

# EDUCATION

## CHAPTER 119

S. B. No. 117  
(Baeverstad, Dewing)

### SURPLUS PROPERTY DIRECTOR

#### AN ACT

Authorizing the superintendent of public instruction to appoint a director of surplus property within the department of public instruction, to prescribe his powers, duties, and functions, and providing for an appropriation.

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

**§ 1. Division Of Surplus Property.)** The superintendent of public instruction is hereby authorized to appoint a director of surplus property in the department of public instruction who shall be subject to the supervision and direction of the superintendent of public instruction, and in addition the superintendent of public instruction is authorized to appoint, fix the compensation of, and prescribe the duties of the director of surplus property.

**§ 2. Division Of Surplus Property; Powers; Duties.)**

1. The director of surplus property is hereby authorized and empowered
  - a. to acquire from the United States of America under and in conformance with the provisions of section 203 (j) of the Federal Property and Administrative Services Act of 1949, as amended, hereinafter referred to as the "Federal Act", such property, including equipment, materials, books, or other supplies under the control of any department or agency of the United States of America as may be usable and necessary for purposes of education, public health or civil defense, including research for any such purpose, and for such other purposes as may now or hereafter be authorized by federal law;
  - b. to warehouse such property; and
  - c. to distribute such property within the state to tax-supported medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and universities within the state, to other nonprofit

- medical institutions, hospitals, clinics, health centers, schools, colleges and universities which have been held exempt from taxation under section 501 (c) (3) of the United States Internal Revenue Code of 1954, to civil defense organizations of the state, or political subdivisions and instrumentalities thereof, which are established pursuant to state law, and to such other types of institutions or activities as may now be or hereafter become eligible under federal law to acquire such property.
2. The director of surplus property is hereby authorized to receive applications from eligible health and educational institutions for the acquisition of federal surplus real property, investigate the same, obtain expression of views respecting such applications from the appropriate health or educational authorities of the state, make recommendations regarding the need of such applicant for the property, the merits of its proposed program of utilization, the suitability of the property for such purposes, and otherwise assist in the processing of such applications for acquisition of real and related personal property of the United States under section 203 (k) of the Federal Act.
  3. For the purpose of executing his authority under this Act, the director of surplus property is authorized and empowered to adopt, amend, or rescind such rules and regulations and prescribe such requirements as may be deemed necessary; and take such other action as is deemed necessary and suitable, in the administration of this Act, to assure maximum utilization by and benefit to health, educational and civil defense institutions and organizations within the state from property distributed under this Act.
  4. The superintendent of public instruction is authorized and empowered to employ such personnel and to fix their compensation and prescribe their duties, as are deemed necessary and suitable for the administration of this Act.
  5. The director of surplus property is authorized and empowered to make such certifications, take such action, make such expenditures and enter into such contracts, agreements and undertakings for and in the name of the state including cooperative agreements with any federal agencies providing for utilization by and exchange between them of the property, facilities, personnel and services of each by the other, require such reports and make such investigations as may be required by law or

regulation of the United States of America in connection with the disposal of real property and the receipt, warehousing, and distribution of personal property received by the director of surplus property from the United States of America.

6. The director of surplus property is authorized and empowered to act as clearing house of information for the public and private nonprofit institutions, organizations and agencies referred to in subsection (1) of section 2 of this Act and other institutions eligible to acquire federal surplus real property, to locate both real and personal property available for acquisition from the United States of America, to ascertain the terms and conditions under which such property may be obtained, to receive requests from the above mentioned institutions, organizations and agencies and to transmit to them all available information in reference to such property, and to aid and assist such institutions, organizations and agencies in every way possible in the consummation of acquisitions or transactions hereunder.
7. The director of surplus property, in the administration of this Act, shall cooperate to the fullest extent consistent with the provisions of the Federal Act, with the departments or agencies of the United States of America and shall file a state plan of operation, operate in accordance therewith, and take such action as may be necessary to meet the minimum standards prescribed in accordance with the Federal Act, and make such reports in such form and containing such information as the United States of America or any of its departments or agencies may from time to time require, and it shall comply with the laws of the United States of America and the rules and regulations of any of the departments or agencies of the United States of America governing the allocation, transfer, use or accounting for, property donable or donated to the state.

**§ 3. Delegation Of Power And Authority To Director Of Surplus Property.)** The superintendent of public instruction may delegate to the director of surplus property such power and authority as he deems reasonable and proper for the effective administration of this Act. The superintendent of public instruction may in his discretion bond the director of surplus property for the handling of moneys, signing checks, or receiving or distributing property from the United States under authority of this Act.

**§ 4. Transfer Charges.)** Any charges made or fees assessed by the director of surplus property for the acquisition, ware-

housing, distribution, or transfer of any property of the United States of America for educational, public health or civil defense purposes, including research, shall be limited to those reasonably related to the costs of care and handling in respect to its acquisition, receipt, warehousing, distribution or transfer by the director of surplus property and, in the case of real property, such charges and fees shall be limited to the reasonable administrative costs that the director of surplus property has incurred in effecting transfer.

**§ 5. Appropriation.)** There is hereby appropriated out of any moneys in the equalization fund in the state treasury, not otherwise appropriated, the sum of forty thousand dollars or so much thereof as may be necessary, to the department of public instruction, for the purpose of paying salaries and other expenses of the director of surplus property for the biennium beginning July 1, 1957, and ending June 30, 1959.

Approved March 13, 1957.

---

## CHAPTER 120

H. B. No. 801  
(Van Sickle, Saugstad)

---

### COMPULSORY SCHOOL; CHILDREN ON FEDERAL PROPERTY

#### AN ACT

To require school attendance by children of school age residing upon United States Government bases and installations; and providing penalties against parents, guardians and others having control over such children for failure to require such attendance.

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

**§ 1. Schools On Government Bases; Compulsory Attendance; School Age.)** Every parent, guardian or other person who resides upon any government base or installation whether within or without any school district of the state, who has control over any child of an age of seven years to fourteen years, both inclusive, shall send or take the child to a public school each year during the entire time the public schools of the district are in session. If a child shall not have completed the eighth grade, he shall attend school, if necessary, to complete the eighth grade until he becomes seventeen years of age.

**§ 2. Compulsory Attendance; Exceptions.)** The parent, guardian or other person having control of a child of com-

pulsory school age, as above provided, shall be excused from causing the child to attend school whenever such child and his parent, guardian or other person having control, would be excused under the general school laws of this state from requiring such attendance at public schools, and shall also be excused unless a school or schools owned and operated by a public school district is or are open and available for the free attendance of such child thereat, located within two miles of the residence of such child, if no free public transportation is available for such child, or within six miles of such residence if public transportation is furnished, by either the school district or federal government, to such child.

**§ 3. Violation Of Compulsory Attendance Provisions; Penalty.)** Any parent, guardian or other person failing to comply with the requirements of this Act is guilty of a misdemeanor and shall be punished by a fine of not less than five dollars nor more than twenty-five dollars for the first offense and by a fine of not less than ten dollars nor more than fifty dollars for the second and each subsequent offense. The board of education, school board, school superintendent, principal, teachers and truant officers of the school district offering school facilities to such child or children shall be charged with responsibility for the enforcement thereof in the same manner and to the same extent as in connection with children actually residing in the district.

Approved March 6, 1957.

---

## CHAPTER 121

H. B. No. 586  
(Baldwin and Burk)

---

### IRRIGATION DEMONSTRATION FARM; SALE

#### AN ACT

To authorize the sale of the property known as the Irrigation Demonstration and Experiment Farm in McKenzie County, near Williston, North Dakota, and declaring an emergency.

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

**§ 1.)** The state board of higher education is authorized, with the approval of the governor and the attorney general, to sell and convey to the United States of America for a consideration of fourteen thousand and five hundred dollars the property described as follows, to-wit:

Unit Number Fifty-three of "Lewis and Clark Irrigated Farms", said unit being known as the Irrigation Demonstration and Experiment Farm of the Lewis and Clark Irrigation District of McKenzie County, North Dakota, situated in the northeast quarter of the northeast quarter of section seven and in the north half of the northwest quarter of section eight, in township one hundred fifty-three north, range one hundred one west of the fifth principal meridian, and containing thirty-nine and eighty-eight hundredths acres, more or less, according to the plat of said "Lewis and Clark Irrigated Farms" on file and of record in the office of the register of deeds in and for said McKenzie County, North Dakota.

§ 2.) In the event the government finds it either necessary or desirable to take title to this property through condemnation proceedings, the consent of the state of North Dakota to the passage of title in such manner is hereby authorized subject to the payment of compensation in the amount of fourteen thousand and five hundred dollars.

§ 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 March 5, 1957.

