

York, to be used and maintained by said International Peace Garden in connection with other land in the State of North Dakota and in the Province of Manitoba, Dominion of Canada, as a memorial to commemorate the long existing relationship of peace and good will between the people and the governments of Canada and the United States.

§ 2. The conveyance referred to in Section One of this Act is to be made as soon as convenient and possible by the Governor and the Board of University and School Lands, after the International Peace Garden, a New York corporation, shall have filed its articles of incorporation with the Secretary of State, or has re-incorporated in the State of North Dakota.

§ 3. The instrument of conveyance shall also contain a provision, that, if said land shall at any time thereafter cease to be used and maintained as an International Peace Garden, as aforesaid, that then the land shall revert to the State of North Dakota, and upon such reversion to the state, said land shall become subject to the laws of the state and the United States to the same extent as if this Act had not been passed. While the title to said land is in the International Peace Garden, Incorporated, the said International Peace Garden shall not in any manner alienate or encumber the same or in any manner dispose of the same, or any interest therein.

§ 4. That while the title to said land is in the International Peace Garden, Incorporated, and used and maintained as an International Peace Garden, in accordance with the intent and purposes of this Act, the said land shall not be subject to taxation for local, county or state purposes.

§ 5. That all costs of transferring said land, as aforesaid, shall be paid by the State of North Dakota, shall be audited in the usual way and paid by the State Treasurer out of moneys in the State Treasury, not otherwise appropriated.

Approved March 3, 1933.

## SCHOOLS

### CHAPTER 225

S. B. No. 149—(Trout, by request.)

#### CLOSING CERTAIN SCHOOLS — REPEAL

An Act repealing Chapter 242 of the Session Laws of North Dakota for the year 1927.

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

§ 1. REPEAL.] Chapter 242 of the Session Laws of the State of North Dakota for the year 1927 is hereby repealed.

Approved March 1, 1933.

## CHAPTER 226

S. B. No. 177—(Wog.)

COMPENSATION SCHOOL TREASURER COMMON AND  
CONSOLIDATED DISTRICTS

An Act to amend and re-enact Chapter 241, Session Laws 1927, relating to the compensation of school treasurers in common and consolidated districts.

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

§ 1. AMENDMENT.] That Section 1172 Compiled Laws 1913, as amended by Chapter 241 Session Laws, be and the same is hereby amended and re-enacted to read as follows:

§ 1172. SALARY OF SCHOOL TREASURER.] The school treasurer in common school or consolidated districts shall be paid for his services one per cent (1%) of all moneys paid out of the school district treasury, for receiving, safely keeping, and paying over the same according to law; provided, that in no case shall such school treasurer receive for such services less than ten dollars (\$10.00) nor more than thirty dollars (\$30.00) in any one year; provided further that such treasurer shall not be allowed any percentage or amount on the balance turned over by him to his successor in office.

Approved March 4, 1933.

## CHAPTER 227

H. B. No. 60—(Jack A. Patterson.)

## OPENING AND CLOSING SCHOOL ELECTION POLLS

An Act to amend and re-enact Section 1262 of the Compiled Laws of North Dakota for the year 1913, and Section 1264 of the Supplement to the 1913 Compiled Laws of North Dakota providing for the time for opening and closing polls, and declaring an emergency.

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

§ 1. AMENDMENT.] That Section 1262 of the Compiled Laws of North Dakota for 1913 be, and the same is hereby amended and re-enacted to read as follows:

§ 1262. ELECTION OF BOARDS OF EDUCATION IN SPECIAL DISTRICTS.] On the first Tuesday in June, each year, an election shall be held in each special district at which such members of the board of education shall be elected at large as shall be necessary to fill all vacancies therein caused by expiration of terms of office or otherwise, and each member elected shall serve for a term of three years commencing on the second Tuesday in July following his election and until his successor is elected and qualified except when elected to serve an unexpired term. The polls shall be open at eleven o'clock

A. M. and kept open until seven o'clock P. M. on the day of such election.

§ 2. That Section 1264 of the Supplement to the 1913 Compiled Laws of North Dakota be and the same is hereby amended and re-enacted to read as follows:

§ 1264. NOTICE OF ELECTION. FORM OF.] Such notice shall be in substantially the following form:

Notice is hereby given that on Tuesday, the.....day of June, ....., an annual election will be held at..... (here insert polling place) for the purpose of electing the following members of the board of education..... (here insert terms for which they are to be elected), for the city, town or village ..... (here insert name), and the polls will be open at eleven o'clock A. M., and closed at seven o'clock P. M. of that day.

