

Laws of the State of North Dakota be amended and re-enacted to read as follows:

§ 6077. JUDGMENTS BEAR 4% INTEREST.] Interest is payable on judgments recovered in the courts of this state at the rate of 4% per annum, and no greater rate, and such interest must not be compounded in any manner or form.

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 All acts or parts of acts in conflict herewith are hereby repealed.

Approved March 13, 1935.

CHAPTER 159

H. B. No. 107—(Wolf)

DEFINING USURY

An Act to amend and re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 140, Session Laws 1933, defining usury.

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

§ I. AMENDMENT.] That Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as amended by Chapter 274, Session Laws 1927, be and the same is hereby amended and re-enacted to read as follows:

§ 6073. USURY DEFINED.] No person, co-partnership, association, or corporation, shall directly or indirectly take or receive, or agree to take or receive, in money, goods or things in action, or in any other way, any greater sum or any greater value for the loan or forbearance of money, goods, or things in action, than seven per cent per annum, and in the computation of interest, the same shall not be compounded. Any violation of this section shall be deemed usury; provided, that any contract hereafter made, to pay interest on interest overdue shall be deemed usury.

Approved March 13, 1935.

IRRIGATION

CHAPTER 160

S. B. No. 226—(Committee on Irrigation and Drainage)

COMPUTATION, ETC., COSTS FLOOD IRRIGATION PROJECTS

An Act to amend and re-enact Section 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913 relating to flood irrigation projects, and declaring an emergency.

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

§ I. AMENDMENT.] That Section 8320a13 of the Supplement

to the Compiled Laws 1913 be and the same is hereby amended and re-enacted to read as follows:

§ 8320a13. COMPUTATION, APPORTIONMENT AND TAXATION OF COSTS.] After the letting of such contracts such board shall make a computation of the cost of the projects which shall include all the expenses of locating and establishing the same, including the cost of right-of-way, the damages paid to land owners for any cause, the fees of the board, legal and other necessary expenses incurred under the authorization of the board, the costs of surveys, plans and specifications, interest on all warrants issued or to be issued by the board of flood irrigation on account of such project, accumulated or to accumulate prior to the time when the tax levied or to be levied to pay therefor is collectible by law, and all other expenses, together with the amount of all contracts let for the construction of same. The sum of all the costs and expenses thus incurred or to be incurred shall be the cost of the construction of such project.

After fixing the cost as hereinbefore set out the board of flood irrigation shall carry out upon the assessment list the specific amount which each lot or tract of land, benefited by the project for which the tax is levied, is liable to pay on account of procuring the same according to the per cent which by Section 9 hereof it is required to fix and determine.

Such list shall thereupon be filed in the office of the county auditor of the county in which the lands benefited are situated, and the auditor shall thereupon extend upon the tax list as a special tax as provided by law the several amounts shown by such list, specifying in such tax list the particular flood irrigation project for the construction or procurement of which the special tax is assessed, which special tax shall be collected and enforced in the same manner as other taxes.

§ 2. AMENDMENT.] That Section 8320a14 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:

§ 8320a14. COLLECTION OF FLOOD IRRIGATION TAXES: PAYMENT OF EXPENSES.] The flood irrigation taxes shall be collected by the county treasurer, and all moneys so collected shall be credited to the flood irrigation fund to which they belong, and the county treasurer shall be the treasurer of such funds. Payment of all expenses and costs of locating and constructing any such project shall be made by the board of flood irrigation who shall issue warrants in such amounts and to such persons as by such board may be found due, which warrants shall be signed by the chairman and secretary. All such warrants, after presentation to the county treasurer for payment, if not paid for want of funds, shall be registered by the county treasurer, and shall thereafter bear interest at the rate of not to exceed six per cent per annum.

§ 3. AMENDMENT.] That Section 8320a19 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:

§ 8320a19. LIABILITY OF MEMBERS OF FLOOD IRRIGATION BOARD.] Each board of flood irrigation shall make a report to the county commissioners of all projects begun, in process of construction or finished and shall also render a full account of all moneys which shall come into its hands; and every member of the board of flood irrigation shall be liable on his bond for any misapplication of money coming into his hands as such member of such board. The report required by this section shall include an itemized statement of all expenses and warrants drawn on account of each and every project.

§ 4. AMENDMENT.] That Section 8320a20 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:

§ 8320a20. COMPENSATION OF MEMBERS OF THE BOARD.] The members of the board of flood irrigation shall receive for their services three dollars (\$3.00) per day for the time actually spent by them in the performance of the duties of their office. Any member or officer of the board may receive additional compensation for special services rendered to the board and under the authority of said board.