---

## CHAPTER 122

S. B. No. 143  
(Freed)

---

### TRANSFER OF SITE FOR ELEMENTARY SCHOOL AT DICKINSON

#### AN ACT

Authorizing the state board of higher education to convey to the Dickinson School District Number One, Stark County, North Dakota, a tract of land, consisting of not more than five acres presently attached to the campus of the state teachers college at Dickinson, North Dakota, and repealing chapter 130 of the North Dakota Session Laws of 1955 relating to previous authority for a similar conveyance.

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

§ 1.) It is hereby determined that it is to the best interests of Dickinson School District Number One and of the state teachers college at Dickinson, North Dakota, that an elemen-

tary school, the facilities of which would be used and made available for purposes of supervised student teaching and observation by the said teachers college at Dickinson, North Dakota, be erected at some convenient site upon the campus of the said state teachers college at Dickinson, North Dakota.

§ 2.) The state board of higher education, with the approval of the governor and attorney general, is hereby authorized to convey to the Dickinson school district number one, Stark County, North Dakota, as a site for the erection by said school district of an elementary school, the facilities of which shall be made available for purposes of supervised student teaching and observation by the state teachers college at Dickinson, North Dakota, a tract of land consisting of not more than five acres, located upon the campus of said teachers college at Dickinson, North Dakota, within section four, township one hundred thirty-nine north, range ninety-six west of the fifth principal meridian, in the city of Dickinson, North Dakota, which said site shall be selected by the state board of higher education upon the concurrence of the said school board of said Dickinson school district number one, at such place within said section four as shall appear to the said school board and the said board of higher education to be the most convenient for the purposes of each of said boards.

§ 3.) The conveyance of said property shall be executed in the name of the state of North Dakota by the governor and attested by the secretary of state under the great seal of the state of North Dakota, and shall be made without the payment of any consideration by the school district concerned.

§ 4. **Repeal.**) Chapter 130 of the North Dakota Session Laws of 1955 is hereby repealed.

Approved March 6, 1957.

## CHAPTER 123

S. B. No. 289

(Wenstrom, Larson, Livingston, Erickstad, O'Brien, Sayer)  
(Garaas, Trenbeath and Freed)

## WILLISTON AGRICULTURAL EXPERIMENT STATION; SALE

## AN ACT

Authorizing the board of higher education to convey to Williston Special School District Number One, Williams County, North Dakota, for educational purposes a tract of land situated in Williams County formerly operated in connection with the agricultural experiment station at Williston.

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

§ 1.) It is hereby found and determined that approximately 80 acres of the former Agricultural Experiment Station located at Williston, North Dakota, cannot profitably be used for agricultural experiment station purposes following the relocation of the said station under the provisions of chapter 127 of the North Dakota Session Laws of 1953, that the said land is subject to special assessments in the amount of \$8,304.75 which the state has not paid, and that an offer for the purchase of such land, which has been dedicated for educational purposes, by the Williston Special School District Number One at a price more than sufficient to pay such special assessments is equitable and advantageous.

§ 2.) The board of higher education is hereby authorized and directed to sell and convey to the Williston Special School District Number One for educational purposes the following described real property:

The north one-half of the southwest quarter of the southeast quarter, the west one-half of the northeast quarter of the southeast quarter and the northwest quarter of the southeast quarter, all in section thirteen, in township one hundred fifty-four north of range one hundred and one west of the fifth principal meridian, in Williams County, North Dakota, containing eighty acres more or less,

for the consideration of ten thousand dollars, from which sum the special assessments shall be paid by the purchaser.

Approved March 6, 1957.

## CHAPTER 124

S. B. No. 94  
(Longmire and Saumur)

## UNIVERSITY ALUMNI ASSN. TRUSTEE TO MATCH GIFTS

## AN ACT

To vest in the University of North Dakota Alumni Association, Incorporated, the power to raise funds on behalf of the University of North Dakota and hold such funds as matching or counterpart funds for the benefit of the University of North Dakota and making the University of North Dakota Alumni Association, Incorporated, the agent of the University of North Dakota for such purpose.

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

**§ 1. Matching Funds For Bequests To University Of North Dakota.)** In any case wherein any person or corporation shall have made any gift to the university of North Dakota, whether by donation, bequest, devise or otherwise, upon condition that the university of North Dakota must raise a matching, equivalent, or counterpart fund held to the same purposes as the original gift in order to enjoy such gift, the University of North Dakota Alumni Association, Incorporated, is hereby empowered to raise such equivalent, matching, or counterpart fund by any practicable and lawful means, and to hold such equivalent, matching, or counterpart fund so raised in trust for the same purposes as the original gift; and such equivalent, matching, or counterpart fund shall be deemed both in law and equity to have been raised by the university of North Dakota. For this purpose the University of North Dakota Alumni Association, Incorporated, is hereby declared to be an agent of the university of North Dakota. Nothing in this section shall be construed to allow the University of North Dakota Alumni Association, Incorporated, any power or authority to alter or change the provisions of any instrument of trust or agreement wherein it is named custodian or trustee of any funds or securities or given any legal power with respect thereto, and nothing in this section shall be deemed to permit the University of North Dakota Alumni Association, Incorporated, to enlarge, amend, or derogate from any conditions such instrument of trust or agreement imposes, or to devote any trust funds in its possession to any purpose other than those stipulated by the settlers of such trust.

Approved March 1, 1957.

## CHAPTER 125

S. B. No. 245

(Longmire)

## SALE OF UNIVERSITY LAND TO FRATERNAL SOCIETIES

## AN ACT

Authorizing the state board of higher education to plat, re-plat, sell and convey to fraternities, sororities and institutional dormitory corporations portions of the east thirty-one acres of the north half of the southwest quarter of section 5 in township 151 north, range 50 west of the fifth meridian, in Grand Forks County, North Dakota.

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

§ 1.) The state board of higher education is hereby authorized to plat and re-plat, and after such platting, to sell and convey tracts of land lying within the east thirty-one acres of the north half of the southwest quarter of section five in township 151 north, range 50 west of the fifth meridian, in Grand Forks County, North Dakota, of such size as may in the judgment of said board be for the best interests of the university, at such prices as may be determined by said board to be adequate and proper in the light of the cost thereof and of the improvements provided, to fraternities, sororities and institutional dormitory corporations for use solely and only as sites for fraternity houses, sorority houses, dormitories and like buildings, for the housing of students and faculty of the university of North Dakota.

§ 2.) All such deeds of conveyance shall contain a provision for the reversion of the title thereto to the state of North Dakota should said premises ever be used for purposes other than those above provided.

§ 3.) Conveyances of said property shall be executed in the name of the state of North Dakota by the governor and attested by the secretary of state, under the great seal of the state of North Dakota, upon resolution duly adopted by the state board of higher education and filed with the secretary of state.

Approved March 6, 1957.

## CHAPTER 126

H. B. No. 833

(Committee on Delayed Bills)

## DICKINSON EXPERIMENT STATION; ADDITIONAL LAND

## AN ACT

Authorizing the board of higher education of the state of North Dakota to negotiate for and enter into a contract for the purchase of additional land for use of the experiment station at Dickinson, Stark County, North Dakota, and declaring an emergency.

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

WHEREAS, the experiment station at Dickinson, North Dakota, is in need of additional land for the use of and for the proper development and promotion of the necessary work and activities of that station, and

WHEREAS, there is now available a quarter section of land lying adjacent and in close proximity to the premises now occupied and used in connection with the operation of said station, which adjacent premises are described as follows, to-wit:

The southwest quarter of section thirty-two, township one hundred forty, north of range ninety, west of the fifth principal meridian, Stark County, North Dakota, and which said premises can now be acquired on terms for the sum of twelve thousand dollars, with a down payment of three thousand dollars, and deferred payments from income and other revenue incident to the operation and ownership of said land, with interest at the rate of four percent per annum, with the owners reserving to themselves fifty percent of all oil, gas, uranium, fissionable materials, coal and other minerals in and under that may be produced from said land, and with the right reserved to said owners to remove all buildings now on said premises; and

WHEREAS, said experiment station now has funds on hand sufficient to meet the down payment on said purchase price, and the sale of such land to others might seriously handicap and jeopardize the future operation and development of said experiment station, NOW THEREFORE,

§ 1.) If the state board of higher education is able to negotiate and enter into a contract for the purchase of said premises above described at the price above indicated, and

upon terms which insure that neither the said board of higher education nor the state of North Dakota shall be obligated for the payment of the purchase price other than as above set forth, but upon terms providing that said purchase price shall be paid from funds of the experiment station now on hand or to be received in the future from the income of said station or incident to the operation or ownership of its land then said board of higher education is hereby authorized to enter into a contract for the purchase of said land.