By order of the board of education.

Signed,.....Clerk.

§ 3. All Acts, or parts of Acts in conflict herewith are hereby repealed.

§ 4. This Act is hereby declared to be an emergency and will take effect from and after its passage and approval.

Approved February 17, 1933.

## CHAPTER 228

H. B. No. 225—(Schauss.)

### DISBURSEMENT SCHOOL FUNDS

An Act to amend and re-enact Sections 1168, 1255 and 1306 of the 1913 Compiled Laws of North Dakota relating to keeping of accounts and the manner of disbursement of funds of Common, Special and Independent School Districts, and providing for the form of warrants to be used by School Districts.

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

§ 1. AMENDMENT.] That Section 1168 of the 1913 Compiled Laws of North Dakota be and the same is hereby amended and re-enacted to read as follows:

§ 1168. SCHOOL FUNDS. HOW PAID OUT.] The School Treasurer of Common School Districts shall keep such accounts and make such reports as are required of him by law. He shall pay no money out of the funds in his hands except upon the warrant of the school board, signed by the President and countersigned by the Clerk. The form of warrant to be used shall be prescribed by the Superintendent of Public Instruction. The Treasurer shall pay all warrants properly drawn and signed when presented, if there is any money in his hands

or subject to his order for payment. When making payment of a warrant on the School District funds, the Treasurer shall not issue his check on the depository bank, but shall countersign the warrant hereinbefore provided for, and insert the name of the depository bank thereon, and such warrant when so countersigned and directed to the depository bank, shall be paid by the depository when properly endorsed by the payee named in such warrant. The Treasurer shall immediately upon countersigning any warrant, and inserting the name of the depository bank thereon, enter such payment in his Treasurer's record.

§ 2. AMENDMENT.] That Section 1255 of the 1913 Compiled Laws of North Dakota be and the same is hereby amended and re-enacted to read as follows:

§ 1255. TREASURER OF SPECIAL SCHOOL DISTRICTS. DUTIES OF.] The Treasurer of each board of education shall keep a true account of the receipts and expenditures of the various funds separately, and shall prepare and submit in writing a quarterly report of the state of the finances of the district, and shall, when required, produce at any meeting of such board, or any committee appointed for the purpose of examining his accounts, all books and papers pertaining to his office. He shall safely keep in his possession or under his control all school moneys coming into his hands, and shall pay out such moneys only upon a warrant signed by the President, countersigned by the clerk and attested by the corporate seal of the Board. The form of warrant to be used shall be prescribed by the Superintendent of Public Instruction. The Treasurer shall pay all warrants properly drawn and signed when presented, if there is any money in his hands or subject to his order for payment. When making payment of a warrant on the School District funds, the Treasurer shall not issue his check on the depository bank, but shall countersign the warrant hereinbefore provided for, and insert the name of the depository bank thereon, and such warrant when so countersigned and directed to the depository bank, shall be paid by the depository when properly endorsed by the payee named in such warrant. The Treasurer shall immediately upon countersigning any warrant, and inserting the name of the depository bank thereon, enter such payment in his Treasurer's record.

