

STATE GOVERNMENT

CHAPTER 330

H. B. No. 822

(Lindberg and Olson of Griggs)

NORTH DAKOTA COAT OF ARMS

AN ACT

Designating a coat of arms for the state of North Dakota and providing for its use.

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

§ 1. Designation Of Coat Of Arms.) A coat of arms of the state of North Dakota is hereby designated and described as follows:

Device: On an Indian arrowhead point to base or a bend vert charged with three mullets of the first, in base a fleur-de-lis of the second.

Crest: On a wreath or and azure, a sheaf of three arrows argent armed and flighted gules behind a stringed bow fessways or with grip of the second (gules).

Motto: Strength from the soil.

§ 2. Significant Elements Of Coat Of Arms.) The colors of yellow gold and green are indicative of the great agricultural state of North Dakota and has particular reference to ripening grain and the abundant grazing areas. The Indian arrowhead forms the shield of the coat of arms and symbolizes the "Sioux State". The three stars denote the trinity of government: legislative, executive and judicial. Each star in the bend is given the heraldic value of thirteen which signifies the thirteen original colonies of the United States, and the cumulative numerical value of the three stars indicates that North Dakota was the thirty-ninth state admitted to the Union. The stars also allude to the history of the territory under three foreign flags. Three stars are borne upon the coat of arms of Meriwether Lewis of the Lewis and Clark expedition and also on the coat of arms of Lord Selkirk, head of the first permanent settlement in this state. The fleur-de-lis alludes to LaVerendrye, a French explorer who was the first known white man to visit the territory of this state. The blue and gold wreath in the crest reflects the history of the territory as part of the

Louisiana purchase. The crest which shall constitute the military crest of the state of North Dakota is a motif taken from the state seal and to the Sioux Indian tribes signifies mighty warriors.

§ 3. Authorized Use.) The coat of arms of this state may be used in a manner consistent with the respect and dignity due a state coat of arms and its symbolic values by the following persons, organizations and agencies:

1. The governor of North Dakota;
2. The North Dakota national guard;
3. Departments and agencies of the state of North Dakota;
4. North Dakota veterans organizations;
5. Officially recognized North Dakota educational institutions, systems, or divisions thereof;
6. Recognized North Dakota patriotic organizations.

§ 4. Employment As Motif For Color Or Standard; Use By Governor.) When the coat of arms is employed as the motif of a pennant, color, or standard it shall be superimposed upon a pennant of green, as identified by cable number 65007, in the center one-third horizontally, and the center two-thirds vertically. The motif shall in the main be golden yellow as identified by cable number 65001. The pennant shall be fringed by the same golden yellow as the coat of arms. The color cable numbers shall be the same as are on file in the office of the quartermaster general of the army, Washington, D.C.

The proportion of the pennant, color or standard shall be as 1 width hoist is to 1.9 fly. When used by the governor the coat of arms upon any pennant, standard, or placard shall have a white star embroidered or emblazoned on each of the four corners of the pennant, standard or placard.

§ 5. Unauthorized Use; Penalty.) No person shall place or cause to be placed upon the coat of arms of this state any advertisement of any nature; or expose such coat of arms to public view when any advertisement has been attached thereto; or to expose to public view for sale or any other purpose or have in his possession for sale, gift or other purpose, any article of merchandise or receptacle for carrying merchandise upon which the coat of arms of this state shall have been produced or attached for the purpose of advertising or calling attention to such article. Any person violating the provisions of this section shall be punished by a fine of not to exceed one hundred dollars.

Approved March 15, 1957.

CHAPTER 331

H. B. No. 572
(Gefreh and Baldwin)

JOINT EXERCISE OF GOVERNMENTAL POWERS

AN ACT

To amend and reenact section 1, of chapter 309 of the 1955 Session Laws, relating to joint exercise of governmental powers.

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

§ 1. Amendment.) Section 1 of chapter 309 of the 1955 Session Laws is herewith amended and reenacted to read as follows:

§ 1. Agreement.) Two or more governmental units or municipal corporations having in common any portion of their territory or boundary, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise their respective separate powers, or any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised for the purpose of acquiring, constructing and maintaining any building for their joint use. The term "governmental unit" as used in this action includes and means every city, village, county, town, park district, school district, states and United States governments and departments of each thereof, and all other political subdivisions even though not specifically named or referred to herein.

