

FIRES

CHAPTER 189

HOUSE BILL NO. 1356
(K. Johnson, Matheny)

RURAL FOREST AND FIRE PROTECTION PROGRAM

AN ACT to amend and reenact section 18-02-07 of the North Dakota Century Code, relating to aid, contracts, and cooperation between the state forester and other entities, and to provide an appropriation therefor.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 18-02-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-02-07. COOPERATION OF FORESTER AND OTHER AGENCIES.)

The state forester may cooperate and contract jointly or severally with departments and agencies of this or other states, with federal agencies, with counties, townships, or other political subdivisions, including, but not limited to, rural fire protection districts, municipal, and other corporations or with individuals to the best interest of the people and the state, in forest surveys, research in forestry, forest protection, including assisting fire departments in protection of forests and other resources and in assisting landowners to secure adoption of better forestry practice. He is specifically authorized to:

1. Cooperate and contract with the United States or any appropriate agency thereof to receive and use federal aid and matching funds which the state and its subdivisions may become eligible to receive.
2. Apply for, receive, and expend federal grants-in-aid and matching funds for forest and fire protection services.
3. Purchase forest and fire protection equipment to lease or sell to rural fire protection districts and generally to aid rural fire protection districts.

SECTION 2. APPROPRIATION.) The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated to the state forester out of the general fund and from special funds derived from federal funds and other income in the state treasury available to the state forest service for the biennium beginning July 1, 1975, and ending June 30, 1977, for defraying

expenses of the rural forest and fire protection program:

Salaries and wages	\$ 11,563
Fees and services	1,057
Supplies and materials	812
Equipment	280
Grants, benefits, and claims	<u>1,200,000</u>
Total all funds	\$ <u>1,213,712</u>
Less estimated income	<u>1,013,712</u>
Total general fund transfer and appropriation	\$ <u>200,000</u>

SECTION 3. INTENT.) No part of the general fund transfer provided in section 2 of this Act shall be used for any non-reimbursable expenditure.

Approved March 19, 1975

CHAPTER 190

SENATE BILL NO. 2240
(Lips, Lashkowitz, J. Schultz)

FIRE INSURANCE

AN ACT to amend and reenact sections 18-04-04 and 18-04-05 of the North Dakota Century Code, relating to reporting fire insurance policy premium collections and the allocation of payment to fire protection districts, fire departments, or rural fire departments or districts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 18-04-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-04-04. INSURANCE COMPANIES TO REPORT FIRE, ALLIED LINES, HOMEOWNER'S MULTIPLE PERIL, AND COMMERCIAL MULTIPLE PERIL INSURANCE PREMIUM COLLECTIONS - FORM FURNISHED BY COMMISSIONER OF INSURANCE.) The commissioner of insurance, when he forwards to an insurance company which is issuing policies for fire, allied lines, homeowner's multiple peril, and commercial multiple peril insurance in this state the form to be used in submitting its annual statement, shall forward a form containing the names of all cities entitled to benefits under the provisions of this chapter. Every insurance company issuing policies for fire, allied lines, homeowner's multiple peril, and commercial multiple peril insurance within this state shall complete such form by showing thereon the amount of all premiums received by it upon such policies issued on property within the corporate limits of each city shown on such form during the year ending on the preceding thirty-first day of December, and shall file the same as a part of its annual statement.

SECTION 2. AMENDMENT.) Section 18-04-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-04-05. AMOUNT DUE CITIES OR RURAL FIRE DEPARTMENTS - CERTIFICATE OF COMMISSIONER OF INSURANCE TO DEPARTMENT OF ACCOUNTS AND PURCHASES.) The commissioner of insurance shall compute the amounts due to the several cities, townships, or fire protection districts entitled to benefits under this chapter, and shall certify such amounts for payment to the department of accounts and purchases on or before June first of each year, in the following manner:

1. To cities not within the boundaries of a fire protection

district, a sum equal to two and one-fourth percent of the premiums received by insurance companies issuing policies for fire, allied lines, homeowner's multiple peril, and commercial multiple peril insurance on property in such cities.