§ 3. AMENDMENT.] That Section 1306 of the 1913 Compiled Laws of North Dakota be and the same is hereby amended and re-enacted to read as follows:

§ 1306. SCHOOL FUNDS, INDEPENDENT SCHOOL DISTRICTS. HOW KEPT AND PAID OUT.] All moneys required to be raised by virtue of this article shall be paid in cash or in warrants hereinafter provided, drawn on the school fund only, and such moneys and all moneys received by such districts for the use of the common schools therein shall be deposited for safe keeping with the city treasurer to

the credit of the board of education, and shall by him be safely kept separate and apart from any other funds until drawn from the treasury as herein provided. Such Treasurer shall pay out the moneys authorized by this article only upon warrants drawn by the President, countersigned by the secretary and attested by the seal of such board of education. The form of warrant to be used shall be prescribed by the Superintendent of Public Instruction. The Treasurer shall pay all warrants properly drawn and signed when presented, if there is any money in his hands or subject to his order for payment. When making payment of a warrant on the school district funds, the treasurer shall not issue his check on the depository bank, but shall countersign the warrant hereinbefore provided for, and insert the name of the depository bank thereon, and such warrant when so countersigned and directed to the depository bank, shall be paid by the depository when properly endorsed by the payee named in such warrant. The Treasurer shall immediately upon countersigning any warrant and inserting the name of the depository bank thereon, enter such payment in his Treasurer's record.

Approved March 3, 1933.

## CHAPTER 229

S. B. No. 217—(Committee on Education.)

### STATE EQUALIZATION FUND

An Act to establish a State Equalization Fund, and to provide for distributing one-half thereof among the School Districts of the State in proportion to the number of children of school age therein; to provide for the distribution of the remaining half among the elementary schools of the State which are unable to raise sufficient money to defray the minimum cost thereof plus the amount required to be paid for high school tuition, and to make it the duty of the State Superintendent of Public Instruction to determine such minimum cost of operating elementary schools.

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

§ 1. MAXIMUM TAX LEVY.] Whenever the words "Maximum Tax Levy" shall appear in this Act they shall mean the maximum levy permitted to be made by each School District upon the assessed valuation of the previous year, by any law now or hereafter in force, and shall include any excess levy permissible only after an election or other special proceedings to increase the statutory maximum.

§ 2. STATE EQUALIZATION FUND CREATED.] There is hereby created a fund to be known as the State Equalization Fund. The State Treasurer shall credit to such fund all sums appropriated by the legislature for that purpose from any source of income whatever, and in the case of direct biennial appropriations, the State Treasurer shall apply one-half of the total appropriation of the biennium to

each year thereof, and the amount so applied for each year, plus all accumulations from other sources, shall be construed to be the amount available in such fund for the current year.

§ 3. HALF OF STATE EQUALIZATION FUND TO BE APPROPRIATED ON BASIS OF SCHOOL CENSUS.] It shall be the duty of the State Auditor before the first day of September in each year to certify to the State Superintendent the amount in said Equalization Fund available for that year. One-half of the moneys available shall be apportioned by the State Superintendent among the counties of the State in proportion to the number of school children residing in each as shown by the last school enumeration as provided by law, and certify to the State Auditor, State Treasurer, and to the County Treasurer and County Superintendent of each county, the amount so apportioned to the various counties. The amount of such apportionment shall forthwith be paid to the county treasurer and distributed among the school districts in the same manner as the State Tuition Fund is apportioned and distributed.

§ 4. DETERMINATION OF MINIMUM AMOUNT REQUIRED TO MAINTAIN SCHOOLS.] The State Superintendent of Public Instruction shall be charged with the duty of investigating and inquiring into the general subject of school costs within the state, and, on or before the first day of August in each year, shall fix and determine the minimum amount of money required to operate and maintain elementary schools within this state for the ensuing school year.

§ 5. COUNTY SUPERINTENDENT TO CERTIFY INFORMATION TO STATE SUPERINTENDENT.] On or before the 15th day of July in each year the County Superintendent of Schools and County Auditor in each county shall compile and certify to the State Superintendent of Public Instruction, upon forms to be prescribed by the State Superintendent, a list of the School Districts in their respective counties, which list shall disclose the name and number of each District, the number of elementary schools maintained therein, the amount of taxes levied for the preceding school year in each district, and the total amount of taxes possible to levy by applying the maximum tax levy of such school district, and including the amount possible to levy under Section 13 of Chapter 235 of the Session Laws of 1929, to the assessed valuation thereof for the preceding year, together with a statement of the high school tuition required to be paid by each school district for the preceding school year.