Approved March 14, 1957.

CHAPTER 332

H. B. No. 818
(Beede and Nygaard)

MERIT SYSTEM COUNCIL

AN ACT

Creating a merit system council, providing for its organization, powers, and duties.

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

§ 1. North Dakota Merit System Council Created.) There is hereby created a North Dakota merit system council to consist of five members appointed by the governor. The first appointments shall be for terms of one, two, three, four and five years in order that the term of one member shall expire each year, and thereafter all subsequent appointments to fill vacancies caused by the expiration of a term shall be for a term of five years. These members shall be public spirited citizens of recognized standing and of known interest in the improvement of public administration and in the impartial selection of efficient government personnel. Each vacancy shall be filled by the governor from a panel of three names to be presented to him through joint action of the participating state agencies. Vacancies caused for reasons other than the expiration of a term shall be filled by appointment by the governor for only the period remaining of the term of the council member causing the vacancy. No member shall have held political office or have been an officer in a political organization during the year preceding his appointment, nor shall he hold such office during his term. No member of the council shall have been an employee of the participating state agencies within one year prior to his appointment. A member, or members, of the merit system council may be removed by the governor for cause.

§ 2. Organization, Meetings, Compensation.) At the first meeting of each year the council shall elect a chairman from its membership. It shall also designate the merit system director or one of his staff as its recording secretary, whose duty it shall be to keep a record of the proceedings of meetings. Meetings of the merit system council shall be upon the call of the chairman of the council or by written notice of two members of the council and shall be held in the city of Bismarck, North Dakota, or such other place designated in the notice of meeting. Members of the council shall be paid the sum of

\$15.00 for each day employed in the official duties of the council and shall be compensated for actual expenses at the same rate and in the same manner as other state officials. No member of the council shall be paid compensation expense for more than eight days in any one year. The merit system council shall appoint a director who qualifies under the merit system. Qualifications for the director will include training and experience in the field related to merit system administration.

§ 3. Powers And Duties.) The merit system council shall establish general policies, rules and regulations which shall be binding on the agencies affected. These rules shall cover such items as:

1. The positions to be covered by and exempted from the system;
2. The establishing and maintenance of classifications and compensation plans;
3. Applications and examinations;
4. The establishing of lists of eligibles, certifications, and appointments;
5. Promotions, transfers, demotions;
6. Separations, tenure, and reinstatements;
7. Appeals;
8. Attendance and leave;
9. Review of agency payrolls by the merit system;

and any other procedures necessary for the administration of the personnel program on a merit basis, and shall have the authority to do all things necessary to carry out the provisions of this Act, in regard to any agency designated by law to be subject to the complete merit system provided in this Act. In addition thereto, the merit system council shall provide such limited services as the legislative assembly by law shall direct in regard to a limited merit system or limited merit system services for any agency of this state or its political subdivisions.

§ 4. Budget: Acceptance Of Federal Funds.) The merit system council shall submit a budget to the state budget board in the same manner as other state agencies and any and all funds provided by the state of North Dakota for the operation of the merit system council may be appropriated by the legislative assembly in one bill of appropriation or as separate items of appropriation in the appropriation measures of the agencies served by the merit system council. The merit system council shall be authorized to accept federal funds provided through grant-aided agencies for the purpose of operating a merit system and expend such funds to carry out the provi-

sions of this Act. A full and complete statement of all federal grants of funds received during any biennium for the operation of the merit system council shall be included in the budget request submitted to the state budget board, and shall include an estimate of anticipated future federal grants of funds that will become available during the succeeding biennium for use of the merit system council.

§ 5. Biennial Report.) On or before the first day of July in every even numbered year, the merit system council shall submit a biennial report to the governor, the state budget board and to each member of the legislative assembly containing a report of the activities of the merit system council and a complete statement of all expenditures of state and of federal funds by the merit system council.

§ 6. Agencies Subject To Merit System.) All personnel employed by the public welfare board of North Dakota, the North Dakota unemployment compensation division, the North Dakota state employment service and the North Dakota state department of health, and employees of such other agencies or political subdivisions as may by federal laws or regulations be required to be subject to the merit system in order to obtain federal grants in aid shall be covered by the complete merit system provided in this Act. Such other agencies, departments or divisions, or positions, shall be placed under the complete or limited merit system in the manner and to the extent the legislative assembly shall by law direct.