**§ 2. Emergency.)** This Act is hereby declared to be an emergency measure and shall be in full force and operation from and after its passage and approval.

Approved March 19, 1957.

---

## CHAPTER 127

S. B. No. 241

(Wenstrom, Dewing and Meidinger)

---

### JUNIOR COLLEGE SUPERVISION AND TAX LEVY

#### AN ACT

To amend and reenact section 15-1804 of the North Dakota Revised Code of 1943 relating to supervision of junior colleges and to authorize county tax levies to aid school districts maintaining junior colleges.

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

**§ 1. Amendment.)** Section 15-1804 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-1804. Supervision Of Junior Colleges.)** The state board of higher education shall prepare and publish from time to time standards for junior colleges including trade courses if offered, provide for their inspection, and recommend for accrediting such courses of study offered by them as may meet the standards prescribed.

**§ 2. County Levy To Aid Junior College Authorized.)** The board of county commissioners of any county in which a junior college has been established, or any county adjacent thereto, may upon approval of the electors of such county at a county-wide election, levy a tax of not exceeding five mills upon all property in such county, to aid any special school district

having established a junior college. The mill levy herein authorized shall be over and above any mill levy limitation provided by law. At any time after the approval of such levy, upon petition of five percent of the electors voting in the last preceding countywide election, the county commissioners shall submit the question of the continuance of such levy to the next countywide election, and if the majority of the electors shall vote to discontinue such levy, the levy shall be discontinued in subsequent years.

**§ 3. Proceeds Of Levy To Be Certified To Special School District.)** The proceeds of any tax levy hereby authorized shall be certified quarterly to the treasurer of any special school district having established such junior college and shall be placed in a special junior college fund and shall be expended for the acquisition of property, construction, maintenance and the operation of a junior college.

Approved March 6, 1957.

---

## CHAPTER 128

S. B. No. 192

(Dolan, Meidinger and O'Brien)

---

### COUNTY SUPERINTENDENT QUALIFICATIONS

#### AN ACT

To amend and reenact section 15-2202 of the North Dakota Revised Code of 1943, relating to qualifications of county superintendent.  
*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 15-2202 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-2202. Qualifications.)** The county superintendent of schools shall be a qualified elector of the county under the general laws of the state, a graduate of a reputable teachers' college, or other institution of higher learning, shall hold at least a first grade professional certificate, with a major or minor in education and successful experience in teaching, three years of which shall have been in this state. Be it further provided that this Act shall not be retroactive but that anyone serving as county superintendent on the effective date of this Act shall show evidence annually of work toward a North Dakota first grade professional certificate with a major or minor in elementary education.

Approved March 6, 1957.

## CHAPTER 129

H. B. No. 574

(Saugstad, Scott, Spitzer, Van Sickle)

## CHANGE OF COMMON SCHOOL DISTRICT BOUNDARIES

## AN ACT

To amend and reenact section 15-2308 of the North Dakota Revised Code of 1943, relating to change of common school district boundaries.

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

**§ 1. Amendment.)** Section 15-2308 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-2308. Change of Boundaries; Hearing; Limitation; Effect.)** Territory contiguous to a common school district, whether in this same county or in another, may be attached to such common school district and detached from the district of which it is a part by the board of county commissioners upon written application signed by two-thirds of the electors of the contiguous territory after hearing and subject to the limitations of this section.

Before detaching territory from one school district or annexing territory to another school district, the board of county commissioners shall hold a hearing on the petition therefor. The board shall cause notice of such hearing to be given by posting notices thereof in three conspicuous places in each of the following: the district to which annexation is sought; the territory sought to be detached or annexed; and the district from which the territory is proposed to be detached. If the adjoining district is in another county, the boards of county commissioners of both counties affected may jointly effect the annexation.

No territory shall be detached from one school district for annexation to another school district if the part of the original district remaining after the proposed annexation would have an assessed valuation of less than one hundred thousand dollars for each teacher employed in the remaining territory, or less than one hundred twenty-five thousand dollars for each teacher employed in the remaining territory if the remaining territory has a graded or consolidated school with two or more teachers.

If territory is annexed to a common school district or detached therefrom, under this section, the change in boundaries shall become effective within five days after the hearing, and all the assets and liabilities of the district involved shall be equalized as provided in section 15-4719. If territory is attached to a common school district, the electors in such attached territory shall vote on school matters at the nearest polling place in such common school district.

Approved March 7, 1957.

---

## CHAPTER 130

H. B. No. 616

(Van Sickle, Haugland, Balerud, Bye, Stockman and Saugstad)

---

### POWERS OF SCHOOL DISTRICT BOARDS AND STATE BOARD

#### AN ACT

Relating to school districts acquiring sites, constructing buildings, and operating or discontinuing schools, where there is impact of federal activity, amending and reenacting subsection 3 of section 15-2506, subsection 2 of section 15-2908, subsection 1 of section 15-3207 and subsection 1 of section 15-5117 of the North Dakota Revised Code of 1943 as amended, relating to school board powers in such cases, and declaring an emergency.

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

**§ 1. Power Of State Board Of Public School Education.)**

In addition to its other powers, the state board of public school education shall have the power, in its sound discretion, to authorize any school district to acquire sites, construct buildings, and operate schools, to discontinue such schools and liquidate the assets thereof, outside its district boundaries if the school district is affected by the impact of federal activities in its area, and if consent is first obtained from the school district within which the school is to be located.

**§ 2. Amendment.)** Subsection 3 of section 15-2506 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

3. Organize, maintain, and conveniently locate schools for the education of children of school age within the district, and change the location or discontinue any of such schools as provided in this title; and to acquire sites, construct buildings, and operate schools, to discontinue

such schools and liquidate the assets thereof, outside its district boundaries, as authorized by the state board of public school education;

**§ 3. Amendment.)** Subsection 2 of section 15-2908 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

2. To establish and maintain such schools in its district as it shall deem requisite or expedient, and to change or discontinue the same in accordance with the provisions of law; and to acquire sites, construct buildings, and operate schools, to discontinue such schools and liquidate the assets thereof, outside its district boundaries, as authorized by the state board of public school education;

**§ 4. Amendment.)** Subsection 1 of section 15-3207 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

1. To organize and establish such schools in the district as it shall deem requisite and expedient, and to change and discontinue the same; and to acquire sites, construct buildings, and operate schools, to discontinue such schools and liquidate the assets thereof, outside its district boundaries, as authorized by the state board of public school education;

**§ 5. Amendment.)** Subsection 1 of section 15-5117 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

1. To organize, establish and maintain such and so many schools in said city, as they may deem requisite, and expedient, and to change and discontinue the same; and to acquire sites, construct buildings, and operate schools, to discontinue such schools and liquidate the assets thereof, outside its district boundaries, as authorized by the state board of public school education;

**§ 6. 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, 1957.

## CHAPTER 131

S. B. No. 97  
(Berube)

## NONRESIDENT ELEMENTARY PUPILS

## AN ACT

To amend and reenact section 15-2511 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 136 of the 1955 Session Laws, relating to the approval by the county superintendent of elementary nonresident pupils.

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

§ 1. **Amendment.**) Section 15-2511 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by the 1955 Session Laws, is hereby amended and reenacted to read as follows:

**15-2511. Pupils; Admission Of From Other Districts; Distribution Within Districts; Tuition.**) The school board shall admit to the schools of the district pupils other than high school pupils from other districts when it can be done without injuring or overcrowding the schools, and shall make regulations for the admission of such pupils. When a pupil is admitted from another district, credit on his tuition shall be given by the district admitting him to the extent of school taxes paid in the admitting district by the parent or guardian of the admitted pupil, or if such parent or guardian is a tenant, then to the extent that the landlord pays school taxes in that district. If the attendance of a pupil from another district is necessitated by shorter distance or other reasons of convenience, approval or disapproval shall be given by a three-member committee consisting of the county judge, state's attorney and the county superintendent of schools within fifteen days after consulting the boards of education of both districts concerned, and the balance of the tuition, after credit for taxes paid, shall be paid by the district from which the pupil is admitted, but the whole amount of the tuition shall not exceed the average cost of elementary education per child in the county. Such costs shall include expenditures from the general and sinking and interest funds. The board may admit to the schools in the district pupils residing in unorganized territory adjacent to the district and may arrange with the parents or guardians of such pupils for the payment of tuition. The board shall not refuse school privileges to, nor collect tuition from, pupils residing in adjacent unorganized territory if the parents or guardians of

such pupils are the holders of property and taxpayers in the district. The board may make proper and necessary rules for the assignment and distribution of pupils to and among the schools in the district and for their transfer from one school to another. Districts not complying with the decision of the committee herein provided shall forfeit their county tuition payments to the schools receiving the pupils.