§ 5. AMENDMENT.] That Section 8320a22 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:

§ 8320a22. BONDS: WHEN AND HOW AUTHORIZED.] The Board of County Commissioners of any county in which any such project is proposed to be located and constructed is hereby authorized and required to issue bonds upon the written request of the board of flood irrigation and which bonds shall be known as flood irrigation bonds, in such sums as may be necessary for the purpose of defraying the expenses incurred or to be incurred in obtaining the right-of-way or in locating or constructing any such project, said word "expenses" to be construed to mean and to cover every item of cost of said project from its inception to its completion as hereinbefore provided, which bonds shall be paid out of the revenues to be derived from taxes levied, or to be levied, and collected from that portion of the county found by the board of flood irrigation to be benefited thereby. Such bonds shall bear interest at a rate not exceeding seven per cent and interest and principal may be payable under the amortization plan for a period of not to exceed twenty years, or the principal may be divided in such amounts and payable at such periods, not exceeding twenty years, as the county commissioners may determine; provided, that any land owner who may desire to pay the entire amount assessed against his land for the entire

costs of such project, including warrants and interest thereon, may, prior to the sale of such bonds pay into the county treasury the amount of said assessments for which the treasurer shall give his receipt in full, and such lands shall not be included in the list of lands assessed. The county auditor shall give notice of the determination of the board of county commissioners to issue bonds by publishing a notice in the official newspaper of the county at least fifteen days before the date of selling said bonds. Said notice shall designate the project proposed to be bonded, and in general terms notify all persons interested of their right to pay their total assessment prior to the date of the sale of said bonds, as provided in this section. The money paid in shall be used to take up warrants, and the bonds issued shall be for such an amount as will pay the remainder of the cost of construction; and the said board shall provide sinking funds for the payment at maturity of each series of bonds issued and for the payment of the annual interest on the same if serial bonds are issued. If bonds on the amortization plan are issued, the board shall provide funds for the payment of each annual amortization maturity, both for the payment of interest and for the principal portion of said maturity.

The bonds issued under the provisions of this chapter shall be signed by the chairman of the board of county commissioners of such county and countersigned by the county auditor, who shall keep a record of the bonds issued under the provisions of this chapter. Such board shall have the power to negotiate such bonds at not less than the par value thereof as it may deem for the best interest of all persons interested in such project. Such bonds shall contain a recital that the same are issued in accordance with the provisions and pursuant to the authority of this chapter and that they are to be paid out of the sinking funds to be created as in this chapter provided, if issued serially. Whenever such bonds shall be issued the tax hereinbefore provided for shall not be collected all in one year, but shall be divided into parts corresponding with the amounts and maturities of the bonds and such parts shall be extended year by year upon the tax lists by the county auditor against the proper parcels of land and property liable to taxation for that purpose and collected in such year, and such fund shall constitute the sinking fund provided by this section. Should the bonds be issued and payable under the amortization plan of payment the tax hereinbefore provided for shall be divided into parts corresponding with the principal payment required to be made each year under the said amortization plan, and such parts shall be extended year to year upon the tax lists in the same manner and form as provided herein for the retirement of bonds issued with serial maturities.

§ 6. EMERGENCY.] Whereas it is highly necessary and expedient that this act shall go into immediate operation, this act is hereby declared to be necessary for the immediate preservation of the public peace, health and safety, and is an emergency measure

which shall be in full force and effect from and after the date of its passage and approval.

Approved March 13, 1935.

LABOR

CHAPTER 161

H. B. No. 196—(Solberg, Cunningham and Godwin)

LABOR DIVISION, DEPARTMENT OF AGRICULTURE AND LABOR

An Act providing for the creation and establishment of a Labor Division within the Department of Agriculture and Labor, and providing for the qualification and making provision for the appointment of a deputy within the Department of Agriculture and Labor, to represent Labor; establishing a State Employment Service in co-operation with the Federal Government under the provisions of the Wagner-Peyser Act. Providing payment of salaries and expenses and making an appropriation, and declaring an emergency.

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

§ 1. The Commissioner of Agriculture and Labor is hereby authorized and directed to create and establish a Labor Division within the Department of Agriculture and Labor. Administration and enforcement of all labor laws, rules and regulations under the direction of the Commissioner of Agriculture and Labor shall be placed in and with the Labor Division.

§ 2. The Commissioner of Agriculture and Labor is hereby authorized to set aside to the credit and use of the said Labor Division, from appropriations made by the Legislature for the operation of said Department of Labor, such funds as may be appropriated for the efficient maintenance and operation of said Labor Division.

§ 3. The regularly appointed Deputy Commissioner of Agriculture and Labor, as now provided by statute and for the payment of whose salary an appropriation has been made by the Legislature, shall be the official head of the Labor Division, but shall receive no additional fee or compensation for his services as such official head of the Labor Division hereby created.

§ 4. The Labor Deputy so appointed shall have been at least five years immediately preceding his appointment actively identified with labor in the State of North Dakota, shall be not less than thirty years of age, and shall have a practical knowledge of and experience in labor matters and labor relations.

§ 5. The State of North Dakota accepts the provisions of the