§ 7. Transfer Of Records And Other Materials.) The North Dakota merit system council as created by agreement of the public welfare board of North Dakota, the North Dakota unemployment compensation division, the North Dakota state employment service and North Dakota state department of health shall transfer all records and other material to the possession of the North Dakota merit system council as created by this Act.

§ 8. Transfer Of Employees Under Merit System.) All employed personnel having status under the merit system as created by agreement of the public welfare board of North Dakota, the North Dakota unemployment compensation division, the North Dakota state employment service and the North Dakota state department of health, and shall have like status and pay under the North Dakota merit system council as created by this Act.

Approved March 19, 1957.

CHAPTER 333

H. B. No. 547

(Snow, Short, Gress, Tescher, Muggli,
(Schmalenberger, Rolfsrud and Link)

THEODORE ROOSEVELT CENTENNIAL COMMISSION

AN ACT

Establishing a commission for the commemoration of the hundredth anniversary of the birth of Theodore Roosevelt; making an appropriation therefor; and declaring an emergency.

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

§ 1. Theodore Roosevelt Centennial Commission Created.)

WHEREAS, Theodore Roosevelt, soldier, statesman, conservationist, 26th President of the United States, and one of the outstanding figures in American history, who served his country with honor and distinction, provided inspired leadership for the nation, and by word and action advanced the principles of free government and responsible citizenship; and

WHEREAS, during the period September 1883 to February 1899 Theodore Roosevelt owned extensive ranching operations in the Badlands of western North Dakota, and spent several years there regaining the health and vigor which enabled him to withstand the rigors of the campaigns which were to carry him to the White House; and

WHEREAS, while a resident of the North Dakota Badlands he became a civic leader, an active member and officer of stockmen's organizations, and a deputy sheriff of Morton County; and

WHEREAS, by Act of Congress an area of the North Dakota Badlands has been set aside as a national park in honor of Theodore Roosevelt, which park will be the scene of suitable activities observing the centennial anniversary of the birth of Theodore Roosevelt; and

WHEREAS, it is fitting and proper that the people of North Dakota mark and appropriately commemorate the hundredth anniversary in 1958 of the birth of Theodore Roosevelt;

NOW, THEREFORE, there is hereby created and established the North Dakota Theodore Roosevelt Centennial Commission, hereinafter referred to as the "commission" which is declared to be a governmental agency with the authority to exercise the powers specified herein, or which may be reasonably

implied, composed of the governor as chairman, the president of the senate, the speaker of the house, all ex officio, and nineteen citizens of the state to be appointed by the governor, who shall serve without compensation, for the purpose of formulating and executing plans to observe appropriately the centennial anniversary of the birth of Theodore Roosevelt.

§ 2. Organization Of Commission; Powers And Duties.) Upon call of the governor, the commission shall meet and select from among its members a vice-chairman and a secretary. It shall arrange for and maintain a suitably equipped office for meetings and use of the office personnel, and appoint and employ the necessary staff, including a director who shall have active charge of the observance activities, and fix their compensation. The term of service of any employee may be terminated by the commission at any time. All commission employees shall be entitled to be reimbursed for actual expenses incurred while attending meetings or otherwise engaged in the official business of the commission at the same rates as other state officials. The commission may establish such committees and subcommittees as it may deem desirable and necessary to carry out its purposes, and adopt such rules and regulations as deemed appropriate. It may accept funds, property and services or other assistance, financial or otherwise, from federal, state, county, municipal and other public or private sources for the purpose of aiding and promoting its functions. It shall enlist the aid of all departments of the state, call upon civic, patriotic, educational, fraternal, professional, and religious bodies and organizations to join in the observance, and shall cooperate with the Theodore Roosevelt Centennial Commission established by Act of Congress. The department of public instruction shall encourage and provide for suitable commemorative activities in the public schools of the state.

§ 3. Appropriation.) There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of ten thousand dollars, or so much thereof as may be necessary to carry out the purposes of this Act, for the biennium beginning July 1, 1957 and ending June 30, 1959, provided that any or all of the appropriated sum may be committed, obligated or expended during any period of the biennium and notwithstanding any provisions of law to the contrary.

§ 4. 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 11, 1957.

