

# STATE INSTITUTIONS

## CHAPTER 264

S. B. No. 74—(Committee on Appropriations)

### PAYMENT AUDITS, ETC., CERTAIN STATE INSTITUTIONS AND DEPARTMENTS

An Act to provide for the payment of the expense of auditing and examining the affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, and the Highway Department and the Motor Vehicle Department and the Game and Fish Department, by the State Board of Auditors pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as amended by Chapter 186 of the Laws of 1933; designating and appropriating the funds from which such payment shall be made; providing for the payment into a special fund; providing for the repeal of any acts in conflict herewith.

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

§ 1. In order to reimburse the State for the expense of making the audits and examinations of industrial and business institutions of the State of North Dakota by the State Board of Auditors as provided for by Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as amended by Chapter 186 of the Laws of 1933, the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, and the Highway Department and the Motor Vehicle Department, and the Game and Fish Department, immediately upon the receipt of a statement of the actual expense of auditing such departments or institutions, such department or institution shall pay to the State Treasurer of the State of North Dakota, to the account of the State Board of Auditors and to be by the State Treasurer deposited in a Special Fund to be known as State Board of Auditors Fund. Provided, however, that the auditing fee for such service in any one year shall not exceed the sum set forth for the various institutions and departments, as follows:

North Dakota Mill and Elevator Association for the State	
Mill and Elevator at Grand Forks .....	\$4,000.00

The Bank of North Dakota, including the Farm Loan Department .....	\$7,000.00
The State Hail Insurance Department.....	\$2,000.00
The Workmen's Compensation Bureau .....	\$1,500.00
The Office of the Beer Commissioner of the State of North Dakota .....	\$ 500.00
The North Dakota State Regulatory Department.....	\$1,500.00
The North Dakota Teachers Insurance and Retirement Fund .....	\$ 500.00
The Highway Department and the Motor Vehicle Department .....	\$3,500.00
The Game and Fish Department .....	\$ 750.00

§ 2. APPROPRIATIONS.] The amounts herein directed to be paid by the aforesaid mentioned departments and institutions, shall be deemed and considered as appropriations of each amount thereof to the State Board of Auditors Fund.

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

Approved March 12, 1935.

## CHAPTER 265

H. B. No. 96—(Holte)

### LEGALIZING DEVISES, ETC., TO STATE INSTITUTIONS

An Act to make it lawful to make devises, bequests, legacies and gifts to any state educational, charitable, or penal institution; providing that title thereto shall be held by the state in trust, and regulating the use of such property and its income; validating devises, bequests, legacies and gifts heretofore made, and declaring an emergency.

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

§ 1. Devises, legacies, bequests and gifts may lawfully be made to any state educational, charitable or penal institution, and the title to any property, real, personal or mixed which shall be devised, bequeathed or given to any such institution, or to the State of North Dakota for the use and benefit thereof, shall vest in the State of North Dakota, to be held by it in trust for the benefit and use of the institution to which or for whose benefit such devise, legacy, bequest or gift is made. Unless otherwise authorized by the Will or other instrument providing for such devise, bequest, legacy or gift, no part of said property, or the income therefrom, shall be diverted or used for any other purpose.

§ 2. All devises, bequests, legacies and gifts to any state educational, charitable or penal institution heretofore made, executed or delivered, and whether vested or not, and whether executed or exe-

cutory, accrued or to accrue, and all provisions in any Will, making any such devise, legacy or bequest, whether the testator be now living or whether he may have heretofore died, are hereby declared to be legal and valid for all purposes, and subject to the provisions of this act.

§ 3. All laws and acts, or parts of laws and acts in conflict herewith, are hereby repealed.

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

Approved February 21, 1935.

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## CHAPTER 266

H. B. No. 359—(Committee on Delayed Bills)

### PRESS REPRESENTATIVE'S ROOM CAPITOL BUILDING

An Act to authorize, direct and empower the State Board of Administration to provide a room in the State Capitol Office Building for the exclusive use of representatives of accredited Press Associations and daily and other newspapers.

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

§ 1. The State Board of Administration is hereby authorized, directed and empowered to set aside a room in the State Capitol Office Building for the exclusive use of accredited representatives of daily and other newspapers and full time correspondents of accredited Press Associations.

§ 2. The State Board of Administration is further authorized, directed and empowered to place in charge of such press room the Statehouse Correspondent of the Associated Press.