Approved March 1, 1957.

---

## CHAPTER 132

H. B. No. 706  
(Hofstrand and Link)

---

### COMMON SCHOOL DISTRICT BOARD CLERKS' PAY

#### AN ACT

To amend and reenact section 15-2515 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 138 of the 1955 Session Laws, relating to compensation for clerks in common school districts.

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

**§ 1. Amendment.)** Section 15-2515 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 138 of the 1955 Session Laws, is hereby amended and reenacted to read as follows:

**15-2515. Clerk: Duties: Reports: Compensation.)** The clerk of the school board shall keep an accurate record of all proceedings of the board, give or post all notices, prepare all reports and statements, and perform all other duties required by law or by direction of the board. He shall prepare annually an itemized financial report containing a statement of the receipts and expenditures of the district from the beginning of the school year to and including the first Tuesday in June, and a statement of estimated receipts and expenditures to the end of the school year. A copy of such report shall be posted in each school polling place before the opening of the polls on the day of the annual school election, and the clerk shall read the report or cause it to be read immediately preceding the opening of the polls. His annual compensation shall be fixed by the board in an amount of not less than twenty dollars nor more than twenty dollars if there is no school in operation, and not to exceed one hundred dollars for one school or teacher

employed, with twenty dollars for each additional school or each additional teacher employed in the district in operation, but such compensation shall not exceed one hundred sixty dollars in any year except in districts containing more than four townships and operating ten or more schools, or school districts which operate four-year high schools, in which case such compensation shall not exceed four hundred dollars in any year. He shall receive four dollars, for attending general county meetings of school officers convened by the county superintendent of schools. He shall be paid such additional compensation for taking the annual school census as the board may allow.

Approved March 6, 1957.

---

## CHAPTER 133

H. B. No. 769  
(Dewey)

---

### SPECIAL SCHOOL DISTRICT POLLING PLACES

#### AN ACT

To amend and reenact section 15-2804 of the North Dakota Revised Code of 1943, relating to election precincts and polling places.

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

§ 1. **Amendment.**) Section 15-2804 of the North Dakota Revised Code of 1943, is hereby amended and reenacted to read as follows:

**15-2804. Election Precincts, Polling Places, and Officers.)** At least fourteen days prior to the first Tuesday in June in each year, the board of education of each special school district, by motion or resolution, shall designate one or more precincts and polling places for each six thousand people residing in the school district as shown by the last available state or national census. Such precincts shall be arranged so as to divide the electors in the district as nearly equally as possible, and no precinct shall have a population in excess of six thousand residents. The polling places established in such precincts shall be located as conveniently as possible for the voters in the precinct, and a polling place once established by the board shall remain the polling place for the precinct until it is changed by subsequent action of the board. The board shall appoint two persons to act as judges and two persons to act

as clerks of the election in each precinct. Before opening the polls, each of the judges and clerks shall take an oath or affirmation that he will perform his duties as judge or clerk, as the case may be, according to law and to the best of his ability. The oath or affirmation may be administered by any officer authorized to administer oaths, or by any of the judges or clerks to the others.

Approved March 6, 1957.

---

## CHAPTER 134

S. B. No. 98  
(Berube)

---

### ADMISSION OF NONRESIDENT OTHER THAN HIGH SCHOOL PUPILS BY SPECIAL SCHOOL DISTRICTS

#### AN ACT

To amend and reenact section 15-29082 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 136 of the 1955 Session Laws, relating to the approval by the county superintendent of elementary nonresident pupils.

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

**§ 1. Amendment.)** Section 15-29082 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 136 of the 1955 Session Laws, is hereby amended and reenacted to read as follows:

**15-29082. Admission Of Pupils From Other Districts; Tuition.)** The board of education of any special school district shall admit to the schools of the district pupils other than high school pupils from other districts when it can be done without injuring or overcrowding the schools, and shall make regulations for the admission of such pupils. When a pupil is admitted from another district, credit on his tuition shall be given by the district admitting him to the extent of school taxes paid in the admitting district by the parent or guardian of the admitted pupil. If the attendance of a pupil from another district is necessitated by shorter distance or other reasons of convenience, approval or disapproval shall be given by a three member committee consisting of the county judge, state's attorney and the county superintendent of schools within fifteen days after consulting the boards of education of both districts concerned, and the balance of the tuition,

after credit for taxes paid, shall be paid by the district from which the pupil is admitted, but the whole amount of tuition shall not exceed the average cost of elementary education per child in the county. Such costs shall include expenditures from the general and sinking and interest funds. Districts not complying with the decision of the committee herein provided shall forfeit their county tuition payments to the schools receiving the pupils.

Approved March 1, 1957.

---

## CHAPTER 135

S. B. No. 253  
(Longmire)

---

### DISTRICT ANNEXATION AND DISSOLUTION

#### AN ACT

To create and enact subsection 19 of section 15-3207 of the North Dakota Revised Code of 1943, and to amend and reenact section 15-2221 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the powers and duties of the county superintendent of schools and the independent school district officers.

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

**§ 1. Amendment.)** Subsection 19 of section 15-3207 of the North Dakota Revised Code of 1943 is hereby created and enacted to read as follows:

19. The board may upon the request of the county commissioners annex adjacent territory of a dissolved school district, which annexation shall be upon such terms and conditions as the board may prescribe.

**§ 2. Amendment.)** Section 15-2221 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-2221. Dissolution Of School Districts; Duty Of County Superintendent.)** When the county superintendent of schools shall notify the board of county commissioners that any school district within the county has had its assessed valuation reduced to an amount which will no longer enable the district to raise sufficient funds to carry on normal school operations as a result of the federal or state government acquiring property by eminent domain, or for any other reason, the board of county commissioners shall forthwith give notice of hearing to dissolve the school district and provide for its attachment to an adjoining school district.

Approved March 20, 1957.

## CHAPTER 136

H. B. No. 797

(Sortland, Thal and Harding)

## SCHOOL TRANSPORTATION PAYMENT

## AN ACT

To amend and reenact section 15-3404 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to transportation: payment and schedule.

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

§ 1.) Section 15-3404 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-3404. Transportation: Payment Optional With School Board; Schedule.)** The school board or board of education of any school district in the state, whether or not such district contains a consolidated school, may pay, in its discretion, to each family living more than two miles from a school in the district which is taught the required length of time, a sum per day of each day's attendance of a child or children of such family, including children in the high school department, when transported by a member of the family or by a conveyance furnished or paid for by the family or when the family has paid for lodging for the child, in proportion to the distance between the home of the family and the school, according to the following schedule:

From 2 miles to 2 $\frac{1}{4}$ miles.....	25¢ per day
From 2 $\frac{1}{4}$ miles to 2 $\frac{1}{2}$ miles.....	28¢ per day
From 2 $\frac{1}{2}$ miles to 2 $\frac{3}{4}$ miles.....	31¢ per day
From 2 $\frac{3}{4}$ miles to 3 miles.....	34¢ per day
From 3 miles to 3 $\frac{1}{4}$ miles.....	37¢ per day
From 3 $\frac{1}{4}$ miles to 3 $\frac{1}{2}$ miles.....	40¢ per day
From 3 $\frac{1}{2}$ miles to 3 $\frac{3}{4}$ miles.....	43¢ per day
From 3 $\frac{3}{4}$ miles to 4 miles.....	46¢ per day
From 4 miles to 4 $\frac{1}{4}$ miles.....	59¢ per day
From 4 $\frac{1}{4}$ miles to 4 $\frac{1}{2}$ miles.....	62¢ per day
From 4 $\frac{1}{2}$ miles to 4 $\frac{3}{4}$ miles.....	65¢ per day
From 4 $\frac{3}{4}$ miles to 5 miles.....	68¢ per day
From 5 miles to 5 $\frac{1}{4}$ miles.....	71¢ per day
From 5 $\frac{1}{4}$ miles to 5 $\frac{1}{2}$ miles.....	74¢ per day
From 5 $\frac{1}{2}$ miles to 5 $\frac{3}{4}$ miles.....	77¢ per day
From 5 $\frac{3}{4}$ miles to 6 miles.....	80¢ per day
Each $\frac{1}{2}$ mile over 6 miles, the further sum of.....	10¢ per day

Such distance shall be measured by the nearest route from the front door of the school house to the front door of the family's residence according to the most convenient public course of travel. If payment is made in any district based on school attendance, such payment shall be made in the amounts provided in this section except in the case of a school which has been closed for lack of sufficient number of pupils as provided in this title.

Approved March 19, 1957.

