
OCCUPATIONS AND PROFESSIONS

CHAPTER 285

House Bill No. 155

(Gumeringer, Benson, Frank, Leier, Westby, Helm, McInnes, and Sellens)

ABSTRACTERS FEES**AN ACT**

To amend and reenact section 43-0118 of the North Dakota Revised Code of 1943, relating to abstracter fees and declaring an emergency.

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

SECTION 1. AMENDMENT.) Section 43-0118 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0118. FEES CHARGEABLE BY ABSTRACTER.) An abstracter may charge the following fees, and no more, for making and certifying to an abstract:

1. For the first entry on an abstract or continuation thereof, one dollar and fifty cents;
2. For every entry other than the first entry, seventy-five cents;
3. For a complete certification covering the records of the several county offices, three dollars;
4. For each name searched for judgments, real estate taxes, federal tax liens, state tax liens, mechanic's liens and mechanic's lien notices, fifty cents;
5. For all miscellaneous instruments, seventy-five cents for the first one-hundred words, and twenty-five cents for each additional hundred words or fraction 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 February 11, 1949.

CHAPTER 286

Senate Bill No. 179
(Leno)

DEFINING "MOVING PICTURE MACHINE OPERATOR"

AN ACT

To amend and reenact subsection 3 of section 43-0901 of the North Dakota Revised Code of 1943, defining motion picture machine operator and declaring an emergency.

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

SECTION 1. AMENDMENT.) Subsection 3 of section 43-0901 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0901. DEFINITIONS.)

3. "Moving picture machine operator" shall mean a person having the necessary qualifications, training, and experience to operate moving picture machines and switchboards in buildings, parts of buildings, or enclosures used for public assemblages;

provided, however, that the provisions of this chapter shall not apply to any person operating 8 mm. or 16 mm. moving picture machine and using noncombustible and noninflammatory safety film exclusively.

SECTION 2. EMERGENCY.) This act is hereby declared to be an emergency and shall take effect and be enforced from and after its passage and approval.

Approved February 26, 1949.

CHAPTER 287

House Bill No. 288

(Thompson (McLean), Haugen (McLean), Thompson (Richland),
Bentz, Maher, Haugland, Hammer)

ELECTRICIANS

AN ACT

To amend and reenact sections 43-0901, 43-0902, 43-0904, 43-0905, 43-0911, 43-0913, 43-0914 and 43-0920 of the North Dakota Revised Code of 1943 and repealing section 43-0903 of the North Dakota Revised Code of 1943, relating to electricians, and declaring an emergency.

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

SECTION 1. AMENDMENT.) Section 43-0901 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0901. DEFINITIONS.) In this chapter, unless the context or subject matter otherwise requires:

1. "Master electrician" shall mean a person having the necessary qualifications, training, experience, and technical knowledge to plan, lay out, and supervise the installation and repair of electrical wiring apparatus, and equipment for electric light, heat, and power in accordance with the standard rules and regulations governing such work;
2. "Journeyman electrician" shall mean a person having the necessary qualifications, training, and technical knowledge to wire, install, and repair electrical apparatus and equipment in accordance with the standard rules and regulations governing such work;
3. "Class B electrician" shall mean a person having the necessary qualifications, training, and technical knowledge to wire, install, and repair electrical apparatus and equipment in accordance with the standard rules and regulations governing such work, and shall have eighteen months actual experience in farmstead wiring, and shall have passed an examination before the state electrical board based upon the national R. E. A. electrical wiring code as it applies to farmstead wiring.

4. "Moving picture machine operator" shall mean a person having the necessary qualifications, training and experience to operate moving picture machines and switchboards in buildings, parts of buildings, or enclosures used for public assemblages; provided, however, that the provisions of this chapter shall not apply to any person operating eight millimeter or sixteen millimeter moving picture machines and using non-combustible and non-inflammable safety film exclusively;
5. "Board" shall mean the state electrical board.

SECTION 2. AMENDMENT.) Section 43-0902 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0902. STATE ELECTRICAL BOARD: MEMBERS; TERMS OF OFFICE; VACANCIES.) The state electrical board shall consist of five members appointed by the governor for a term of five years with their terms of office so arranged that one term and only one term shall expire on June thirtieth of each year. One member of the board shall be a farmer. One member of the board shall be selected from three names submitted by each of the following groups: consumer members of rural electric co-operatives, master licensed electricians, licensed journeyman electricians, licensed motion picture operators. A member of the board shall qualify by taking the oath of office required of civil officers and shall hold his office until his successor is appointed and qualified. The governor shall fill any vacancy by appointment for the unexpired terms of office.

