenact section 6-06-08 of the North Dakota Century Code, relating to credit union supervision, reports, examination and fees.

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

§ 1. **Amendment.)** Section 6-06-08 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-06-08. State Credit Union Board to Supervise Credit Unions — Reports — Examinations — Fees.) Credit unions and the permanent loan funds thereof, if any, shall be under the supervision of the state credit union board. The credit unions shall report to the state examiner at least once annually, upon call of the state examiner, on blanks supplied by the examiner for the purpose. Additional reports may be required by the board or examiner. Credit unions shall be examined at least once each year by the examiner or with his approval and the approval of the state credit union board, credit unions may be

examined annually by a certified public accountant or the North Dakota credit union league. If the examination is not made by the state examiner, the expense of such examination shall be borne by the credit union examined and such examination shall be in such form and contain such information as the state examiner may require. Two copies of such examination shall be filed with the state examiner and shall be approved by him. If it is determined through an examination or otherwise that the credit union is violating the provisions of this chapter, or is insolvent, the state credit union board may serve notice on the credit union of its intention to revoke the charter. If such violations continue for a period of fifteen days after such notice, the board may revoke the charter and take possession of the business and property of such credit union, and shall maintain possession then until such time as it shall permit the reinstatement of the charter and the continuation of business by the credit union, or until its affairs finally are liquidated. The board may take similar action if any required report remains in arrears for more than fifteen days. The credit union shall pay to the state examiner for examination a fee equal to fifty dollars per examiner day, except that the minimum fee for the examination of a credit union shall be fifty dollars.

Approved February 21, 1967.

CHAPTER 90

S. B. No. 253
(Rait)

CREDIT UNION LIQUIDATION

AN ACT

To provide for voluntary liquidation of credit unions, and repealing sections 6-06-30, 6-06-31, and 6-06-32 of the North Dakota Century Code.

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

§ 1. Approval of Liquidation—Notice to State Examiner.)

A credit union may go into voluntary liquidation on approval of a majority of its members in writing or by a vote in favor of such liquidation by a majority of the members of the credit union at a regular meeting of the members or at a special meeting called for that purpose. When authorization for liquidation is to be obtained at a meeting of members, notice in writing shall be given to each member at least seven days

before such meeting and the minutes of the meeting shall show the number of members present and the number that voted for and against liquidation. If approval by a majority of all members is not obtained at the meeting of members, authorization for voluntary liquidation may be obtained by having a majority of members sign a statement in substantially the following form:

We the undersigned members of theCredit Union, Charter No., hereby request the dissolution of our credit union.

Within ten days after the decision of the board of directors to submit the question of liquidation to the members, the president shall notify the state examiner thereof in writing, setting forth in detail the reasons for the proposed action. Within ten days after the action of the members on the question of liquidation, the president shall notify the state examiner in writing as to whether or not a majority of the members approved the proposed liquidation.

§ 2. Transactions During Liquidation.) Immediately on decision by the board of directors of a credit union to seek approval of the members for liquidation, payments on shares, withdrawal of shares (including any transfer of shares to loans and interest), making investments of any kind, and granting of loans shall be suspended pending action by members on the proposal to liquidate, and on approval by a majority of the members of such proposal, payments on shares, withdrawal of shares (including any transfer of shares to loans and interest), making investments of any kind, and the making of loans shall be permanently discontinued. Necessary expenses of operation shall, however, continue to be paid on authorization by the board of directors or liquidating agent during the period of the liquidation.

§ 3. Notice of Liquidation to Members—Creditors.) Immediately on decision by the board of directors, a notice of such decision shall be handed to each member or mailed to his last known address together with a request that the member furnish his passbook or confirm in writing the shares held by him in the credit union and the loans owed by him to the credit union.

On approval of a majority of the members of a credit union of a proposal to liquidate, the board of directors of the credit union shall immediately have prepared and mailed to all creditors a notice of liquidation containing instructions to them to present their claims to the credit union within ninety days for payment.

§ 4. Report at Commencement of Liquidation — Reports During Period of Liquidation.) At the commencement of voluntary liquidation of a credit union, the treasurer or agent conducting the liquidation shall file with the state examiner a financial and statistical report, and a schedule showing the name, book number, share balance, and loan balance of each member.

Credit unions in the process of voluntary liquidation shall file with the state examiner a financial and statistical report as of December thirty-one within ten days after such date. Additional reports, as determined by the state examiner to be necessary, shall be furnished promptly on written request.

§ 5. Examinations in Voluntary Liquidation.) When deemed advisable by the state examiner, an examination of the books and records of a credit union may be made prior to, during, or following completion of voluntary liquidation. A fee for each examination shall be assessed at the rate currently in effect for examinations of operating credit unions.

§ 6. Responsibility for Conduct of Voluntary Liquidation.) The board of directors of a credit union in voluntary liquidation shall be responsible for conserving the assets, for expediting the liquidation, and for equitably distributing the assets to members. The board of directors shall determine that all persons handling or having access to funds of the credit union are adequately covered by surety bond. The board of directors shall appoint a custodian for the credit union's records that are to be retained for five years after the charter is canceled. The board of directors may appoint a liquidating agent and delegate part or all of these responsibilities to him and may authorize reasonable compensation for his services; any such liquidating agent shall be bonded for faithful performance of his duties. The supervisory committee shall be responsible for making periodic audits of the credit union's records, at least quarterly, during the period of liquidation.