---

## CHAPTER 137

S. B. No. 66

(Meidinger, Schrock, Dolan, O'Brien, Larson)

---

### TEACHERS' CERTIFICATES

#### AN ACT

To amend and reenact section 15-3611 of the North Dakota Revised Code of 1943, relating to teachers' certificates.

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

**§ 1. Amendment.)** Section 15-3611 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-3611. Certificate Required.)** No person who is not the holder of a valid certificate or permit shall be employed or permitted to teach in any of the public schools of the state, except in cities organized for school purposes under special laws or organized as independent districts under the general school laws. Be it further provided that by September 1960 no person, who is not the holder of a valid second grade professional certificate, shall be employed or permitted to teach in any of the public schools of the state. This shall not preclude the renewal of the first grade elementary certificate.

Approved March 1, 1957.

## CHAPTER 138

H. B. No. 639  
(Rolfstrud)

## SUPERINTENDENT OF SCHOOLS BOND

## AN ACT

To amend and reenact section 15-3801 of the North Dakota Revised Code of 1943, relating to the bond of the superintendent of schools.

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

**§ 1. Amendment.)** Section 15-3801 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-3801. Superintendent Of City And Village Schools; Powers And Duties.)** The superintendent of schools, in districts where a superintendent is employed, shall supervise the administration of the courses of study, visit schools, examine classes, and have general supervision of the professional work of the schools, including the holding of teachers' meetings and the classification of teachers, all of which shall be subject to the final authority of the school board or board of education. From time to time, he shall make reports to the board embodying recommendations relative to the employment of teachers and janitors, the adoption of text books, changes in the courses of study, enforcement of discipline, and school matters in general. He shall make such other reports and perform such other duties as the board may direct and delegate. The superintendent of schools shall furnish to the school district a bond conditioned that he will honestly and faithfully discharge the duties of his office and that he shall safely keep and render a true account of all funds and property that shall come into his hands. Such bond shall be in an amount set by the school board but shall not be less than the maximum amount of money that shall be subject to the superintendent's control at one time. Such bond shall be written through the state bonding fund and shall be at the expense of the school district.

Approved March 6, 1957.

## CHAPTER 139

H. B. No. 621  
(Hofstrand and Tollefson)

## EQUALIZATION FUND EMERGENCY FUND

## AN ACT

To amend and reenact subsection 1 of section 15-4007 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the financial effort required for emergency assistance from the state equalization fund.

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

**§ 1. Amendment.)** Subsection 1 of section 15-4007 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

1. That the district shall have provided the normal maximum mill levy which means that in addition to having provided for the normal maximum levy it shall have held an election and increased the normal maximum levy by at least twenty-five percent except in cases of extreme emergency when approved by the state board of public school education. The district shall submit an affidavit by the county auditor stating that such levy has been or will be spread;

Approved March 7, 1957.

## CHAPTER 140

H. B. No. 619  
(Hofstrand, Tollefson)

## EQUALIZATION FUND: HIGH SCHOOL TUITION PAYMENTS

## AN ACT

To amend and reenact section 15-4014 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 141 of the Session Laws of 1955, and section 15-4016 of the North Dakota Revised Code of 1943 as amended by chapter 140 of the North Dakota Session Laws of 1955, relating to high school tuition payments from state equalization fund.

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

§ 1. **Amendment.**) Section 15-4014 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 141 of the Session Laws of 1955, is hereby amended and reenacted to read as follows:

**15-4014. High School Tuition Payments From Fund; Amount; Student Attending School In Foreign State.)** Subject to the provisions of this chapter, there shall be paid out of the fund to each school district or county agricultural and training school in the state or state school for the blind, or state school for the deaf, or state training school, the sum of three dollars for each week of regular enrollment during the preceding semester by a high school student who was a resident of North Dakota except that payment shall not be made for Indian pupils in districts in which the school facilities are being provided, maintained and staffed wholly or in part by the federal government for the education of Indian pupils. Such payments shall not be made unless four or more units of standard high school work approved by the superintendent of public instruction are offered during the current year, only certificated teachers have been employed, teachers have been paid not less than the minimum legal salaries, and the other standards prescribed by this chapter have been met. Districts that did not maintain high schools during the year of 1954-1955 shall not be eligible for payments unless they have a minimum enrollment of twenty-five pupils if four years of high school work are offered, a minimum enrollment of twenty pupils if three years of high school work are offered, a minimum enrollment of fifteen pupils if two years of high school work are offered, and a minimum enrollment of ten pupils if one year of high school work is offered. A student who lives within twenty miles of another state or in a county bordering

on another state and in a school district which has no high school, with the approval of the county superintendent of schools, may attend a four year public high school in an adjoining state and high school tuition shall be paid from the fund to the district in which the high school which he attends is located in the amount of three dollars for each week such student attends the high school.

§ 2. Amendment.) Section 15-4016 of the North Dakota Revised Code of 1943, as amended by chapter 140 of the Session Laws of 1955, is hereby amended and reenacted to read as follows:

**15-4016. High School Payments From Fund Are Exclusive, Exception.)** No school district shall charge or collect from any nonresident high school student, his parents or guardian, or the district of his residence, any registration, textbook, or laboratory fee, or any other fee or charge which is not charged to or for all resident high school students. However, a high school district shall charge tuition for nonresident high school students. The whole amount of such tuition shall be paid by the district from which the pupil is admitted and shall equal the average cost of high school education per child in the county less payments from county high school equalization and state equalization funds. Such costs shall include expenditures from the general and sinking and interest funds. Districts not providing high school education which refuse to pay the tuition charges shall forfeit their rights to county tuition fund payments. The school board of any school district not providing high school education may levy an amount sufficient to pay tuition charges for high school students attending in another North Dakota school district. Such levy shall not be subject to any mill levy limitations prescribed by law. This chapter, however, shall not affect the right of a school district to charge and collect such tuition as may be fixed by agreement from students who are not residents of this state.

Approved March 18, 1957.

## CHAPTER 141

S. B. No. 201  
(Schrock)

STATE AND COUNTY EQUALIZATION FUNDS; LEVY  
AND PAYMENTS

AN ACT

To amend and reenact sections 15-4019, 15-5803, and 57-15251 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 142 of the 1955 Session Laws, relating to county high school equalization fund tax levy and payments, and determination of sums due county tuition funds and county high school equalization funds.

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

**§ 1. Amendment.)** Section 15-4019 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 142 of the 1955 Session Laws, is hereby amended and reenacted to read as follows:

**15-4019. Determination Of Sums Due County Tuition Funds And County High School Equalization Funds.)** On or before the first of September of each year the county superintendent of schools of each county shall submit to the superintendent of public instruction a request for a grant in aid from the state equalization fund for the county tuition fund, and at the close of each semester he shall submit to the superintendent of public instruction a request for grant in aid from the state equalization fund for the county high school equalization fund. The request shall be filed on forms furnished by the superintendent of public instruction and shall state the full amount of the elementary per pupil payments and county high school equalization payments to be made to each school or school district that has complied with the provisions of law relating to such funds. The superintendent of public instruction shall determine the amount of the grants in aid to which each county is entitled by subtracting from the full amount of the elementary per pupil payments to be made in the county, the product of the taxable assessed valuation of property in the county multiplied by nine and five-tenths mills and from the full amount of the county high school equalization payments to be made the product of the taxable assessed valuation of the county multiplied by 1.9 mills. The balance will be the amounts of aid to which the county is entitled for such funds.

**§ 2. Amendment.)** Section 15-5803 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 142 of the 1955 Session Laws, is hereby amended and reenacted to read as follows:

**15-5803. County High School Equalization Payments.)** Subject to the provisions of this Act, there shall be paid out of the county high school equalization fund to the schools or school districts of the county to the state school for the blind, state school for the deaf and the state training school, and to any school or school districts of another state receiving payments of high school tuition from the North Dakota state equalization fund for the attendance of any student who is a resident of the county, the sum of three dollars and fifty cents for each week or major fraction thereof of regular attendance during the preceding school semesters by a student for whom the high school tuition payments from the state equalization fund are received. The county superintendent of schools shall certify to the county auditor in a manner and form and at such times as shall be prescribed by the superintendent of public instruction, a list of the schools or school districts entitled to county high school tuition payments together with the amounts to which the several schools or districts are entitled. Payments shall be made by auditors warrants drawn upon the county high school equalization fund to the respective school districts or schools and payments to districts or schools in this state shall be deposited in the general fund of the district or school.

**§ 3. Amendment.)** Section 57-15251 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 142 of the 1955 Session Laws, is hereby amended and reenacted to read as follows:

**57-15251. County High School Equalization Fund: Tax Levy.)** Each year, at the same time as other county taxes are levied, there shall be levied in each county in the state a tax of four mills on every dollar of the net taxable assessed valuation in the county, which tax levy shall not be included within the tax levy limit otherwise provided by law for counties. The proceeds of such tax shall be covered into the county high school equalization fund.