SECTION 3. AMENDMENT.) Section 43-0904 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0904. OFFICE OF BOARD: COMPENSATION OF MEMBERS.) The members of the board shall select from their members a president and a treasurer and the commissioner of insurance shall be secretary of the board. Each appointive member of the board shall receive ten dollars per day for the actual services rendered and in addition thereto, each member shall receive the necessary and actual expenses incurred by him in the discharge of his duties. The mileage and travel expense allowed shall not exceed the amount provided for in section 54-0609.

SECTION 4. AMENDMENT.) Section 43-0905 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0905. POWERS AND DUTIES OF STATE ELECTRICAL BOARD: REPORT.) The board shall adopt a seal and may make reasonable

rules and regulations to carry out the provisions of this chapter. It shall file an annual report with the governor showing all fees received and disbursements made, a list of all persons who have complied with the provisions of this chapter, and all action taken by the board under the provisions of this chapter. The board shall appoint qualified inspectors, who shall within fifteen days after notice of completion of any electrical wiring installation involving a value of fifty dollars or more in municipalities having ordinances requiring such inspection, inspect such electrical installation and approve or condemn the same. A report thereof shall be made on forms prescribed by the board.

SECTION 5. AMENDMENT.) Section 43-0911 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0911. QUALIFICATIONS AS TO EXPERIENCE.) An applicant for an electrician's license shall have the following experience:

1. Master electrician, three years' experience in his trade before taking the examination;
2. Journeyman electrician, three years' experience in installing and repairing electrical wiring, apparatus, and equipment;
3. Class B electrician, eighteen months' experience in farmstead wiring;
4. Moving picture machine operator, two years' experience in the line of work for which he requests a license.

SECTION 6. AMENDMENT.) Section 43-0913 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0913. LICENSE FEES.) The following shall be the examination and annual license fees required to be paid for an electrician's license:

1. Master electrician: examination fee, fifteen dollars, annual license fee, fifteen dollars;
2. Journeyman electrician: examination fee, ten dollars, annual license fee, ten dollars;
3. Class B electrician: examination fee, ten dollars, annual license fee, ten dollars;
4. Moving picture machine operator, examination fee, five dollars, annual license fee, five dollars.

SECTION 7. AMENDMENT.) Section 43-0914 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0914. MASTER ELECTRICIAN AND CLASS B ELECTRICIAN; BOND.) Before receiving a license as a master electrician or as a Class B electrician, an applicant shall execute and deposit with the board a surety bond in the sum of one thousand dollars conditioned for the faithful performance of all electrical work undertaken by him and the strict compliance with all the provisions of this chapter and the requirements of the board. In cities requiring a bond by virtue of a city ordinance, such bond shall not be superseded by the bond required by this section.

SECTION 8. AMENDMENT.) Section 43-0920 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-0920. CONTRACT FOR INSTALLATION OF ELECTRICAL WIRING AND INSTALLATION OF ELECTRICAL EQUIPMENT MADE WITH MASTER ELECTRICIAN.) No contract, agreement, or undertaking with another for the installation of electrical wiring or the installation of electrical parts of other apparatus shall be entered into by anyone not a master electrician. Provided, however, that a Class B electrician, as herein defined, is authorized to enter into a contract, undertaking or agreement for the installation of farmstead electrical wiring and his authority under the contract, undertaking or agreement is limited to the actual installation by him of farmstead electrical wiring, the installation of electrical equipment, appliances and apparatus used on farmsteads.

SECTION 9. SPECIAL EMERGENCY.) In the case of an emergency, as determined by the manager and board of directors of the local rural electric co-operative, where sufficient licensed electricians are not available for the installation, maintenance or repair of farmstead electrical wiring where current is being supplied or is to be supplied by a rural electric co-operative, or other public utility, any competent workman who has had at least eighteen months experience in farmstead wiring may enter into a contract, undertaking, or agreement for installation, maintenance, or repair of farmstead electrical wiring, if the contract is approved by the manager and board of directors of the co-operative, and no license shall be required for the performance of work under such contract, undertaking, or agreement, provided the provisions of this emergency shall expire July 1, 1951.