For the purpose of this Act, the decision of the County Superintendent upon the question of residence of high school students and liability for high school tuition shall be final, and such decision shall be based upon certificates of the rural school district clerks and the clerks of the districts receiving non-resident high school students and such other evidence as may be available to him.

§ 6. STATE SUPERINTENDENT TO CERTIFY APPORTIONMENT TO

STATE AUDITOR.] Upon receipt of the certificates of the County Superintendents and Auditors provided for in Section 3 hereof it shall be the duty of the State Superintendent to ascertain from such certificates, which school districts will be unable, by making their maximum tax levies, including any additional levy authorized under the provisions of Section 13 of Chapter 235 of the Session Laws 1929, to raise the minimum amount per teaching unit, as fixed and determined in accordance with Section 4 of this Act, plus the amount necessary to pay the high school tuition due from the previous year, and he shall compute the amount necessary to pay to each such school district the difference between the amount which can be produced under its maximum tax levy, including any additional levy authorized under the provisions of Section 13, of Chapter 235 of the Session Laws 1929, and the said minimum amount plus such high school tuition. On or before the first day of September in each year it shall be the duty of the State Superintendent to certify to the State Auditor the amount required for this purpose by each of the counties in this state, and he shall also certify to each County Superintendent the amount for each of the School Districts of his county.

§ 7. STATE AUDITOR TO ISSUE WARRANTS.] Upon receipt of the certificates of the State Superintendent it shall be the duty of the State Auditor forthwith to issue and deliver to the County Treasurers of the several counties warrants upon the State Treasurer, drawn upon the State Equalization Fund for the amounts certified by State Superintendent for each of said counties, up to the full amount of the Fund available for that year after the distribution of the apportionment provided for in Section 3 hereof, and if the remaining moneys available in said State Equalization Fund are insufficient to pay the amounts so certified in full, then the State Auditor shall pro-rate the full amount remaining in said State Equalization Fund available for the then current year among the said counties, in proportion to the amounts certified by the State Superintendent, and shall notify each Treasurer and Auditor of the percentage by which such apportionment has been decreased. The State Auditor, at the time of transmitting his warrants to the County Treasurer, shall notify the Auditor of each county of the amount so remitted to the Treasurer of the County. Such funds shall be placed by the Treasurer in the Equalization Fund and disbursed as hereinafter provided.

§ 8. COUNTY SUPERINTENDENT TO CERTIFY TO COUNTY AUDITOR.] The County Superintendent, upon receipt of the certificates of the State Superintendent as required by Section 6 hereof, shall certify to the County Auditor the amounts due each school district in the county, and the County Auditor shall, upon receipt of the notice from the State Auditor, forthwith issue and deliver to the Treasurers of the several school districts of his county, Auditor's Warrants upon the County Treasurer, drawn upon said Equaliza-

tion Fund, for the full amount certified by the County Superintendent to be due each school district, less any percentage of decrease certified to him by the State Auditor, and shall notify the School District Clerks of the amounts remitted to their districts.

§ 9. DUTIES OF SCHOOL DISTRICT CLERK AND TREASURER.] Upon receipt of the remittance for each of the purposes mentioned in this Act, the School District Clerk shall forthwith make a record of the receipt of the same, and the Treasurer of the School District shall credit the same to the General Fund of the School District, and the proceeds thereof may be expended in like manner and for the same purposes as other moneys in the General Fund of said District.

§ 10. REPEAL.] All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved March 9th, 1933.

## CHAPTER 230

S. B. No. 146—(Greene, by request.)

### HEALTH INSPECTION PUBLIC SCHOOL PUPILS

An Act amending and re-enacting, in part, Chapter 200, Session Laws 1919 (Supp. Compiled Laws 1913, Section 1346), providing that upon being petitioned in writing by a majority of the school directors of the county, the board of county commissioners may, in its discretion, employ a physician and nurse whose duty it shall be to visit the schools in the county and to inspect and examine the pupils attending the said schools. Also to provide that the school board or board of education of any school corporation in the state when petitioned by a majority of the persons having children attending the schools of the district may, in its discretion, employ one or more physicians or nurses to inspect and examine, at least once annually, all children enrolled in the public schools of the district.