Approved March 15, 1957.

## CHAPTER 142

H. B. No. 724  
(Link and Rolfsrud)

## COMMON SCHOOL DISTRICT HIGH SCHOOLS

## AN ACT

To amend and reenact section 15-4109 of the North Dakota Revised Code of 1943, relating to the establishment of high schools in common school districts.

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

§ 1.) Section 15-4109 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-4109. District High Schools In Common School Districts: Establishment; Petition; Election; Duty Of School Board.)** In any common school district having one hundred twenty or more persons of school age residing therein, the school board may call a meeting of the electors of the district in the manner prescribed in section 15-2605 to determine whether or not a district high school shall be established. When petitioned to do so by ten or more voters of the district, the board shall call such meeting. If a majority of the electors at such meeting vote in favor of establishing a district high school, the board shall proceed to select a site therefor and to provide for the erection or purchase of a school building or for making necessary additions to a school building in the district, and shall establish a district high school containing one or more departments and employ the necessary teachers.

Approved March 7, 1957.

## CHAPTER 143

S. B. No. 181  
(Longmire and Nelson)

## MEDICAL CENTER LOAN FUND BOARD

## AN ACT

To create a medical center loan fund board, prescribe its duties, and provide for loans to North Dakota students desiring to complete their education in medicine.

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

§ 1.) There is hereby created a medical center loan fund board hereinafter called the "board" which shall consist of the business manager of the university of North Dakota, who shall serve ex officio as secretary of the board, the dean of the school of medicine, and three qualified electors of the state of North Dakota appointed by the board of higher education, at least one of whom shall be a practicing physician in this state.

§ 2.) The term of office of a member of the board shall be three years; but in organizing the board the board of higher education shall initially appoint one member of the board to a one-year term, one member of the board to a two-year term, and one member of the board to a three-year term, such terms of office to commence May 1, 1957. The board of higher education shall fill vacancies on the board occurring by reason of death, retirement, or incapacity by appointing a new member to serve the unexpired portion of the term of a deceased, retired, or incapacitated member.

§ 3.) The members of the board shall elect a chairman and a vice chairman who shall serve as chairman in the absence of the chairman. The board shall meet at least twice a year at the call of the chairman. Three members of the board shall constitute a quorum.

§ 4.) The secretary shall keep full and accurate minutes and records of all proceedings and actions, which shall be kept on file at the business office of the university of North Dakota and shall be open to the public.

§ 5.) The members of the board shall serve without pay, but shall be allowed, when it is necessary for them to leave their locality of residence in order to attend meetings, or to perform their official duties they shall be compensated for expenses at the same rates and in the same manner as other state officials.

§ 6.) It shall be the duty of the medical center loan fund board to receive and pass upon, and to allow or disallow, all applications for loans submitted by qualified applicants who desire to complete an education in medicine for the purpose of entering medical practice in the state of North Dakota. It shall also be the duty of the medical center loan fund board to compile a list of cities, towns, villages and other municipalities in this state without a qualified physician or with an insufficient number of qualified physicians, and to endeavor to supply physicians to such cities, towns, villages and other municipalities.

§ 7.) An applicant shall be deemed qualified only if he or she:

1. Has been a resident of the state of North Dakota at least two years prior to the date of his entering medical school;
2. Has successfully completed the first and second year of the curriculum in medicine at the university of North Dakota;
3. Can present to the board satisfactory proof that he or she has been accepted as a student in the third or fourth year of a qualified and reputable four year school of medicine, or will be so accepted upon payment of tuition; and
4. Is of good moral character.

§ 8.) The board shall make a careful investigation to ascertain the truth of all matters set forth in applications received by it, and for that purpose may propound such examinations and questions for each applicant as it deems proper. The investigation shall include a study of the ability of the applicant or the applicant's parents to pay his own expenses at an out-of-state medical school, and the committee shall give preference to qualified applicants who, or whose parents, are unable to pay the applicant's expenses at such medical school.

§ 9.) Loans may be granted to qualified applicants by the board in amounts not in excess of two thousand dollars for the purpose of completing the third year of medical study and a sum not to exceed two thousand dollars for the purpose of completing the fourth year of medical study in a qualified and reputable four year school of medicine. However, if the applicant agrees in writing to enter medical practice in a city, town, village or municipality in this state which is without a qualified physician or in need of additional medical personnel, then such applicant may be granted a loan of two thousand

five hundred dollars for the purpose of completing the third year of medical study and a like sum for the purpose of completing the fourth year of medical study.

§ 10.) Loans authorized by this Act may be apportioned in such manner as to pay directly to the medical school to which any applicant is admitted such funds as are required by that school for tuition and other expenses of study. The balance shall be paid directly to the applicant upon such terms and conditions as may be established by the board.

§ 11.) Loans granted by the board under the terms of this Act are to be upon the condition that the full amount thereof shall be repaid to the board in cash with six percent interest annually from the date of each payment by the board pursuant to a loan agreement, the repayment to be in yearly installments on a schedule set by the board and the first installment becoming due and payable one year from the date on which the applicant completes his internship. In the case of applicants who have agreed to enter medical practice in a North Dakota municipality of three thousand population or less which is either without a qualified physician or in need of additional medical personnel, each year of actual practice in such municipality shall be equivalent to repayment of one-fifth of the unpaid balance of the loan and of one-fifth of the accrued interest thereon.

§ 12.) Each applicant before being loaned any funds hereunder shall enter into a contract with the board agreeing to the terms and conditions set forth in the preceding sections of this Act and rules and regulations promulgated thereunder. For the purposes of this Act the defenses of minority and of the statutes of limitation are hereby removed as to any applicant granted a loan by the committee, and such contracts shall be in all respects legal and binding. The board may sue in its own name any applicant for any balance due to the board on any such contract, and is authorized to compromise or settle litigation with respect to any such contract.

§ 13.) The board shall have authority to cancel any contract, or to suspend or recall payments thereunder, in the event an applicant

1. Fails in his course of study; or
2. Withdraws from the school of medicine he is attending;  
or
3. Is expelled or suspended by such school; or
4. Otherwise becomes a clearly unsuitable risk; or

5. Having agreed to enter practice in a specified city, town, village, or other municipality, fails to carry out such agreement within a reasonable time or withdraws from practice therein before full repayment of his loan.

§ 14.) In the event the board finds it necessary to cancel a contract or to suspend or recall payments, the board may at its option commence legal proceedings for the recovery of all sums loaned to the applicant, together with interest thereon, the total of which sums shall become due and owing to the board immediately upon the mailing to the applicant of written notice of the board's decision to cancel the contract or to suspend or recall payments thereunder.

§ 15.) The board may at its option require an applicant to obtain a policy of life insurance payable to it to insure repayment of the loan in the event of the applicant's death. It may enter into any other appropriate arrangement designed to insure repayment.

§ 16.) All funds made available to the board are to be deposited with the business manager of the university of North Dakota and are to be paid out by the business manager only upon voucher signed by the chairman of the board or by the vice chairman acting in the chairman's absence.

§ 17.) The board of higher education is hereby directed and authorized to make available to the medical center loan fund board, from the portion of the proceeds of the one-mill levy provided by Article 60 of the Constitution of North Dakota as the board of higher education shall have retained in its possession pursuant to the provisions of section 15-5209 of the North Dakota Code for the purpose of establishing third and fourth year courses of medicine at the university of North Dakota, such funds as may be required for the operation of the medical center loan fund board, but not in excess of seventy-five thousand dollars in any one year.

§ 18.) The purposes of this Act are hereby declared to be as follows:

1. To develop and maintain the North Dakota state medical center by making it possible for all qualified students attending such center to complete their education in medicine.

§ 19.) The chairman shall prepare an annual report of the activities of the board and submit such report to the governor, together with such recommendations as the board deems desirable.

Approved March 6, 1957.

## CHAPTER 144

H. B. No. 535

(The Legislative Research Committee)

## TRAINING PSYCHIATRIC PERSONNEL

## AN ACT

Relating to the training of psychiatric personnel and providing for certain scholarships.

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

**§ 1. Training Of Psychiatric Personnel: Scholarships.)** The North Dakota state medical center, under the direction of the state board of higher education, is hereby authorized and directed to provide or encourage means for providing for the training of such psychiatrists and other psychiatric personnel as may be necessary to properly staff state institutions and agencies providing services in the field of mental health. The board of higher education shall be authorized to execute contracts with any suitable public or private agency providing such training services and facilities and to pay for such services from funds of the medical center as provided in section 15-5209.

