

any monies in the State Treasury in the Motor Registration Fund, not otherwise appropriated, the sum of Two Thousand Five Hundred and no/100 (\$2,500.00) Dollars, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this Act.

§ 11. 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 18, 1943.

MUNICIPAL CORPORATIONS

CHAPTER 182

S. B. No. 124—(Hoenck, Raschko, Rue, and Schrock)

CITY COMMISSIONER'S SALARY

An Act to amend and re-enact Sections 3790 and 3802 of the Compiled Laws of North Dakota for the year 1913, relating to salaries of members of the Board of City Commissioners.

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

§ 1. AMENDMENT.] That Section 3790 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 3790. STYLE OF COMMISSION. SALARY.] Said commissioners shall collectively constitute and be known as the "Board of City Commissioners of the City of _____." They shall take an oath to faithfully perform the duties of their respective offices. The salary of the city commissioners shall be determined by the number of inhabitants found to be therein by the State or Federal census last taken. In cities having a population of over five hundred and not over two thousand, each commissioner shall have a monthly salary of not to exceed Fifteen (\$15.00) Dollars; in cities having a population of over two thousand and not exceeding four thousand, each commissioner shall have a monthly salary of not to exceed Thirty (\$30.00) Dollars; in cities having a population of over four thousand and not exceeding six thousand, each commissioner shall have a monthly salary of not to exceed Fifty (\$50.00) Dollars; in cities having a population of over six thousand and not exceeding eight thousand, each commissioner shall have a monthly salary of not to

exceed Sixty-five (\$65.00) Dollars; in cities having a population of over eight thousand and not exceeding twelve thousand, each commissioner shall have a monthly salary of not to exceed Ninety (\$90.00) Dollars; in cities having a population of over twelve thousand and each commissioner shall have a monthly salary of not to exceed One hundred and twenty-five (\$125.00) Dollars.

§ 2. AMENDMENT.] Section 3802 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and reenacted to read as follows:

§ 3802. SALARIES—HOW FIXED.] The Board of City Commissioners shall by ordinance and within the limits of Section 3790, provide such salary or compensation for such Board of City Commissioners as it shall deem proper. All salaries heretofore fixed or established by law shall be and remain the salaries of such officers until the Board of City Commissioners shall otherwise determine. The Board of City Commissioners shall, by resolution, approve such salary or compensation for other officers and employees of the city as it shall deem proper.

Approved March 12, 1943.

CHAPTER 183

H. B. No. 109—(Haugland and Hovey).

CITY TREASURERS, APPOINTMENT AND REMOVAL

An Act to amend and re-enact Section 3610 of Article 7, of Chapter 44 of the 1913 Compiled Laws, by adding thereto a provision that in cities that have adopted the City Manager form of government, the City Manager shall appoint and remove the City Treasurer with the approval of the City Council, and that in cities having adopted the provisions of Chapter 173 of the Session Laws of North Dakota for the year 1937, known as the Civil Service Act, the City Treasurer shall be appointed as other full-time City employees, and providing that such City Treasurer may be included within and under the provisions of the Civil Service Act, and repealing all Acts and parts of Acts in conflict herewith.

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

§ 1. AMENDMENT.] That Section 3610 of Article 7 of Chapter 44 of the 1913 Compiled Laws of North Dakota be amended and re-enacted to read as follows:

§ 2. ELECTION OF OFFICERS.] There shall be elected in each city organized under this chapter the following officers: A mayor,

two aldermen from each ward, a city treasurer, a police magistrate and a city justice of the peace, provided, that in cities of six hundred inhabitants or less there shall be elected four aldermen at large; provided, that the first election held hereafter in the cities heretofore organized under this chapter in which the number of aldermen is reduced to four, there shall be elected four aldermen who shall be divided into classes as provided in Section 2661; provided, however, that in cities having the City Manager form or government the city treasurer shall be an appointive officer and the city manager shall have power to appoint the city treasurer and to remove such officer at will; provided, however, that the appointment and removal of the city treasurer shall be confirmed by the City Council; provided that in all cities which heretofore have adopted or which may hereafter adopt the provisions of Chapter 173 of the Session Laws of North Dakota for the year 1937 and acts amendatory thereof or supplementary thereto, known as the Civil Service Act, the City Treasurer shall be appointed as other full-time city employees and may upon action of the City Council be included within and under the provisions of said Civil Service Act. For such purpose and to that end the provisions of Section 3612 of the Compiled Laws of North Dakota for 1913 is hereby amended.