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

§ 1. AMENDMENT.] That Chapter 200 Session Laws 1919 (Supp. Compiled Laws 1913 Section 1346), be amended and re-enacted, in part, to read as follows:

§ 1346. HEALTH INSPECTION OF PUPILS IN PUBLIC SCHOOLS.] Upon being petitioned in writing by a majority of the school directors of the county the board of county commissioners may, in its discretion, employ one or more licensed physicians or graduate nurses duly registered and licensed to practice nursing under the laws of this state, whose duty it shall be to visit the schools in the county and to examine and inspect the pupils attending said schools.

The school board or board of education of any school corporation in the state may, in its discretion, when petitioned by a majority of the persons having children attending the schools of the district,



employ one or more licensed physicians or graduate nurses duly registered and licensed to practice nursing in this state.

§ 2. REPEAL.] All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Approved March 1, 1933.

## CHAPTER 231

S. B. No. 222—(Thorson.)

### ADMISSION NON-RESIDENT HIGH SCHOOL PUPILS

An Act to amend and re-enact Section 1438a1 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 245, Session Laws of North Dakota for 1927, relating to high school tuitions.

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

§ 1. AMENDMENT.] That Section 1438a1 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 245, Session Laws of North Dakota for 1927, be amended and re-enacted to read as follows:

§ 1438a1. NON-RESIDENT PUPILS.] Non-resident pupils may be admitted to the high school department of standardized graded schools or standardized high schools. The school district board or board of education in any school district having a standardized graded school or standardized high school shall admit to the high school department, whenever the facilities for seating and instruction will warrant, any non-resident pupil who is prepared to enter such high school department; provided, that a common school diploma issued by the county superintendent of schools setting forth that the holder thereof has completed the course of study prescribed by the state superintendent of public instruction for the common schools of the state shall be evidence of the completion of the course of study necessary for admittance to the high school department of a standardized graded school or standardized high school and for making claim for tuition from the district in which such non-resident pupil resides as hereinafter provided for; provided further that any school district located on the boundary line of this state, and not having a full four year high school course, of at least fifteen (15) units, and being adjacent to a school district in an adjoining state having a full four year high school course, shall arrange for the attendance of any pupil in such adjacent school district located in such adjoining state, to complete such part of a full four year high school course of at least fifteen (15) units as is not offered in his own district, and for the payment of such tuition fee as shall first be approved by the county superintendent of schools of the county in which such pupil resides. And be it further provided that any pupil

or student who has completed the eighth grade, living in a district having no four-year high school and living in a county that is on the border line of another state, shall be entitled to attend the nearest four-year high school in the adjoining state.

Approved March 3, 1933.

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## CHAPTER 232

H. B. No. 2—(Niewoehner.)

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### HIGH SCHOOL TUITION NON-RESIDENT PUPILS

An Act to amend and re-enact Chapter 256 of the Session Laws of North Dakota for 1931, relating to tuition fees for non-resident pupils.

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

§ I. AMENDMENT.] That Chapter 256 of the Session Laws of North Dakota for 1931, be, and the same is, hereby amended and re-enacted to read as follows:

§ 256. TUITION FEE, AMOUNT OF.] It shall be the duty of any school district, not having a full four year high school course of at least fifteen (15) units, to pay the tuition of pupils residing in such district that enter the high school department in any standardized graded school or standardized high school department in the state, to complete such part of a full four year high school course of at least fifteen (15) units, as is not offered in the district in which the pupil resides. The school board or board of education of the district in which the standardized high school is located shall be entitled and is hereby authorized to charge a tuition fee for such non-resident pupil not to exceed one dollar and fifty cents per week for the time, not exceeding four school years, such non-resident pupils are in attendance, and the school board or board of education of the district, in which the standardized graded school is located, shall be entitled and is hereby authorized to charge a tuition fee for such non-resident pupils not to exceed one dollar and fifty cents per week for the time such non-resident pupils are in attendance, provided, however, that any school board charging tuition under this Act for a non-resident pupil shall not charge or receive any registration, entrance, attendance, or admission fee, or any other fee for such pupil, for the purpose of circumventing the provisions and intentions of this Act.