The board is specifically authorized and directed, acting through the medical center, to provide scholarships or stipends in such amounts as may be necessary for the use of qualified physicians during periods in which such physicians are in training in the field of psychiatry. Such scholarships shall be conditioned upon service upon the staffs of state institutions and agencies by such psychiatrists after the completion of their formal training for such term as the board may prescribe. Failure to serve for the prescribed period of time or to satisfactorily complete the course of training required by the board shall cause the amount of the scholarship or stipend paid to such persons to become due and repayable to the medical center with interest as prescribed by the board.

Approved February 19, 1957.

## CHAPTER 145

H. B. No. 596  
(Hofstrand and Link)

## REORGANIZATION OF SCHOOL DISTRICTS

## AN ACT

To amend and reenact sections 15-5314 and 15-5316 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to reorganization of school districts.

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

**§ 1. Amendment.)** Section 15-5314 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-5314. Approved Plan Received By County Superintendent; Duty Of Superintendent To Call Special Election; Definition Of Voting Units; Favorable Results.)** Upon receipt from the state committee of an approved plan for the reorganization of school districts, and approved terms of adjustment of property, debts and liabilities among the districts involved, the county superintendent shall call a special election of the voters residing within the territory of each district, such election to be held at the place or places therein which have been determined by the county superintendent to be convenient for the voters. In holding such election all existing districts within the proposed new district containing one or more incorporated villages or cities regardless of number or size shall vote as a single unit; and, all existing districts within such proposed new district regardless of number or size which do not contain one or more incorporated cities or villages shall vote as a single unit. For the purposes of this Act, all districts containing incorporated cities or villages shall be considered an incorporated area, and all districts which do not contain at least one incorporated city or village shall be considered a rural area. Notice of such election, stating the time and place of holding the election, shall be published by the county superintendent in the official county newspaper once each week for two consecutive weeks at least thirty days next preceding such election, and by posting not less than fourteen days before the election one such notice on each schoolhouse door of each school district containing a school building and included in the proposed change. The election notices shall clearly state that the election has been called for the purpose of affording the voters an opportunity to approve or reject a proposal for

the formation of a new school district and shall also contain a description of the boundaries of the proposed new district and a statement, if there be any, of the terms of adjustment of property, debts and liabilities applicable thereto. The county superintendent shall appoint judges and clerks of the elections and the election shall be held and conducted in the same manner and the polls shall open and close at the same time as is specified for elections in special school districts. The result of the elections shall be certified and delivered to the county superintendent within three days after the closing of the polls. If a majority of all votes cast by the electors residing within the rural area of a proposed new district and the majority of all votes cast by the electors within the incorporated area of a proposed new district are both in favor of the formation of the district, the county superintendent shall make the proper adjustment of the property, assets, debts, and liabilities as provided in such approved plan and shall organize and establish such districts and in so doing shall perform all other necessary duties that are required by law to be performed by the county superintendent in connection with the organization and establishment of new school districts of any kind or type.

§ 2. **Amendment.**) Section 15-5316 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-5316. Proposal Rejected, Revision Made: New Election Held.)** If a proposal for the formation of a new school district is rejected by the voters at the election provided for in the preceding section, the county committee may make such revision as it deems advisable in the boundaries proposed for such new district and in the terms of adjustment of the property, debts and liabilities thereof, as the case may be, and submit the same to the state committee for approval. If the boundaries of the proposed new district or the terms of adjustment, as the case may be, as revised, are approved by the state committee, notice thereof shall be transmitted to the county superintendent, as provided for in section 15-5313. Upon receipt of such notice the county superintendent shall call, in the manner and for the purpose specified in section 15-5314, a special election of the voters residing within the revised boundaries of the proposed new district. If a majority of all votes cast by the electors residing within the rural area of a proposed new district and a majority of all votes cast by electors within the incorporated area of the proposed new district are both in favor of the formation of the district, the county superintendent shall proceed to organize and establish such district and to perform the necessary duties related thereto in the same

manner and to the same effect as it is provided in section 15-5314.

Approved March 20, 1957.

---

## CHAPTER 146

H. B. No. 795

(Currie, Renfrow and Heller)

---

### TRANSPORTATION IN REORGANIZED SCHOOL DISTRICTS

#### AN ACT

To amend and reenact section 15-5315 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 150 of the 1955 Session Laws, relating to transportation in reorganized school districts.

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

**§ 1. Amendment.)** Section 15-5315 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 150 of the 1955 Session Laws, is hereby amended and reenacted to read as follows:

**15-5315. Transportation Required.)** After the effective date of this Act any reorganization plan shall provide for the transportation of students from one part of such new district to a central point, and shall specify if family type or public school bus type of transportation shall be used, and if such plan is approved by the voters of such new district, then it shall be mandatory upon the school board of such new school district to provide adequate and practical transportation of the type specified, except that if family type transportation is specified, the school board may later substitute a superior type of public school bus transportation. Any school district reorganized prior to or after the effective date of this Act which provides family conveyance type of transportation shall not be bound by the schedules of fees or limitations provided in section 15-3404 of the 1953 Supplement to the North Dakota Revised Code of 1943, and shall establish such schedule of transportation fees as may be proper under the circumstances affecting that district but in no event shall such newly established schedule of fees be less than the amounts specified in section 15-3404 of the 1953 Supplement to the North Dakota Revised Code of 1943 for family conveyance type transportation.

Approved March 19, 1957.

## CHAPTER 147

S. B. No. 169

(Appropriations Committee)

LIMIT OF COLLEGE REVENUE PRODUCING BUILDING  
BOND AMOUNTS

## AN ACT

To authorize the state board of higher education to issue tax exempt bonds and construct revenue producing buildings at institutions of higher learning, under the provisions of chapter 15-55 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

§ 1.) In accordance with the provisions of chapter 15-55 of the 1953 Supplement to the North Dakota Revised Code of 1943, the state board of higher education is hereby authorized and empowered to issue and sell tax exempt bonds for the purpose of constructing revenue producing buildings at institutions of higher learning, under the jurisdiction of the said board, at such maximum amounts, at such locations, and for such purposes as hereinafter provided:

- |  |              |
|--|--------------|
| (1) University of North Dakota, Grand Forks  |              |
| a. Increase capacity of Fulton Hall.....     | \$ 50,000.00 |
| b. Student union addition .....              | 400,000.00   |
| (2) North Dakota agricultural college, Fargo |              |
| a. Addition to student union.....            | 100,000.00   |
| (3) State teachers college, Minot            |              |
| a. Dormitories (2) .....                     | 900,000.00   |
| (4) State teachers college, Mayville         |              |
| a. Dormitory .....                           | 300,000.00   |
| b. Student union .....                       | 55,000.00    |
| (5) State teachers college, Dickinson        |              |
| a. Dormitory .....                           | 360,000.00   |
| (6) State school of science, Wahpeton        |              |
| a. Dormitory .....                           | 475,000.00   |
| (7) State school of forestry, Bottineau      |              |
| a. Dormitory .....                           | 250,000.00   |
| (8) Dormitory for university of North Dakota | 700,000.00   |

Approved March 14, 1957.

## CHAPTER 148

S. B. No. 193  
(Longmire)

## BONDING AUTHORITY FOR COLLEGE BUILDINGS

## AN ACT

To amend and reenact section 15-5502 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the construction of revenue producing buildings at higher educational institutions.

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

§ 1. **Amendment.**) Section 15-5502 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-5502. Board May Borrow Money And Issue Bonds; Conditions; Bonds Tax Free.)** For the purpose of paying all or part of the cost of construction, equipment and furnishing of any such buildings or any addition to existing buildings, the state board of higher education may borrow money on the credit of the income and revenue to be derived from the operation of the said building or buildings, and, in anticipation of such collections of such income and revenues, may issue negotiable bonds in such an amount as, in the opinion of the said board, may be necessary for such purposes, all within the limits of the authority granted by the legislative assembly in each instance, and may provide for the payment of such bonds and the rights of the holders thereof as provided in this chapter. Such bonds shall be payable serially, and may be issued in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty years from their date, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption with or without premium, and may bear such rate or rates of interest, not exceeding five percent per annum, as may be provided by resolution or resolutions to be adopted by the state board of higher education. Such bonds may be sold in such manner and at such price or prices not less than par plus accrued interest to date of delivery, as may be considered by the board to be advisable, but interest cost to maturity for any bonds issued hereunder shall not exceed five percent per annum, computed on the basis of average maturi-

ties according to standard tables of bond values. Such bonds shall have all of the qualities and incidents of negotiable paper, and shall not be subject to taxation by the state of North Dakota, or by any county, municipality, or political subdivision therein. The board, in its discretion may authorize one issue of bonds hereunder for the construction, furnishing and equipment of more than one building and may make the bonds payable from the combined revenues of all buildings acquired in whole or in part with the proceeds thereof, and where bonds are so issued the words "the building", as herein used, shall be construed to refer to all the buildings so acquired.