§ 7. Partial Distribution.) With the written approval of the state examiner, a partial distribution of the credit union's assets may be made to its members from cash funds available on authorization by its board of directors, or by a duly authorized liquidating agent whose appointment specifically includes such authority.

§ 8. Completion of Liquidation.) When all assets of the credit union have been converted to cash or found to be worthless and all loans and debts owing to it have been collected or found to be uncollectible and all obligations of the credit union have been paid, with the exception of amounts due its members, the books shall be closed and the pro rata distribution to

members computed. The amount of gain or loss shall be entered in each member's share account and should be entered in his passbook or statement of account.

§ 9. Distribution of Assets.) Promptly after the pro rata distribution to members has been computed, checks shall be drawn for the amounts to be distributed to each member who has surrendered his passbook or has given a written confirmation of his balance. The checks shall be mailed to such members at their last known address or handed to them in person. The passbooks or written confirmations submitted by members to verify balances shall be retained with the credit union records. The state examiner shall be notified promptly of the date final distribution of assets to the members is started. Unclaimed share accounts which have been dormant for the period which makes them subject to the escheat or abandoned property laws of the state of North Dakota, shall be paid to the state as required by such laws.

§ 10. Final Report.) Within one hundred and twenty days after the final distribution to members is started, the credit union shall furnish to the state examiner's office the following:

1. A schedule on an official form of unpaid claims, if any, due members who failed to surrender their passbooks or confirm their balances in writing during liquidation whose accounts are not payable to the state under applicable escheat or abandoned property laws, and of unpaid claims, if any, due members or creditors who failed to cash final distribution checks within the said one hundred and twenty days; this schedule shall be accompanied by a certified check or money order payable to the state treasurer in the exact amount of the total of these unpaid claims. The state treasurer will deposit said funds in a special account where they will be held for the account of the individuals named on said schedule. Each such individual or any authorized person on his behalf, may submit to the state treasurer a written claim for the amount of such funds held for him.

2. A schedule on an official form showing the name, book number, share balance at the commencement of liquidation, pro rata share of gain or loss, and the amount of each unclaimed share account paid to the state under applicable escheat or abandoned property laws. The check number and date of payment to the state should be included in the schedule.

3. A schedule on an official form showing the name, book number, share balance at the commencement of liquidation, pro rata share of gain or loss, and the amount distributed to each member.

4. A summary report on liquidation in duplicate on an official form.

5. The certificate of dissolution and liquidation on an official form signed under oath by the board of directors or agent who conducted the liquidation and made the final distribution of assets to the members.

6. The name and address of the custodian of the credit union's records.

7. The charter of the credit union.

§ 11. Retention of Records—Cancellation of Charter.) All records of the liquidated credit union necessary to establish that creditors were paid and that members' shareholdings were equitably distributed shall be retained by a custodian appointed by the board of directors of said credit union for a period of five years following the date of cancellation of the charter.

On proof that distribution of assets has been made to members and within one year after receipt of the certificate of dissolution and liquidation, the state examiner shall cancel the charter of the credit union concerned.

§ 12. Further Instructions and Information.) Further detailed instructions, information, and official forms pertaining to voluntary liquidations may be obtained from the state examiner's office, Bismarck, North Dakota, 58501.

§ 13. Repeal.) Sections 6-06-30, 6-06-31 and 6-06-32 of the North Dakota Century Code are hereby repealed.

Approved February 21, 1967.

CHAPTER 91

H. B. No. 863
(Hilleboe)

BANK OF NORTH DAKOTA FARM LOANS

AN ACT

To amend and reenact section 6-09-15 of the North Dakota Century Code, relating to bank loans, and to repeal sections 6-09-18, 6-09-19, 6-09-20, 6-09-21, 6-09-22, 6-09-23, 6-09-24, 6-09-30, 6-09-31 and 6-09-32, of the North Dakota Century Code, relating to farm loans made by the bank of North Dakota.

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

§ 1. **Amendment.)** Section 6-09-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09-15. Bank May Transfer Funds to Other State Departments—Loans—Real Estate Loans Limited.) The bank of North Dakota may transfer funds to other departments, institutions, utilities, industries, enterprises, or business projects of the state, and such funds shall be returned with interest to the bank. It may make loans to counties, cities, or other political subdivisions of the state, or to state or national banks, and may participate with state or national banks in loans being made by them, on such terms and under such rules and regulations as the industrial commission may determine. It shall not otherwise make loans or give its credit to any individual, association, or private corporation, except that it may make loans to actual farmers who are residents of this state, if such loans are secured by duly recorded first mortgages on real estate in the state of North Dakota in amounts not to exceed one-half the value of the security and except United States insured and guaranteed loans as specifically authorized by law. The bank, however, shall not loan more than thirty percent of its capital, nor in addition thereto, more than twenty percent of its deposits on real estate security.

§ 2. **Repeal.)** Sections 6-09-18, 6-09-19, 6-09-20, 6-09-21, 6-09-22, 6-09-23, 6-09-24, 6-09-30, 6-09-31, and 6-09-32 of the North Dakota Century Code are hereby repealed.

Approved March 4, 1967.

CHAPTER 92

H. B. No. 803

(Link, Streibel, Giffey, Reimers)

TRANSFER OF BANK OF NORTH DAKOTA PROFITS

AN ACT

To transfer certain moneys from the accumulated and undivided profits of the bank of North Dakota to the general fund of this state.

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

§ 1. Transfer.) There is hereby transferred to the general fund of this state the sum of six million dollars from the accumulated undivided profits of the bank of North Dakota on order of the industrial commission.

Approved March 6, 1967.