Approved March 9, 1933.

## CHAPTER 233

H. B. No. 74—(Odegard and Lillehaugen.)

## MEETINGS COMMON SCHOOL DISTRICTS

An Act to amend and re-enact Section 1162 of the Compiled Laws of North Dakota for the year 1913 relating to annual, regular and special meetings of boards of Common School Districts and providing for notice of same and relating to attendance, per diem and mileage of school officers attending county meetings and declaring an emergency.

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

§ 1. AMENDMENT.] Section 1162, Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 1162. The board shall, on the second Tuesday in January, April, July and October of each year, hold regular meetings for the transaction of business at such hour and place as may be fixed by the board, provided such time and place of meetings for the ensuing year shall be designated at the time of the annual meeting. A special meeting may be held upon the call of the president or the other two members. Written notice of the time and place of any special meeting shall be given to each member of the board of such meeting. Each member of the board shall be paid the sum of eight dollars per annum, less two dollars for each regular meeting which he fails to attend; provided, that in any common school district which contains a graded school of three or more departments, the board shall hold regular meetings for the transaction of business on the second Tuesday of each month at such time and place as may be fixed by the board, and in such districts the members of the board shall receive a compensation of one dollar for each meeting attended; provided that no per diem or mileage shall be paid said board members and clerks in attending general county meetings of school officers convened by the County Superintendent.

§ 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 6, 1933.

**CHAPTER 234****H. B. No. 11—(Odegard.)****SCHOOL HOUSE SITES**

**An Act to amend and re-enact Section 1187 of the Compiled Laws of North Dakota for the year 1913 relating to school house sites, the area, acquisition and disposition of the same.**

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

§ 1. AMENDMENT.] Section 1187 of the Compiled Laws of North Dakota for the year of 1913 is hereby amended and re-enacted to read as follows:

§ 1187. The school board of any school district may take in the corporate name thereof any real property, not less than one acre, nor exceeding five acres in area, chosen as a site for a school house, as provided in this chapter, and may hold and use such tract for school purposes only. It shall secure good title to any and all of the school sites in the district, and cause the same to be recorded in the office of the Register of Deeds. It shall be the duty of the State's Attorney to pass upon the title to any school site before the deed thereto is recorded. Should the owner of such real property refuse or neglect to convey and grant such site, a site for a school house may be obtained by proceedings in eminent domain, as provided in the Code of Civil Procedure. If any school site so taken or otherwise acquired, is not used for school purposes for three successive years and if no school house or other building is located upon such site, it shall revert to the original owner or his assigns upon payment to the district of the sum originally paid by the school district or such lesser sum as the board may fix. If such owner or his assigns neglects or refuses to make such payment for one year after demand therefor by the board, such site may be sold to any purchaser in the form and manner provided for the sale of real property of deceased persons, the school board acting as appraisers and performing all acts in connection with the offer and sale of such site.

Approved February 17th, 1933.

**CHAPTER 235****S. B. No. 236—(Whelan.)****TIME WITHIN WHICH TEXTBOOKS MAY BE CHANGED**

**An Act prescribing and limiting the time within which text books may be changed in the public schools and educational institutions of this state.**

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

§ 1. From and after the passage and approval of this Act, it shall be unlawful for any public school or educational institution

within this state to change or alter the text books which are being used in any such school or institution oftener than once in three years.

§ 2. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor.

§ 3. SAVING CLAUSE.] The provisions of this Act shall not prohibit the purchase of new books to replace books purchased prior to September 30, 1930.

§ 4. EMERGENCY.] An emergency is hereby declared to exist and this Act shall be in force and effect from and after its passage and approval.

Approved March 4, 1933.

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## CHAPTER 236

H. B. No. 84—(Erickson and Kapfer.)

### COMMON SCHOOL TRANSPORTATION

An Act relating to common school transportation; leaving same to the discretion of the school board; and limiting the amount that may be paid for same, and repealing Chapter 244, Session Laws of North Dakota for the year 1931.