Approved March 16, 1957.

---

## CHAPTER 149

S. B. No. 129  
(Sayer)

---

### ELEMENTARY PER PUPIL PAYMENTS

#### AN ACT

To amend and reenact section 15-5601 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 154 of the 1955 Session Laws, relating to elementary per pupil payments from the county tuition fund.

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

**§ 1. Amendment.)** Section 15-5601 of the 1953 Supplement to the North Dakota Revised Code of 1943, as amended by chapter 154 of the 1955 Session Laws, is hereby amended and reenacted to read as follows:

**15-5601. Elementary Per Pupil Payments; Amount.)** There shall be paid out of the county tuition fund to the school districts of the county employing teachers holding valid certificates or permits as elementary per pupil payments based on enrollment in such districts:

1. To districts maintaining one room rural schools, if the district is composed of eighteen sections of land or less, the sum of eight hundred fifty dollars for ten pupils or less in a school;
2. To districts maintaining one room rural schools, if the district is composed of more than eighteen sections of land, the sum of twelve hundred fifty dollars for ten pupils or less in a school;

3. To districts receiving payments under subsections 1 and 2 of this section, seventy-five dollars for each pupil in excess of ten in a school;
4. To districts maintaining elementary schools of 2, 3 or 4 rooms one hundred five dollars per pupil for eighteen pupils or less average enrollment per room in the school, and the sum of eighteen hundred ninety dollars for each room in which eighteen or more pupils are enrolled, or seventy-five dollars per pupil whichever is greater, but not in excess of twenty-five hundred dollars for any one room; and
5. To the districts of the county, for all other schools including the state school for the blind, the state school for the deaf and the state training school, seventy-five dollars per pupil for thirty pupils or less in a room or thirty pupils or less for each teacher; and fifty dollars per pupil for each pupil in excess of thirty in a room or in excess of thirty pupils for each teacher.
6. It is further provided that districts with a one-room rural school or schools closed subsequent to July 1, 1949 shall receive payments under subsections 1 and 2 of this section providing the school board has made a written agreement for the attendance of the pupils in another public school and vehicular transportation is furnished. Districts receiving payments under subsections 1 and 2, where less than four pupils are enrolled, shall receive a proportional amount of the payments provided in such subsections as the total enrollment bears to four.

When an elementary school term in a district is one of less than nine months, elementary per pupil payments shall be only such percentage of the full payment as the term for which the school in such district actually was open bears to a nine month term. Payment shall not be made for Indian pupils in districts in which the school facilities are being provided, maintained and staffed wholly or in part by the federal government for the education of Indian pupils. Any balance remaining in the county tuition fund after making payments as provided in this section shall be divided among the school districts of the county according to the number of elementary pupils enrolled. Districts with a two-room rural school or schools closed subsequent to July 1, 1949, shall receive payments under subsection 4 in the same manner and to the same effect as though such a school were in operation.

Approved March 15, 1957.

## CHAPTER 150

S. B. No. 243

(Meidinger, Holand, Foss, Larson, Dolan, Wenstrom,  
(Livingston, Saumur, Knudson and Leier)

## SCHOLARSHIP LOANS

## AN ACT

To amend and reenact Initiated Measure No. 2, approved by the electors of the state of North Dakota in the general election on November 6, 1956 relating to scholarship loans.

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

§ 1. **Amendment.**) Initiated Measure No. 2, approved by the electors of the state of North Dakota in the general election on November 6, 1956 is hereby amended and reenacted to read as follows:

§ 1. **Establishment Of Scholarship Board.**) The state board of public school education shall act as a state scholarship board, hereinafter called the board, whose purpose it shall be to carry out the duties as prescribed in this Act in regard to a scholarship program for students attending institutions of higher learning in this state.

§ 2. **Eligibility Requirements For Scholarships.**) The sum of not to exceed five hundred dollars in any one year, shall be made available to students who are residents of the state of North Dakota and graduated from a North Dakota high school who shall be selected by the board and who desire to attend the state university, the state agricultural college, any state normal school or teacher's college, or any state trade school or junior college, or other institution of higher learning in the state of North Dakota, and who are unable to attend such institution, school or college, without such financial assistance.

§ 3. **Meetings Of Board; Quorum.**) Meetings of the board shall be held at least twice a year at the capitol building in Bismarck, North Dakota, on call of the chairman and in the event of his failure so to do, on call of the superintendent of public instruction. A majority thereof shall constitute a quorum and no grant shall be made except at a regular meeting and by majority vote of those present.

§ 4. **Applications: Procedure: Bank Of North Dakota To Handle Funds.**) Eligible students selected by the board shall make written application on a form to be provided by the

board. The board shall pass upon such applications and shall certify the approved applications to the Bank of North Dakota together with the amount of the loan the board has approved. The board shall disburse such loan funds in accordance with such rules or directives as it may promulgate for that purpose. Prior to disbursing such loan funds, the board shall require the student obtaining such loan to give his promissory note at an interest rate of three percent per annum payable annually to the state scholarship revolving fund. The principal amount of the note shall be due not more than five years from and after its date of execution. Payments of interest and principal upon such notes shall be made to the Bank of North Dakota and credited to the state scholarship revolving fund, which is hereby created and shall be maintained in the Bank of North Dakota, and such amounts are hereby appropriated for use by the board and the Bank of North Dakota in making further scholarship loans in accordance with the provisions of this Act and to pay the administrative expense of the Bank of North Dakota in administering the provisions of this Act, which expenditures may not exceed the amount of interest collected.

**§ 5. Appropriation.)** There is hereby appropriated from the undivided profits of the Bank of North Dakota to the state scholarship revolving fund the sum of one million dollars, or so much thereof as may be necessary for the purpose of making scholarship loans as provided in this Act. The appropriation herein provided shall be transferred to the state scholarship revolving fund as needed for the purposes of this Act upon the certification of the board as provided in section 4 of this Act, but not more than two hundred thousand dollars shall be so transferred in any one year.

**§ 6. Rules.)** The financial aid herein provided shall be used for the sole purpose of contributing to the tuition, board, room rent, books and supplies of the student and the board may make such rules and regulations as necessary to assure its use for the approved purposes. Neither minority or any statute of limitations may be used as a defense in avoidance of the note.

Approved March 16, 1957.

## CHAPTER 151

S. B. No. 128

(Sayer)

## SCHOLARSHIP PAYMENTS AND CONDITIONS

## AN ACT

To amend and reenact section 15-5708 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to scholarship payments, conditions, notes required, and scholarship continued.

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

**§ 1. Amendment.)** Section 15-5708 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**15-5708. Scholarship Payments; Conditions; Notes Required; Scholarship Continued.)** Upon the granting of a scholarship and the acceptance thereof, the recipient shall be entitled to the sum of one hundred dollars for each college quarter to cover the cost of tuition, books and other institutional expenses and to provide a part of the subsistence costs of the recipient. The scholarship payment shall be given only to regularly enrolled students taking a full load of college work in a one-year course leading to a first grade elementary certificate, who have declared their intent to enter teaching in North Dakota in a rural school for a term equal to the length of time the scholarship is held. At the beginning of each quarter of a regular college year, the board shall certify to the state auditor the name of each recipient of a scholarship, the auditor shall issue his warrant to the state treasurer who shall pay the amount of the scholarship through the secretary of the college in which the recipient is enrolled. Each recipient of a scholarship shall sign and execute notes to the state treasurer, endorsed by a responsible adult for the amount of such scholarship. The notes shall bear interest at the rate of three percent per annum and shall become due and payable with accrued interest twenty-one months after the date of issue, except as otherwise provided in this chapter. The board may grant scholarships to a scholarship recipient to be used during the summer quarter of any year whenever the recipient may thereby qualify for a first grade elementary certificate in time to begin teaching at the beginning of the rural school year following the completion of the summer quarter. Such scholarship shall be in the same amount as for any other quarter. The recipient of a scholarship who has successfully

completed the one-year course leading to a first grade elementary certificate and who has successfully completed a full eight or nine months term of teaching in a one-room rural school, or one who has a first grade elementary certificate and who has successfully completed a full eight or nine months term of teaching in a one-room rural school may apply for a scholarship to be used for a second year of college training leading to a second grade professional certificate. Upon the granting of the scholarship and the acceptance thereto, payment shall be made only to candidates who declare their intent to teach a second year in a North Dakota public school. The scholarship shall be paid from any moneys remaining in the scholarship fund after the requirements of the candidates for the one-year course have been met and on the same terms.

Approved March 1, 1957.