

CHAPTER 136

S. B. No. 72—(Ettestad)

PRIMARY ELECTION NOTICE.

An Act to amend and re-enact Section 922, Compiled Laws of 1913, relating to posting of notices of primary election.

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

§ I. AMENDMENT.] That Section 922, Compiled Laws of 1913, be amended and re-enacted to read as follows:

§ 922. POSTING OF NOTICES.] Such auditor shall forthwith mail to each inspector of election of said county, five copies of such notice, and such inspector of election shall, at the same time that he posts the sample ballots and election instructions, post said notices in five conspicuous places in his election precinct, which notice shall also designate the location of the polling place in his election precinct, provided, however, such inspector shall receive no additional compensation for posting such notices.

Approved February 19, 1935.

FIREMEN'S ASSOCIATION**CHAPTER 137**

H. B. No. 97—(Aljets and Gilbertson)

REGIONAL FIRE SCHOOLS.

An Act to amend and re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the year 1913, relating to the North Dakota Firemen's Association and providing an appropriation for the use of such Association in promoting regional fire schools, and other activities of such Association.

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

§ I. AMENDMENT.] That Section 1839 of the Compiled Laws of North Dakota for the year 1913 be amended and re-enacted to read as follows:

§ 1839. REGIONAL FIRE SCHOOLS.] For the purpose of promoting the efficiency and growth of the different fire departments, members of the North Dakota Firemen's Association, there shall be held annually under the direction of the North Dakota Firemen's Association at such times and in such places, in the State of North Dakota, as may be designated by said Firemen's Association at its annual state convention, not less than four regional fire schools.

§ 2. AMENDMENT.] That Section 1840 of the Compiled Laws of North Dakota for the year 1913 be amended and re-enacted as follows:

§ 1840. CONDITIONS TO BE COMPLIED WITH BY THE NORTH DAKOTA FIREMEN'S ASSOCIATION.] If the North Dakota Firemen's Association shall at its next annual convention make provision for the holding of the regional fire schools as provided by Section 1 of this act, such association shall become entitled to receive the appropriations hereinafter provided for, upon the conditions set forth in this act.

§ 3. AMENDMENT.] That Section 1841 of the Compiled Laws of North Dakota for the year 1913 be amended and re-enacted as follows:

§ 1841. DUTIES OF OFFICERS.] The State Auditor shall send to the secretary of the North Dakota Firemen's Association the statement required by Section 710a3 of the Supplement to the 1913 Compiled Laws of North Dakota, and it shall be the duty of the secretary of the said North Dakota Firemen's Association to prepare and file such statement and estimates with the State Auditor as is required by said Section 710a3 of officers and state departments, which statement and estimate shall be by the State Auditor submitted to the State Budget Board as other estimates.

The president, secretary and treasurer of the said Firemen's Association shall, on or before the 1st day of July of each year make to the State Auditor a full and complete report, duly verified by the secretary, of the disposition of all moneys received by such association from the state.

The name of the place, with the date of each fire school shall be forwarded at least 30 days prior to the holding of such fire schools to the State Auditor by the secretary of such association. The secretary shall also furnish the said Auditor with the name and address of the treasurer of such association, and it is the duty of said Auditor to pay to such treasurer not later than the first day of August of each year, the sum appropriated for such year but not, however, until such association shall file with the State Auditor a good and sufficient bond in the sum of two thousand dollars (\$2,000.00) conditioned for the faithful disposition of the funds so appropriated.

§ 4. AMENDMENT.] That Section 1842 of the Compiled Laws of the State of North Dakota for the year 1913 be amended and re-enacted as follows:

§ 1842. FIREMEN EXEMPT FROM POLL TAX.] Every volunteer fireman in any city, town or village having an organized fire department, the same being a member in good standing in the North Dakota Firemen's Association, shall be exempt from the payment of poll tax. It shall be the duty of the secretary of each fire company or department on or before the first Monday in April to file with

the city auditor a report of all members in good standing and doing active fire service, during the past year.

§ 5. STATE BUDGET BOARD TO PREPARE ESTIMATE.] The State Budget Board is hereby required to include with its estimates, as provided for by Section 710a4 of the Supplement to the 1913 Compiled Laws of North Dakota, an estimate of the amounts necessary, and required to be appropriated for the purpose of carrying out the provisions of this act.

§ 6. APPROPRIATION.] There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, the sum of four thousand dollars (\$4,000.00) or so much thereof as may be necessary for the use and benefit of the North Dakota Firemen's Association for the purpose of promoting the efficiency and growth of its different departments, and for the holding of regional fire schools, according to the rules and regulations of such association, and as provided by this act, for the biennium beginning July 1, 1935, and ending June 30, 1937.

§ 7. REPEAL.] All acts or parts of acts in conflict with this act are hereby repealed.

Approved March 8, 1935.

CHAPTER 138

H. B. No. 182—(Hall and Schauss)

FIREMEN'S SERVICE PENSION.

An Act to amend and re-enact Section 3999, Supplement to the Compiled Laws of 1913.

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

§ 1. That Section 3999, Supplement to the Compiled Laws of 1913 be amended and re-enacted to read as follows:

§ 3999. PAID FIRE DEPARTMENT AND FIREMEN'S RELIEF ASSOCIATION: SERVICE PENSIONS.] For the payment of service pensions as hereinafter provided in such amounts and in such manner as its articles of incorporation and by-laws shall designate, every such fire department relief association organized under any laws of this state may pay out of any funds received from the state, or other source, a service pension, in such amounts, not exceeding eighty dollars per month, as may be provided by its by-laws to each of its members who has heretofore retired or may hereafter retire, who has reached or shall hereafter reach the age of fifty years, and who has done, or hereafter shall do, active duty for twenty years or more as a member of a volunteer, paid or partially paid and partially volunteer fire department in the municipality where such association exists, and

who has been, or shall hereafter be a member of such fire department relief association at least ten years prior to such retirement, and who complies with such additional conditions as to age, service and membership as may be prescribed by the by-laws of such association, provided that any fireman who has actually served in such fire department for the number of years required for retirement and who has paid or who may hereafter pay into the firemen's relief and pension fund assessments with interest equal to the amounts assessed against members in the association during the said time shall be allowed membership in the said fund and shall receive upon retirement the same pension paid to other firemen. It being the intention to prevent discrimination by the by-laws of any firemen's relief association which will prevent firemen who have actually worked as such during the number of years required by the by-laws from being discriminated against or barred in participation from membership in the association or from the benefits from the relief fund. This provision shall be retroactive. Such pension shall be uniform in amount, but all may be decreased or increased, within the amount above specified, whenever the amount of funds on hand renders such action advisable. No such pension shall be paid to any person while he remains a member of said fire department, and no person receiving such pension shall be entitled to other relief from such association.

Approved March 13, 1935.

FOODS

CHAPTER 139

H. B. No. 168—(Schauss and Keidel)

USE OF BUTTER SUBSTITUTES ON POPCORN.

An Act to require the apprising of the use of butter substitutes on popcorn sold or offered for sale and providing penalties for violation.

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

§ 1. Any person, firm or corporation selling or offering for sale popcorn upon which any oil or fat other than butter has been used shall post up conspicuously on the popcorn machine and in the room in which such popcorn is being sold or offered for sale a sign which may be easily seen by the purchasers and in letters not smaller than one-half inch high and one-half inch wide, giving the name of the oil or fat "used on said popcorn."

§ 2. Any person, firm or corporation violating the provisions