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

Approved March 9, 1943.

CHAPTER 184

S. B. No. 173—(O'Brien) (by request)

CONTRACTS, OBTAINING SUPPLY OF WATER FOR PUBLIC AND DOMESTIC USE

An Act authorizing and relating to contracts by certain cities and villages for obtaining a supply of water for public and domestic uses.

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

§ 1. Any city or village now or hereafter owning a system for the distribution of water for fire protection and other public purposes and for selling water to its inhabitants and industries, but for which the water supply is unsuitable or inadequate, may contract to purchase water at wholesale for such purposes from any person, firm or public or private corporation able and willing to furnish the same, upon such terms and during such period, not exceeding forty years,

as the city or village governing body shall deem appropriate. Any such contract shall be authorized by an ordinance submitted to the voters for approval by a majority of those voting on the proposition before it takes effect. In and by such ordinance and contract, the city or village may bind itself (a) to establish and maintain rates and charges for supplying water by it to its inhabitants and industries, either according to a prescribed schedule agreed upon or sufficient to produce net stated amounts for specified periods during the life of the contract, or both, and to appropriate and use the same for payments to become due under the contract, and if the contract so provides the city or village shall be obligated to pay for such water solely out of such net revenues; (b) to pay, at an agreed rate or rates, for all water taken by the city under such contract and not resold by it; and (c) to do and perform any other acts or things which, in the discretion of the governing body, are deemed reasonable and appropriate for the procurement of such water on the most efficient and economical basis. If any payments under any contract are to be made solely out of net revenues, the contract may fix and prescribe the method or basis on which net revenues are to be computed.

Approved March 12, 1943.

CHAPTER 185

H. B. No. 192—(Bergesen and Graham)

MUNICIPAL INDEBTEDNESS FUNDING AND REFUNDING

An Act to amend and re-enact Section 5 of Chapter 204, Session Laws of 1941, relating to the funding and refunding of existing indebtedness of municipalities, authorizing legal expense under certain conditions, and declaring an emergency.

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

§ 1. AMENDMENT.] That Section 5 of Chapter 204, Session Laws of 1941, be and the same is hereby amended and re-enacted to read as follows:

§ 5. In all proceedings had or taken hereunder no attorney fees, brokerage or other fees, or commission of any kind shall be paid to any person, firm or corporation for assisting in the proceedings, or in the preparation of the bonds, or in negotiating the sale thereof, except that any municipality which does not have a regularly elected or employed attorney may employ and pay an attorney for legal services in perfecting such proceedings.

§ 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 9, 1943.

CHAPTER 186

H. B. No. 39—(Shure and Hovey)

PARK DISTRICT TAX LEVIES FOR PARK AND AIRPORT PURPOSES

An Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929 as amended by Chapter 176 of the Session Laws of 1939 and further amended by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or acquiring lands for airports and for operating and maintaining the same.