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

§ 1. That the common school board, may in its discretion and at its option, pay to each family whose child, or children, attend school, a sum per day for each days attendance in proportion to the distance from school, according to the schedule set forth in section 1342 of the Supplement to the Compiled Laws of 1913, as amended by Chapter 238, Session Laws of the State of North Dakota for the year 1927.

§ 2. Chapter 244 of the Session Laws, State of North Dakota, for 1931 and all acts or parts of acts in conflict herewith are hereby repealed.

§ 3. This act shall not apply or affect consolidated schools or schools now known as consolidated schools.

Approved March 3, 1933.

## CHAPTER 237

H. B. No. 90—(Nelson and Sundby.)

## TUITION INSTITUTIONAL MODEL SCHOOLS

An Act to amend and re-enact Section 1221a of the 1925 Supplement to the Compiled Laws North Dakota, 1913, relating to tuition at Institutional Model Schools and Providing for payment thereof by school districts of residence of student when permission for attending said Institutional Model School is granted by Board of School District of Residence of student.

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

§ 1. AMENDMENT.] That Section 1221a of the 1925 Supplement to the Compiled Laws North Dakota 1913 be, and the same is hereby amended and re-enacted to read as follows :

§ 1221a. AMOUNT. .WHEN PAYABLE.] Upon application being first made to the Board of any school district by any parent or guardian of a student residing in said school district and desiring to attend any model, high, graded or elementary school which is operated, maintained or in any manner connected with the State University, any normal school, publicly maintained educational institution of higher learning in this state in which model, high, graded, or elementary school members of the faculty or student body of such university, normal school or institution of higher learning teach, for payment to said institution by such school district of the residence of said student of the tuition hereafter mentioned for such attendance, it shall be the duty of the board of said school district at its next regular or special meeting to consider said application and allow or reject it as it may seem advisable, and keep proper record in the minutes of its proceedings of its action thereon, and such school district board may reject any or all of said applications as in its judgment it shall deem proper in each case. If any application is rejected the school district shall not be liable for the tuition at said institution of the student whose application has been rejected. If the application is granted the school district of the residence of said student shall pay to said institution as tuition for such attendance as follows: Not less than two and a half dollars per month of actual membership per pupil in such model high school and not less than two dollars per month of actual membership per pupil in any such graded, or elementary school; provided, however, that such tuition shall be payable at the close of each term or semester.

Approved March 1, 1933.

## CHAPTER 238

H. B. No. 284—(Patterson and Lynch.)

### WAR ORPHAN TUITION PRIVILEGES

An Act Providing Educational Opportunities for the children of Soldiers, Sailors and Marines who were killed in action or died during the World War.

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

§ 1. The Board of Administration is hereby authorized to waive all tuition charges and fees for war orphans not under 16 years and not over 21 years of age who are attending or may attend a state educational or training institution or a secondary or college grade. By the term "war orphan" is meant children of those who were killed in action or died from other causes during the World War from April 6, 1917, to July 2, 1921, while serving in the Army, Navy, or Marine Corps of the United States or as a result of such service. The privileges of this Act are limited to the 35 war orphans now domiciled in the State of North Dakota, such orphans having been born between the years 1912 and 1921, both inclusive.

§ 2. The Board of Administration shall determine the eligibility of the children who may make application for the benefits provided in this Act.

Approved March 6, 1933.

## STATE INSTITUTIONS

### CHAPTER 239

S. B. No. 179—(Burkhart.)

### ELIMINATION DUPLICATION, ETC., COURSES OF STUDY STATE EDUCATIONAL INSTITUTIONS

An Act directing the Board of Administration to eliminate unnecessary duplication and to co-ordinate courses of study in our state educational institutions in so far as is practicable.

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

§ 1. The Board of Administration is hereby instructed and directed to eliminate all unnecessary duplication of courses as may be found between our state educational institutions and to coordinate the courses of study at our state educational institutions in so far as is practicable.

§ 2. Such duplication to be eliminated and such coordination to be made and brought about gradually, so as not to cause hardship to students attending the different state educational institutions, but