CHAPTER 334

H. B. No. 687

(Lindberg, Haugland, Baldwin, Tough, Gefreh, Paulson,
(Fristad, Saugstad, Stockman, Rolfsrud, Vinje, Mueller,)
(Bye, Brown, Esterby, Schuler, Goebel, Poling, Gress,)
(Wambheim, Thompson, Hofstrand, Scott, Magnuson, Dick,)
(Anderson of Eddy-Foster, Spitzer and Fitch)

LEGISLATORS' LIVING EXPENSE ALLOWANCE

AN ACT

To amend and reenact section 54-0320 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to allowance for living expenses of members of the legislative assembly and to provide for an increase thereof to twelve hundred dollars, and declaring an emergency.

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

§ 1. **Amendment.)** Section 54-0320 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-0320. Allowance For Living Expenses Of Members Of Legislative Assembly.) Each member of the legislative assembly of the state of North Dakota shall be entitled to, and shall receive the sum of twelve hundred dollars as reimbursement for his living expenses for each legislative session including the present session, which sum of twelve hundred dollars shall be payable as follows: One-half of said sum payable at the end of the thirtieth day of the session and the remaining one-half thereof to be paid at the close of the legislative session. Said sum shall be paid in the same manner as the regular per diem of the members of the legislative assembly is paid.

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

Approved March 12, 1957.

CHAPTER 335

H. B. No. 570

(Nygaard, Dahlund, Beede, Baldwin, Knudsen, Rolfsrud and Mueller)

SALARIES OF STATE OFFICERS

AN ACT

To amend and reenact section 54-0803 of the North Dakota Revised Code of 1943, and sections 4-0121, 26-0103, 49-0105, 54-0704, 54-0905, 54-1010, 54-1113, 54-1211, 57-0104 and 15-2102 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salaries of state officers.

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

§ 1. **Amendment.)** Section 4-0121 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

4-0121. Salary Of Commissioner Of Agriculture And Labor.) The commissioner of agriculture and labor shall receive an annual salary of six thousand dollars.

§ 2. **Amendment.)** Section 26-0103 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

26-0103. Salary Of Commissioner Of Insurance.) The annual salary of the commissioner of insurance shall be six thousand dollars.

§ 3. **Amendment.)** Section 49-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

49-0105. Public Service Commissioner; Salary.) The salary of each commissioner shall be six thousand dollars per annum which shall be full compensation for all official services. All fees received or charged by any such commissioner for any act or service rendered in any official capacity, shall be accounted for and paid over by him monthly to the state treasurer and shall be credited to the general fund of the state.

§ 4. **Amendment.)** Section 54-0905 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-0905. Salary Of Secretary Of State.) The secretary of state shall receive an annual salary of six thousand dollars.

§ 5. Amendment.) Section 54-1010 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-1010. Salary Of State Auditor.) The state auditor shall receive an annual salary of six thousand dollars.

§ 6. Amendment.) Section 54-1113 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-1113. Salary Of State Treasurer.) The state treasurer shall receive an annual salary of six thousand dollars.

§ 7. Amendment.) Section 54-1211 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-1211. Salary Of Attorney General.) The attorney general shall receive an annual salary of eight thousand five hundred dollars.

§ 8. Amendment.) Section 57-0104 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

57-0104. Salary.) The annual salary of the state tax commissioner shall be six thousand dollars.

§ 9. Amendment.) Section 15-2102 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-2102. Salary And Traveling Expenses.) The superintendent of public instruction shall receive an annual salary of seventy-two hundred dollars. He shall be allowed in addition thereto his necessary and actual expenses incurred in the discharge of his official duties, such expenses to be paid monthly on the warrant of the state auditor upon the filing of an itemized and verified statement of expenses.

§ 10. Amendment.) Section 54-0803 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-0803. Salary Of Lieutenant Governor.) The lieutenant governor shall receive an annual salary of sixteen hundred dollars for all services performed by him.

§ 11. Amendment.) Section 54-0704 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-0704. Salary Of Governor.) The governor shall receive an annual salary of ten thousand dollars for all services performed by him.

Approved March 16, 1957.

CHAPTER 336

H. B. No. 539

(Legislative Research Committee)

SECRETARY OF STATE'S OFFICE FEES

AN ACT

Relating to fees payable to the secretary of state's office, and to amend and reenact section 54-0904 of the North Dakota Revised Code of 1943.