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

§ 1. AMENDMENT.] Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the year 1929, as amended by Chapter 176 of the Session Laws of 1939, and further amended by Chapter 206 of the Session Laws of 1941, be and the same hereby is amended and re-enacted to read as follows:

§ 6. PARK DISTRICT TAX LEVIES.] Park district taxes shall be levied by the park commission at the annual budget meeting of the commission on the fourth Wednesday of July of each year or within ten days thereafter. In levying park district taxes the park commission shall be limited by the amount necessary to raise to meet appropriations included in its annual budget of the current fiscal year, and the sum necessary to be provided as a reserve fund (as hereinafter provided in Section 10) together with a tax sufficient in amount to pay the interest on the bonded debt of the municipality and provide a sinking fund to pay and discharge the principal thereof at maturity. The aggregate amount levied for park district purposes, exclusive of levies to pay interest on bonded debt and levies to pay and discharge the principal thereof, shall not exceed such amount as will be produced by a levy of two and one-half ($2\frac{1}{2}$) mills on the dollar of the net taxable assessed valuations of the district for the current year;

Provided further that any park district owning and operating an airport may levy an additional tax, regardless of the foregoing limitations and in addition to the levies hereinbefore provided for, of not to exceed two (2) mills on the dollar of the net taxable assessed valuation of the district for the current year, such additional tax to be used solely for the purpose of purchasing or acquiring lands necessary for said airport, paying for land heretofore acquired for said airport and for operating and maintaining the same.

Provided further that whenever the park district deems it necessary to raise money by taxation, in excess of the levy now allowed by law, for any purpose for which the park district is authorized to expend moneys raised by taxation, such park district must submit the question of such additional levy to the voters of its park district.

The submission of the question must expressly provide for what purpose such additional levy is to be used, and, if authorized, by a majority vote, the money raised must be used for that specific purpose only. Such additional levy may not exceed four (4) mills on the dollar of the net taxable assessed valuation of the district for the current year.

Should any balance remain on hand after the purpose for which the levy was made has been accomplished, such balance may, by vote of the park board, be transferred to such other fund as they may designate.

§ 2. REPEAL.] All laws, or parts of laws, in conflict with the provisions of this Act are hereby repealed.

Approved February 12, 1943.

CHAPTER 187

H. B. No. 150—(Benno, Haugland and Hovey)

VALIDATING CERTAIN SPECIAL IMPROVEMENT WARRANTS

An Act to amend and re-enact Section 1 of Chapter 207, Session Laws of 1935, as amended by Section 1 of Chapter 209, Session Laws of 1941, relating to refunding special improvement warrants, validating proceedings heretofore taken for such refunding and warrants issued thereunder, and declaring an emergency.

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

§ 1. That Section 1 of Chapter 207, Session Laws of 1935, as amended by Section 1 of Chapter 209, Session Laws of 1941, is hereby amended and re-enacted to read as follows:

§ 1. Any city or village having valid outstanding special improvement warrants issued under Article 18, 20 or 21, of Chapter 44 Political Code Compiled Laws of 1913, or acts amendatory thereof or supplementary thereto, may issue refunding special improvement warrants for the purpose of extending the maturity thereof, or for the purpose of reducing the rate of interest, or for more nearly equalizing the general taxes which the city or village may be or become obligated to levy for discharging deficiencies in the funds on which such warrants are drawn, whenever any of said warrants are past due or are redeemable, either at the option of the city or village or with the consent of the holders thereof, and there is not sufficient money in the improvement funds on which the warrants are respectively drawn for their payment.

§ 2: All proceedings heretofore taken by the governing body and officers of any city or village relating to the issuance of refunding warrants, which would have been valid if said Chapter 207 as hereby reamended had been then in force, are hereby validated, and any and all warrants heretofore or hereafter issued pursuant to such proceedings are hereby validated.

§ 3. 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 3, 1943.

NORTH DAKOTA

CHAPTER 188

H. B. No. 84—(Johnson of Cass)

COAL MINE INSPECTOR, SALARY & CLERKHIRE

An Act amending and re-enacting section 4 of chapter 168 of the laws of 1919 and acts amendatory thereof, pertaining to salary of Coal Mine Inspector and compensation for clerical help.

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

§ 1. AMENDMENT.] That section 4 of chapter 168 of the laws of 1919 and acts amendatory thereof be amended and re-enacted to read as follows:

§ 4. The salary of the Coal Mine Inspector shall be Twenty-