2. To each city fire department performing service outside of its incorporated limits, the sum of one hundred dollars.
3. To each rural fire department or district organized within the provisions of this title, the sum of two hundred dollars per year plus two and one-fourth percent of the fire, allied lines, homeowner's multiple peril, and commercial multiple peril insurance premiums paid in any city, whether incorporated or not, and encompassed in a fire district.

There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated as a standing and continuing appropriation, such sums as may be necessary to make payments as provided in this section.

Approved March 25, 1975

CHAPTER 191

HOUSE BILL NO. 1132
(Orange)

FIREMEN'S SERVICE PENSIONS

AN ACT to amend and reenact section 18-05-06 of the North Dakota Century Code, to increase firemen's service pension benefits from a firemen's relief association from one hundred dollars to two hundred dollars per month.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 18-05-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-05-06. SERVICE PENSION - WHO MAY RECEIVE - RECIPIENT ENTITLED TO NO FURTHER RELIEF FROM ASSOCIATION.) A firemen's relief association organized under the laws of this state may pay out of any funds received from the state, city, municipality, or from any other source, a service pension in such amount, not exceeding two hundred dollars per month, as may be provided by its bylaws, to each of its members who has retired and who:

1. Has reached the age of fifty years;
2. Has done active duty for twenty years or more as a member of a volunteer, paid, or partially paid and partially volunteer, fire department in the municipality in which such association exists;
3. Has been a member of the firemen's relief association for at least ten years prior to the date of his retirement; and
4. Complies with any additional conditions as to age, service, and membership which may be prescribed by the bylaws of the association.

No pension shall be paid to any person while he remains a member of the fire department, and a person who is receiving a service pension shall be entitled to no other relief from the association.

Approved March 12, 1975

CHAPTER 192

HOUSE BILL NO. 1279
(Leibhan)

INDEBTEDNESS OF FIRE DISTRICTS

AN ACT to amend and reenact section 18-10-08 of the North Dakota Century Code, relating to indebtedness of rural fire protection districts, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 18-10-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-10-08. INDEBTEDNESS OF DISTRICT LIMITED.) No district shall become indebted for an amount that may not be payable from ninety percent of twenty times the current annual maximum tax levy as authorized by section 18-10-07. Within the limits herein authorized, the district shall have power to borrow money and to issue appropriate evidence of indebtedness thereof. No evidence of indebtedness issued under the provisions of this chapter shall bear interest at a rate or rates and be sold privately at a price resulting in an average annual net interest cost higher than eight percent per annum. There shall be no interest rate ceiling on those issues sold at public sale. No evidence of indebtedness issued under the provisions of this chapter shall be sold for less than ninety-eight percent of par value plus accrued interest, if any interest has accrued as of the date of delivery thereof.

SECTION 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 25, 1975

CHAPTER 193

HOUSE BILL NO. 1131
(Committee on State and Federal Government)
(At the request of the Department of Public Instruction)

REGISTERED ARCHITECT AND
ENGINEER REQUIREMENT

AN ACT to amend and reenact section 18-12-04 of the North Dakota Century Code, relating to employment of registered architects and engineers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 18-12-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-12-04. EMPLOYMENT OF REGISTERED ARCHITECTS AND ENGINEERS.) All plans and specifications for construction, except agricultural sheds and barns, the monetary worth of which is twenty-five thousand dollars or more, must be prepared by and the construction supervised by architects or engineers registered in this state. The architect or engineer shall be legally responsible for designing the building in accordance with the provisions of this chapter of adequate strength so as to resist fire, and constructing the building in a workmanlike manner, according to the plans and specifications as approved. All projects where the tax money exceeds two thousand dollars must be submitted to the department of public instruction or the board of higher education for approval.

Approved March 17, 1975