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

§ 1. Amendment.) Section 54-0904 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-0904. Fees.) The secretary of state, for services performed in his office, unless otherwise provided by law, shall charge and collect the following fees:

1. For a copy of any law, resolution, record, or other document or paper on file in his office, one dollar per folio;
2. For affixing his signature, certificate, or seal, or combination thereof to any document, two dollars;
3. For filing a charter of any fraternity and association described in section 10-1101, ten dollars;
4. For filing and recording a certificate of appointment of attorney, five dollars;
5. For every extradition warrant issued by the governor of any other state or territory, five dollars;
6. For any other document signed by the governor, except a commission, and attested by the secretary of state, five dollars;
7. For searching records and archives of the state, two dollars;
8. For filing or recording any paper not otherwise provided for, one dollar;

9. For filing documents and issuing certificates for foreign and domestic profit and nonprofit corporations, fees as prescribed in the general law governing corporations;
10. For filing documents and issuing certificates for foreign and domestic cooperative associations, fees as prescribed in chapter 10-15 as amended.

No member of the legislative assembly, and no state or county officer shall be charged for any search relative to matters appertaining to duties of his office, nor shall he be charged any fee for a certified copy of any law or resolution passed by the legislative assembly relative to his official duties. All fees when collected must be paid by the secretary of state into the state treasury at the end of each month and placed to the credit of the state.

Approved March 16, 1957.

CHAPTER 337

H. B. No. 834

(Committee on Delayed Bills)

CONVEYANCE OF CERTAIN STATE TRAINING SCHOOL PROPERTY

AN ACT

Authorizing the board of administration to convey certain property now owned by the state and under the control of the state training school.

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

§ 1.) It is hereby found and determined that approximately 8.19 acres of farm land owned by the state and heretofore operated in connection with the State Training School at Mandan, is no longer operated by said school, and is no longer required for the use of the state, and such lands can be profitably sold for industrial purposes, and that it will be advantageous to dispose of this surplus acreage.

§ 2.) The board of administration is hereby authorized to sell 8.19 acres of land located in section twenty-eight and thirty-three, in township one hundred thirty-nine, range eighty-one, Morton County, and more specifically described as follows:

A tract of land in the northwest quarter of the northwest quarter of the northwest quarter of section thirty-three, township one hundred thirty-nine, range eighty-one, more fully described as follows:

Beginning at the northwest corner of section thirty-three, thence easterly along the north line of said section a distance of 475 feet, thence southerly at right angles on a line parallel to the west line of said section a distance of 600 feet, thence westerly at right angles on a line parallel to the north line of said section a distance of 475 feet, thence northerly on the west line of said section a distance of 600 feet to the point of beginning, being a rectangle 475 x 600 feet and containing 6.54 acres, more or less.

A tract of land in the southwest quarter of the southwest quarter of the southwest quarter of section twenty-eight, township one hundred thirty-nine, range eighty-one, more fully described as follows:

Beginning at the southwest corner of said section twenty-eight, thence easterly along the south line of section twenty-eight a distance of 475 feet, thence northerly at right angles on a line parallel to the west line of said section twenty-eight, a distance of approximately 110 feet more or less to the south right of way line of the Northern Pacific Railway Company, thence northwesterly along said south right of way line to a point on said right of way line intersecting the west section line of said section twenty-eight, thence southerly on said west section line of said section an approximate distance of 192 feet more or less, to the point of beginning, said tract containing 1.65 acres, more or less.

§ 3.) The board of administration is hereby authorized to cause the lands to be surveyed at the expense of Supercrete Industries, and to cause the same to be sold to Supercrete Industries at a consideration of not less than one hundred dollars an acre. The sale shall be reported to the governor and if approved by him, he shall execute proper conveyances to the purchaser, such conveyance to be attested by the secretary of state and to be delivered to the purchaser on payment of the purchase price. The proceeds of such sale shall be credited to the general fund in the state treasury.

Approved March 19, 1957.

CHAPTER 338

H. B. No. 757
(Johnston)

CALKINS ADDITION QUITCLAIM

AN ACT

Declaring legislative policy with reference to replat of Calkins Addition in Bismarck, North Dakota, and authorizing board of administration to execute quitclaim deeds giving title to lots contained therein.

