

necessary for the payment of the expenses and the carrying out of the provisions hereof, for the biennium beginning July 1st, 1929, and ending June 30th, 1931, such money to be expended by the "Grain Storage Commissioner of North Dakota" under audit by the state auditing board.

§ 27. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 5, 1929.

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## HIGHWAYS

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### CHAPTER 139

(H. B. No. 60—Jardine by Request.)

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#### BUSINESS PROCEDURE DEPARTMENT OF STATE HIGHWAYS

An Act regulating the business procedure of the department of state highways, the making, certification, auditing and payment of pay rolls and the making, certification and auditing of payment of contract estimates.

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

§ 1. TIME SHEETS.] The department of state highways shall prepare and use adequate time sheets or records which shall display the name and address of every person employed in or by the department, the title of such person, description of the kind of services rendered, where generally employed, the total number of days or hours employed each month, or shorter period, and the various kinds of services rendered on each day, where practicable, and the approximate number of hours devoted to each kind of service on each day, and the rate of pay per month or the rate of pay per hour for each kind where rates differ for the various kinds of service, and the amount due each person for such services. Provided, however, that where persons are employed at a fixed monthly compensation and it would be impracticable for such person to keep a record of the various kinds of service rendered on a daily or monthly basis, the state highway commission, by resolution, may exempt such person or persons from monthly time-sheet, provided nevertheless a record shall be kept of all persons, whether making a time-sheet or not, showing the number of days employed, the days absent and cause thereof, the length of vacations or leave of absences granted such persons with or without pay.

§ 2. PAY ROLLS.] Every claim for services, other than upon contract, shall be prepared and presented in duplicate upon a pay roll voucher or form prescribed by the department, approved by the state examiner. Such pay roll voucher shall show the name and address of the person entitled to compensation, the number of hours or days employed, and if feasible the rate of pay per hour, or the pay per month, and the total amount due such person. Each pay roll must be supported by a time record on file in the department as hereinbefore provided.

Such pay roll voucher shall be prepared by the person rendering such service or by a person who has actual knowledge of the facts or in whose actual custody are the time sheets aforesaid. Such person aforesaid shall make and execute the following certificate to such pay roll prepared by him, which certificate may be printed on such pay roll voucher:

“Pay Roll Certificate

I hereby certify that the person or persons named on the within pay roll have been properly employed; have rendered the service therein set forth and are entitled to the amount or amounts set opposite their respective names; that no previous payment thereof has been made; that services were rendered to my personal knowledge or are supported by adequate time records made by persons who have knowledge of the facts.

.....  
Name

.....  
Title”

Provided, however, that in lieu of printing on such pay roll voucher the foregoing certificate in full, the following abbreviated form may be printed thereon:

“Pay Roll Certificate

I hereby make the pay roll certificate required by law.

.....  
Name

.....  
Title”

Whenever any person shall sign and make such abbreviated form, he shall be charged with having made and executed the full certificate aforesaid.

Before such pay roll voucher shall be presented to the state auditor, the same shall be certified and approved for payment by

the chief administrative officer of the department of state highways, or secretary of the state highway commission, who shall make the following certificate:

“Approval of Payment

Upon the records submitted to me and the certificate of persons having knowledge of the facts, or upon my personal knowledge, I hereby certify that the within pay roll is correct, that the persons therein named have been properly employed, have rendered the services set out and are entitled to the sums set opposite their respective names, that no payment therefor has been made, and, I hereby approve the same for payment.

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Sec’y State Highway Commission”

Such certificate shall be printed on such pay-roll voucher in full, or in lieu thereof the following abbreviation thereof:

“Approval of Payment

I hereby make the certificate required by law and approve for payment.

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Sec’y State Highway Commission”

When so signed and approved, the said secretary of the state highway commission shall be charged with having made and executed the full certificate aforesaid.

Such pay roll voucher may consist of one or more sheets.