Approved March 13, 1935.

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## CHAPTER 267

H. B. No. 23—(House State Affairs Committee)

### CAPITOL CUSTODIAN AND GUIDE

An Act to amend and re-enact Chapter 94 of the Session Laws of North Dakota of the year 1929, relating to the Custodian of the State Capitol and grounds and describing his powers, duties and compensation and appointing such custodian.

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

§ 1. AMENDMENT.] Section 1, Chapter 94 of the Session Laws

of North Dakota for the year 1929, is hereby amended and re-enacted to read as follows:

§ 1. That there shall be and there is hereby provided a custodian of the State Capitol grounds to serve under the direction of the Board of Administration. Such custodian and guide of the State Capitol grounds shall also be the police officer of the State Capitol grounds and buildings, and shall be provided with appropriate insignia and uniform by the Board of Administration, and such insignia and uniform must be worn by such custodian when and while on duty.

§ 2. AMENDMENT.] Section 2 of Chapter 94 of the Session Laws of North Dakota for the year 1929 is hereby amended and re-enacted to read as follows:

§ 2. That such custodian is hereby constituted a police officer and given full authority, when and while engaged in the discharge of his duties, to make arrests upon and within the capitol grounds and buildings, in the same manner and with the same force and effect as a sheriff, a constable of Burleigh county or a police officer of the City of Bismarck in said county, in which said buildings and grounds are located; provided, however, that in case of arrest the said custodian shall cause the person so arrested by him to be delivered to the sheriff or to any other police officer of said county or city, to be dealt with as provided by law. That in addition to his duties as such police officer, the said custodian shall be the traffic officer in charge of enforcement of all traffic rules and regulations upon such grounds, including the parking of cars, automobiles and all other vehicles thereon, as may be prescribed by the Board of Administration for the regulation thereof.

§ 3. AMENDMENT.] Section 3 of Chapter 94 of the Session Laws of North Dakota for the year 1929 is hereby amended and re-enacted to read as follows:

§ 3. That William Laist, now employed as custodian of the Capitol Buildings and grounds, be and hereby is appointed as custodian of the Capitol grounds and such police officer of said grounds and buildings, and he shall occupy such position during good behavior but shall be removable by the Governor for cause; and he shall, until otherwise provided by law, receive for his services a salary not to exceed fifteen hundred dollars (\$1,500.00) per annum, payable monthly as other employees of the state are paid.

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

Approved February 13, 1935.

## CHAPTER 268

S. B. No. 36—(Erickson)

### COMPENSATION ETC., SECRETARY BOARD OF CAPITOL COMMISSIONERS

An Act to repeal Subsections c and e of Section 1 of Chapter 185, Laws of 1933, and to amend and re-enact Section 2 of Chapter 205, Laws of 1931, relating to the Board of State Capitol Commissioners, and declaring an emergency.

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

§ 1. REPEAL.] That Subsections c and e of Section 1 of Chapter 185, Laws of 1933, be and the same are hereby repealed.

§ 2. AMENDMENT.] That Section 2 of Chapter 205, Laws of 1931, be and the same is hereby amended and re-enacted to read as follows:

§ 2. SECRETARY, COMPENSATION, DUTIES.] The Secretary of the Board of Administration of the State of North Dakota shall, without additional compensation, be the Secretary of the Board of Capitol Commissioners. He shall file such oath and bond, if any, and keep such records and perform such duties as shall be required by the Board.

§ 3. EMERGENCY.] Whereas an emergency exists, now therefore, this act shall be in full force and effect from and after its passage and approval.

Approved February 14, 1935.

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## TAXATION

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### CHAPTER 269

S. B. No. 189—(Committee on Taxes and Tax Laws)

#### BETTER COLLECTION TAXES, ON CIGARETTES, SNUFF AND CIGARETTE PAPERS

An Act providing for the better collection of taxes and better enforcement of Laws relating to the imposition and collection of taxes now or hereafter imposed upon cigarettes, snuff and cigarette papers.

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

§ 1. The mulct tax heretofore and now fixed by law at the sum of twelve dollars and fifty cents (\$12.50) as an annual license fee for the retail sale of cigarettes, snuff, cigarette papers or tubes, is hereby reduced and fixed at the sum of five dollars (\$5.00); and