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

§ 1. Declares Legislative Policy With Reference To Interest Of State In Lands Located In Replat Of Calkins Addition To The City Of Bismarck, North Dakota.) It is hereby determined that the state of North Dakota has an apparent interest of record in property which is hereinafter described and which is located in blocks five and six of the replat of Calkins Addition to the city of Bismarck, North Dakota, but that no claim based upon such interest, if any, ever has been made by the state of North Dakota and the state apparently never has used the land for any purpose. It is further determined that, in 1883, the capitol commission established by the Dakota Territorial Legislature caused to be platted the area which was known as Capitol Park until the vacation thereof by Act of the Thirty-fourth Legislative Assembly in 1955 and that said plat omitted an eighty-foot strip of land on the east side thereof, a part of which is the area hereinafter described. It moreover is determined that, by error in deeds and platting including therein all land in such section located to the east of Capitol Park, said strip of land has come to be included as a part of the said replat and subsequent purchasers have acquired such property, for good and valuable consideration, in the belief that their title to said land was good in law. It further has been determined that the area at the time of said replat was uncultivated prairie land of little value, but that such area now constitutes the west eighty feet, including alley, for a number of lots upon which valuable residential improvements have been made and the said lots contain the homes of persons who have innocently and in good faith established their residences thereon. For these reasons, and because the interest of the state of North Dakota, if any, has come about through the original omission of this strip of land from the plat of Capitol Park, the legislative assembly has concluded that it would be unconscionable for the state now to assert a claim to the

property hereinafter described, and declares its policy to be that the state should assist in every manner in curing any apparent defects which now exist in the titles to the said lots.

§ 2. Board Of Administration Authorized To Execute Quitclaim Deeds.) The board of administration is hereby authorized, upon the receipt of the total sum of twenty-five dollars, to execute all necessary quitclaim deeds in behalf of the state of North Dakota, disclaiming all right, title, and interest in and to the said property for the purpose of curing the titles of lots contained in said replat, specifically pertaining to the following described real property:

All that tract of land in the north half of section thirty-three, township one hundred thirty-nine north, range eighty west of the fifth principal meridian, in Burleigh County, North Dakota, constituting the west eighty feet, including alley, of blocks five and six of the replat of Calkins Addition to the city of Bismarck, North Dakota, otherwise described as that area included in said blocks five and six which is bounded on the east by the east line of Eleventh Street, as laid out in McKenzie and Coffin's Addition to the city of Bismarck, prolonged northwardly to the north line of said replat of Calkins Addition and on the west by the west line of said Eleventh Street, as laid out in McKenzie and Coffin's Addition to the city of Bismarck, prolonged northwardly to the north line of said replat;

such conveyance to be free of all reservations, restrictions, or rights of reversion.

Approved March 6, 1957.

CHAPTER 339

S. B. No. 70
(Erickstad)

DEAF SCHOOL LAND SALE

AN ACT

To amend and reenact sections 1 and 2 of chapter 312 of the North Dakota Session Laws of 1955 relating to the disposition of certain lands at the school for the deaf by the board of administration.

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

§ 1. Amendment.) Section 1 of chapter 312 of the North Dakota Session Laws of 1955 is hereby amended and reenacted to read as follows:

§ 1.) It is hereby found and determined that approximately twenty acres of the farm owned by the state and heretofore operated in connection with the school for the deaf at Devils Lake is no longer operated by said school and is no longer required for the use of the state and such lands can be profitably platted as part of the city of Devils Lake and sold for residential or public purposes and that it will be advantageous to dispose of such surplus acreage.

§ 2. Amendment.) Section 2 of chapter 312 of the North Dakota Session Laws of 1955 is hereby amended and reenacted to read as follows:

§ 2.) The board of administration is hereby authorized to sell so much of the lands owned by the state of North Dakota and located in section twenty-seven in township one hundred fifty-four north of range sixty-four as the said board may deem advisable but not exceeding twenty acres.

The board of administration is hereby directed to grant to Ramsey County, North Dakota for one dollar consideration, an option which shall continue for thirty months from July 1, 1957, to purchase for the sum of nine hundred eighteen dollars property described as follows:

A tract of land lying in the southwest quarter of section twenty-seven, township one hundred fifty-four north, range sixty-four west, fifth principal meridian, described as follows: commencing at a point 115.1 feet west and 1,400.0 feet north of the quarter section corner monument common to sections twenty-seven and thirty-four, township one hundred fifty-four north, range sixty-four west, thence, due

west 1,000 feet, thence, due north 400 feet, thence, due east 1,000 feet more or less to the state highway Number 20 west right-of-way boundary line, thence, due south following the highway right-of-way boundary line 400 feet more or less to the point of beginning, the above parcel of land containing 9.18 acres.