§ 3. AUDITING AND PAYMENT OF PAY ROLLS.] When such pay roll voucher shall have been certified and approved as aforesaid, the same shall be presented to the state auditor, who shall draw his warrant for each person named thereon without submitting such pay roll voucher to the state auditing board for its examination and approval, as provided for in Section 375 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

§ 4. PAYMENT OF ESTIMATES ON CONTRACT.] Whenever an estimate or allowance for payment, except a final estimate, or, payment subsequent to a final estimate, is allowed, or granted, on a contract entered into by the department of state highways and the same is vouchered by the department for presentation to the state auditor, or the county auditor, as the case may be, instead of submitting the same to the contractor for certification by him as required by Section 657 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, the chief engineer of the said department shall

make the following certificate, in lieu of the certificate required by law, which certificate shall be printed on the said voucher or claim.

“Estimate Certificate

I hereby certify that the within estimate or claim is just and true; that the contractor herein named has rendered the services and furnished the material herein charged, and that they are of the value claimed; that no part thereof has been paid, and that the foregoing estimate or claim is supported by a proper contract and bond on file in the department of state highways.

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Chief Engineer, Department of State  
Highways”

After the same has been approved for payment by the secretary, or chief administrative officer, of the state highway commission, the same shall be presented to the state auditor or county auditor, as the case may be, for payment. The state auditor shall thereupon draw his warrant therefor as provided by law without submitting such voucher or claim to the state auditing board for examination and allowance as required by Section 375 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota. Provided, however, that the foregoing procedure shall not apply to the final estimate or allowance to a contractor, nor to any estimate or allowance subsequent to or supplemental to such final estimate, but such final estimate, or supplemental allowance, shall conform to the provisions of law relative to the certification and approval of any other claim or demand.

§ 5. PENALTIES.] Any person who shall knowingly, or wilfully, make or keep a false or erroneous time-sheet, or record, shall forfeit his right to collect any part of his claim and shall further be guilty of a misdemeanor. Any person who shall wilfully or knowingly make a false or erroneous certificate hereinbefore provided shall be guilty of a misdemeanor, and, in addition thereto, he shall be personally liable for any claim estimate or allowance so falsely certified.

§ 6. EMERGENCY.] This act is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval.

Approved March 8, 1929.

## CHAPTER 140

(S. B. No. 170—Cain.)

**CONSTRUCTION OF BRIDGES ACROSS STATE LINES OF INTER-  
STATE HIGHWAYS—ROADS ACROSS LITTLE MISSOURI  
OR ACROSS OTHER NAVIGABLE STREAMS WITHIN  
STATE**

An Act to amend and re-enact Sections 1 and 2 of Chapter 73 of the Session Laws of North Dakota for the year 1919 (Sections 1952a1 and 1952a2 of the Supplement to the Compiled Laws of North Dakota for the year 1913), as amended and re-enacted by Sections 1 and 2 of Chapter 161, Laws 1927, providing for state aid in the construction of bridges across state lines and interstate highways or roads across the Little Missouri river on federal highway No. 22, and at a point in the vicinity of section 9, township 136, range 104 in Slope County, North Dakota, or roads across navigable streams within the State of North Dakota.

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

§ 1. AMENDMENT.] That Section 1 of Chapter 73, Laws of North Dakota for the year 1919 (Section 1952a1 of the Supplement to the Compiled Laws of 1913), as amended and re-enacted by Section 1 of Chapter 161, Laws of 1927, be amended and re-enacted as follows:

§ 1. That hereafter the State of North Dakota shall aid to the amount of one-third of the cost of the construction of any bridge hereafter built across the state line upon the interstate roads or highways or across the Little Missouri River or Federal Highway No. 22, and at a point in the vicinity of Section 9, Township 136, Range 104 in Slope County, North Dakota, or across navigable streams within the State of North Dakota, on state highways or roads.

§ 2. AMENDMENT.] That Section 2 of Chapter 73, Laws of North Dakota for the year 1919, (Section 1952a2 of the Supplement to the Compiled Laws of 1913), as amended and re-enacted by Section 2 of Chapter 161, Laws of 1927, be amended and re-enacted as follows:

§ 2. That before any such bridge or bridges is begun, the department of state highways shall select, approve and acquire a suitable site therefor, within the general limits or boundaries prescribed by the state legislative assembly in its acts appropriating money for bridge construction hereunder, prepare plans and specifications therefor, advertise for bids, make an award or awards thereof, enter into a contract or contracts for the construction and materials therefor, approve and allow estimates for such construction and materials in the same manner and procedure as provided

by law for the construction of a state highway, provided, however, that the state shall not pay more than one-third of the cost of such site and cost of construction and materials, nor shall the state pay any money from state funds in excess of any appropriation made by law for the site, materials, and construction of any such bridge.