SECTION 10. CONSTITUTIONALITY.) If any section, sub-section, clause, sentence or phrase of this act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this act.

SECTION 11. REPEAL.) Section 43-0903 of the North Dakota Revised Code of 1943 is hereby repealed.

SECTION 12. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in full force and effect after its passage and approval.

Approved March 19, 1949.

CHAPTER 288

House Bill No. 9

(Legislative Research Committee)
(at the request of the State Department of Health)

EMBALMERS EXAMINATION

AN ACT

To amend and reenact section 43-1012 of the North Dakota Revised Code of 1943, relating to examination for license to practice embalming or preparing dead human bodies for burial or shipment.

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

SECTION 1. AMENDMENT.) Section 43-1012 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-1012. EXAMINATIONS: SUBJECTS COVERED; WRITTEN; RECORD OF.) The examination for a license to practice embalming or preparing dead human bodies for burial or shipment shall be in writing and shall cover the following subjects:

1. Anatomy;
2. Embalming;
2. Bacteriology;
4. Chemistry;
5. Pathology;
6. Mortuary management;
7. Restorative arts;
8. Laws, rules and regulations of the state department of health and the state board of embalmers governing the practice of embalming
9. Other subjects that may be required by the board.

All examination papers shall be kept of record by the board for a period of not less than three years.

Approved February 26, 1949.

CHAPTER 289

House Bill No. 319
(Fleck and Graham)

QUALIFICATIONS REGISTERED PHARMACIST

AN ACT

To amend and reenact subdivision 4 of section 43-1515, relating to the qualifications for registered pharmacists and declaring an emergency.

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

SECTION 1. AMENDMENT.) Subdivision 4 of section 43-1515 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

4. Before a certificate will be granted by the North Dakota board of pharmacy, the applicant must have at least one year of practical experience in a retail pharmacy under the supervision of a registered pharmacist, which experience shall be predominantly work directly relating to selling drugs and poisons, compounding of pharmaceutical preparations and physicians' prescriptions, keeping records, and making reports required under the state and federal statutes.

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 10, 1949.

CHAPTER 290

House Bill No. 134
(Johnson and Culver)

OPERATION OF PHARMACY

AN ACT

To amend and reenact section 43-1534 of the North Dakota Revised Code of 1943, relating to operation of pharmacy, permit required, application and fee; and repealing all acts or parts of acts in conflict herewith.

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

SECTION 1. AMENDMENT.) Section 43-1534 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-1534. OPERATION OF PHARMACY; PERMIT REQUIRED; APPLICATION; FEE.) No person, copartnership, association, or corporation shall open, establish, operate, or maintain any pharmacy within this state without first obtaining a permit so to do from the board. Application for the permit shall be made upon a form to be prescribed and furnished by the board and shall be accompanied by a fee of thirty dollars. A like fee shall be paid upon each annual renewal thereof. Separate applications shall be made and separate permits required for each pharmacy opened, established, operated, or maintained by the same owner.

SECTION 2.) All Acts and parts of Acts in conflict herewith are hereby repealed.

Approved March 19, 1949.

CHAPTER 291

House Bill No. 133
(Johnson and Culver)

RENEWAL PHARMACY LICENSE

AN ACT

To amend and reenact section 43-1538 of the North Dakota Revised Code of 1943, relating to renewal of permits for the operation or maintenance of pharmacies in this state, failure to make application for renewal of permits within prescribed time, imposing a penalty for such failure.

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

SECTION 1. AMENDMENT.) Section 43-1538 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-1538. FAILURE TO RENEW PERMIT; WHEN NEW PERMIT GRANTED.) If an application for renewal of a permit issued for the operation or maintenance of a pharmacy in this state is not made before the first day of June of the fiscal year for which the permit was issued, the existing permit, or renewal permit, shall lapse and become null and void upon the thirtieth day of that month. A new or further renewal of a permit shall be granted only:

1. Upon evidence satisfactory to the board of good and sufficient reason or excuse for failure to file an application within the time prescribed;
2. Payment of the regular renewal fee of thirty dollars, and an additional five dollars.

Approved March 9, 1949.