Approved March 6, 1957.

CHAPTER 340

H. B. No. 617
(Collette)

CONVEYANCE OF CERTAIN GRAFTON STATE SCHOOL PROPERTY

AN ACT

Authorizing the board of administration to convey certain property now owned by the state and under the control of the Grafton state school.

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

§ 1.) It is hereby found that the state of North Dakota owns a strip of property within the city limits of Grafton, Walsh County, North Dakota, commencing at the southeast-quarter of the LaBonte's addition to the city of Grafton, thence ten feet south, thence at a right angle fifty feet west on a line parallel to and ten feet south of the south boundary line of the LaBonte's addition, thence ten feet north, thence one hundred fifty feet east along the south boundary line of the LaBonte's addition to the point of beginning, which strip of property is one hundred fifty feet by ten feet adjacent to LaBonte's addition to the city of Grafton and is contiguous to other state property under the control of the Grafton state school only on one end, and which strip is not used by the Grafton state school and should not have been conveyed originally to the state as it represents the remaining one-half of an alley reservation.

§ 2.) The board of administration is hereby authorized to sell and convey said strip of property above mentioned for the sum of twenty-five dollars to Donald D. LaBonte of Grafton, Walsh County, North Dakota.

§ 3.) The proceeds of said sale after paying the costs therefor shall be credited to the general fund in the state treasury.

Approved March 6, 1957.

CHAPTER 341

H. B. No. 740

(Olson of Griggs and Lindberg)

ARMORY ON CAPITOL GROUNDS

AN ACT

To amend and reenact section 54-2118 of the North Dakota Revised Code of 1943, relating to a transfer of the charge and control of a part of the state capitol grounds to the state board of armory supervisors and authorizing the erection of an armory thereon.

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

§ 1. Amendment.) Section 54-2118 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-2118. Board Has Control Of Public Property.) The board shall have charge and control of the executive mansion and the capitol and the park and public grounds connected therewith except as hereinafter otherwise provided. The state board of armory supervisors shall have charge and control of the south 600 feet of a tract of land lying in Capitol Park Addition to the city of Bismarck, North Dakota, described as follows:

Commencing at a point 485.7 feet north and 35.0 feet east of the northwest corner of block 96 of McKenzie and Coffin's Addition to the city of Bismarck, said point being 75 feet east of the center line of U. S. Highway No. 83 as now located; thence running east a distance of 258 feet, more or less, to the east line of Capitol Park Addition; thence running north along the east line of Capitol Park Addition a distance of 1403 feet, more or less to a point 75 feet southeasterly of and measured at right angles from the center line of said U. S. Highway No. 83; thence running southerly along a line 75 feet easterly from the center line of said Highway No. 83 to the point of beginning, upon which said tract of land the state board of armory supervisors are herewith authorized to provide for the construction of an armory, such armory to be exclusively under the charge, control and management of the state board of armory supervisors.

Approved March 4, 1957.

CHAPTER 342

S. B. No. 280
(Meidinger)

DISPOSITION OF PRESENT EXECUTIVE MANSION

AN ACT

Relating to disposition of the present executive mansion.

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

§ 1.) The board of administration is hereby authorized, with the approval of the governor, to raze, destroy, sell, transfer, or otherwise dispose of the building now located at 320 Avenue B East, in Bismarck, North Dakota, after such building is no longer necessary for use as the executive mansion for the governor of the state of North Dakota.

Approved March 6, 1957.

CHAPTER 343

S. B. No. 51
(Foss, Freed, Meidinger, Hernet and Baeverstad)

ECONOMIC DEVELOPMENT ACT OF 1957

AN ACT

Relating to economic development activities of the state, providing an appropriation, and repealing chapter 54-34 of the North Dakota Revised Code of 1943 relating to the North Dakota research foundation.

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

§ 1. **Title.)** This Act shall be known as the Economic Development Act of 1957.