§ 3. EMERGENCY.] This act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

Approved March 7, 1929.

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## CHAPTER 141

(H. B. No. 65—M. H. Lynch.)

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### RESTRICTION USE OF ROADS UNDER CERTAIN CONDITIONS

An Act to amend and re-enact Section 41, Chapter 162, Session Laws 1927 restricting the use of roads under certain conditions.

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

§ 1. AMENDMENT.] Section 41, Chapter 162 of the Session Laws 1927 is hereby amended and re-enacted to read as follows:

§ 41. WHEN LOCAL AUTHORITIES MAY RESTRICT THE RIGHT TO USE HIGHWAYS.] The state highway commission, through its chief executive officer, by order, and local authorities by order, or ordinance or resolution may prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles, for a total period not to exceed ninety days in any one calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which such authorities are responsible whenever any said highway by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. Such authorities making such order or enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the order, or ordinance, or resolution at each end of that portion of any highway affected thereby and the order or ordinance or resolution shall not be effective until or unless such signs are erected and maintained. The state highway commission by an order aforesaid and local authorities, by ordinance or resolution, may also prohibit the operation of trucks or other commercial vehicles, or impose

limitations as to weight thereof on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

§ 2. This act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

Approved February 19, 1929.

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CHAPTER 142

(H. B. No. 144—Fettig.)

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WARNING SIGNS ROAD CONSTRUCTION WORK

An Act to require public officers and contractors doing road construction work to erect and maintain proper warning signs near road construction work and providing a penalty for failure to comply with law.

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

§ 1. WARNING SIGNS.] Whenever the state highway commission, any county board, or any township board shall enter into a contract for the construction and improvement of any road, or any culvert, or bridge thereon, they shall, as a condition of such contract, provide therein that the contractor shall place suitable warning signs, which can be read for a distance of one hundred feet in day time, and also erect and place at night, a red lantern at both ends of such construction work, no less than three hundred (300) feet therefrom, warning the public that such road is under construction or improvement and either is closed, or impassable, or dangerous for travel thereon, provided that nothing in this act shall make any town, county or the state liable for the failure of such contractor to erect such warning signs.

§ 2. PUBLIC OFFICERS.] Whenever a town board, county board, or the state highway commission shall construct, or improve, or repair any road, or any culvert, or bridge, or gravel any road, and such work shall render travel on such road, culvert or bridge unsafe, or dangerous, it shall be the duty of such town board, county board, or the state highway commission, or any foreman, or other person in charge of such work, to place warning signs as provided in Section 1 hereof.

§ 3. PENALTY.] Any contractor, foreman or person in charge of any work, or repairs on any public road, culvert or bridge, who shall fail or neglect to erect and maintain suitable warning signs

as hereinbefore provided, shall upon conviction thereof be punished by a fine of not less than ten dollars (\$10.00), and not more than fifty dollars (\$50.00), or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment.

Approved March 11, 1929.

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### CHAPTER 143

(H. B. No. 149—Swendseid.)

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#### REPEAL BOUNTY FOR WATERING PLACES ON HIGHWAYS

An Act to repeal Section 2038, 2039 and 2040 of the Compiled Laws of 1913, relating to a bounty for maintaining watering places on highways.

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

§ 1. LAW REPEALED.] That Sections 2038, 2039 and 2040 of the Compiled Laws of 1913, be and the same are hereby repealed.

Approved March 8, 1929.

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## HOTELS

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### CHAPTER 144

(H. B. No. 193—Bell.)

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#### HOTEL INSPECTION

An Act providing for the inspection of hotels, lodging houses, boarding houses, and restaurants; prescribing sanitary requirements therefor; providing for licensing, payment and disposition of license fees; providing for the revocation of licenses; defining the duties of the state food commissioner and chemist with regard to the act; providing for penalties for violation thereof and repealing existing laws relating thereto.

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

§ 1. DEFINING HOTELS, RESTAURANTS, LODGING HOUSES AND BOARDING HOUSES.] Every building or structure, or any part thereof, kept, used as, maintained as, or advertised as, or held out to the public to be a place where sleeping accommodations are furnished