§ 2. **Appointment Of Director Of Economic Development.)** For the purpose of carrying out a program of publicity and industrial development to promote the general welfare of the state through the establishment of new businesses and industries, the expansion of existing businesses and industries, development of new markets for agricultural, mineral, and other products, development and utilization of natural re-

sources, and the attraction of new residents, businesses and industries, the governor shall appoint a state director of economic development hereinafter called the "director". Such appointment shall be for a four-year term at a salary set by the governor. The director may be removed from such position at the will of the governor. The director shall be compensated for his expenses in carrying on his official duties in the same manner as other state officials.

§ 3. Appointment Of Economic Development Commission.)

There is hereby created an economic development commission, hereinafter called the "commission", consisting of the governor as chairman and eight members appointed by him. Such members shall be appointed for a term of four years, except that initial appointments shall be for terms of one, two, three and four years respectively in order that the term of two members shall expire each year beginning one year after the effective date of this Act. Vacancies shall be filled in the same manner as the original appointment, except that vacancies occurring for other than the expiration of a term shall be filled by appointment for only the remainder of the term of the member causing the vacancy. Appointment to the commission shall be made by the governor upon the basis of the special knowledge or interest of the member in the resources and development of this state. All members of the commission shall be reimbursed for expenses incurred in attending meetings and otherwise performing official duties at the same rates and in the same manner as other state officials.

§ 4. Meeting Of Economic Development Commission;

Duties.) Meetings of the commission shall be at the call of the governor or upon the written notice of three members of the commission. Five members of the commission shall constitute a quorum. The governor shall designate a member who shall act as vice chairman of the commission and shall preside over meetings in the absence of the governor. The director of economic development shall act as secretary of the commission. It shall be the duty of the commission to advise and assist the governor and the director in the performance of all functions, duties and activities in relation to economic development as provided in this Act.

§ 5. Appointment Of Special Committees.) The governor in his discretion may appoint such temporary or special committees as may be desirable to provide assistance in carrying out the provisions of this Act in regard to limited projects or specialized fields of research and economic development. Members of such special committees may at the discretion of the governor be compensated for their expenses in the attendance

at meetings or in carrying out their duties in the same manner as members of the commission.

§ 6. Duties Of Director Of Economic Development.) The director, under the supervision of the governor and subject to legislative appropriation, shall have the following powers and duties:

1. To appoint such personnel to assist him as may be necessary to carry out the provisions of this Act, and to fix their compensation;
2. To plan, execute and direct a program of publicity, research and industrial promotion which will
 - a. attract entrepreneurs, investment capital, and new residents;
 - b. further the development and use of all the resources of this state;
 - c. disseminate information on the scenic values and facilities for sports and recreation;
 - d. assist in improving the business climate of North Dakota to encourage the growth and development of business and industry;
3. To provide for or encourage through the university and colleges of the state and other public and private institutions and agencies such projects of research as will promote the economic development of the state;
4. To cooperate with departments and agencies of the federal government and of other states, and with departments, agencies, institutions and political subdivisions of this state and with associations, corporations and individuals upon such terms as may be agreed upon in providing programs of advertising, promotion, or research which will advance the economic development of the state;
5. To receive and accept from any source, including agricultural and industrial development funds of cities and counties, money, property, services or other things of value, to be held, or used for the purpose tendered;
6. To require all departments, agencies, institutions and political subdivisions of this state to give reasonable aid and assistance in carrying out the provisions of this Act; and
7. To do all things reasonably necessary and proper to realize the benefits and carry out the provisions of this Act.

§ 7. Director To Receive All Property Of Research Foundation.) On the effective date of this Act, the director shall take possession of all property, records and other material belonging or pertaining to the North Dakota Research Foundation.

§ 8. Appropriation.) There is hereby appropriated out of any moneys in the general fund of the state treasury, not otherwise appropriated, the sum of \$125,000.00 or so much thereof as may be necessary, and in addition to the sum herein provided all moneys which shall come to the commission under the provisions of subsection 4 and 5 of section 6 of this Act, to be disbursed by the director of economic development in carrying out the provisions of this Act during the biennium beginning July 1, 1957 and ending June 30, 1959.

§ 9. Patents And Profits.) Any and all patents for equipment, processes, methods, designs, or developments based upon research conducted under this Act shall inure to and be taken out or assigned to the state of North Dakota, and any and all profits from such patents, developments, or research made under this Act shall inure to the benefit of the North Dakota Economic Development Commission.

§ 10. Repeal.) Chapter 54-34 of the North Dakota Revised Code of 1943 is hereby repealed.

Approved March 20, 1957.