

# NORTH DAKOTA

## CHAPTER 182

S. B. No. 239--(Guthrie)

### ARROWOOD LAKE PARK

An Act authorizing and directing the State Historical Society of North Dakota to sell to the United States Government lands acquired for park purposes at Arrowood Lake in Stutsman County, North Dakota, and providing for manner of disposing of funds accruing from said sale, and declaring an emergency.

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

§ 1. The State Historical Society of North Dakota is hereby authorized and ordered to convey by Warranty Deed to the United States of America, the following described property: Lots three (3) and four (4) of Section thirty (30) Township One Hundred Forty-four (144) North, Range Sixty-four (64) West of the Fifth Principal Meridian, containing 63.41 Acres, more or less. The said Deed of Conveyance shall be executed and acknowledged by the Governor for the State of North Dakota and attested by the Secretary of State and shall also be executed and acknowledged by the President of the State Historical Society of North Dakota and attested by its Secretary. The consideration for the sale of the afore described property shall be \$634.10 which shall be deposited with the Treasurer of the State of North Dakota in a special fund to be designated as the "State Park Purchase Fund" and said fund or any part thereof may be used by the Society for the purchase of other lands or sites as it may desire to purchase within this State for park purposes.

§ 2. EMERGENCY.] An emergency is hereby declared to exist, and this Act shall become operative and in effect from and after its passage and approval.

Approved March 10, 1937.

## CHAPTER 183

S. B. No. 246—(Committee on Taxes and Tax Laws)

AUTHORIZING CERTIFICATES OF INDEBTEDNESS BY  
STATE OF NORTH DAKOTA

An Act providing for the issuance by the Industrial Commission of Certificates of Indebtedness in anticipation of the collection of property taxes, which have been levied by the State Board of Equalization; prescribing the terms and conditions hereof; providing for their sale and delivery and payment; establishing a Certificate of Indebtedness Retirement Fund, and repealing all Acts or parts of Acts inconsistent with the provisions of this Act, and declaring an emergency.

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

§ 1. The Industrial Commission shall have power, from time to time, to borrow in anticipation of revenues to be derived from property taxes already levied by the State Board of Equalization for the current year, and the five next preceding years. Such power, however, can be exercised only in accordance with the provisions of this Act. For the purpose of such borrowing the Industrial Commission shall issue(d) Certificates of Indebtedness.

Certificates of Indebtedness as provided for in this Act shall be sold only against that portion of the uncollected general property State Tax levied by the State Board of Equalization, to defray the general expenses of the State Government, known as the general fund, and no certificates shall be sold under this Act against uncollected taxes levied for interest and sinking funds. A Certificate of Indebtedness shall consist of an agreement on the part of the State of North Dakota to pay a stated sum on a specified date not more than twenty-four months in the future, together with interest thereon, at a specified rate not exceeding four per cent per annum, which may be made payable semiannually, which certificate shall be signed on behalf of the State by the Governor and also by the State Treasurer, and such certificates shall be payable primarily out of funds derived from the collection of the taxes as herein provided. Certificates of Indebtedness shall bear the certificate of the State Auditor to the effect that they, together with all other Certificates of Indebtedness outstanding, are within seventy-five per cent of the amount of uncollected taxes for the years enumerated in such certificates which have been lawfully levied. Such certificates shall possess no validity unless they bear such certificate of the State Auditor. It shall be the duty of the State Auditor to make such certificate in accordance with the facts. When so executed with the prescribed certificate signed by the State Auditor, Certificates of Indebtedness shall be fully negotiable and shall be incontestable except on the ground of fraud on the part of the holder or original payee, or connivance between the holder or the original payee and officer or officers of the State. In the hands of the holder in due course, the execution of a Certificate

of Indebtedness by the State under this Act, shall be conclusive evidence that the issuance thereof was duly authorized by the Industrial Commission of the State. A tax under this Act, shall be deemed to have been levied when it has been voted by the State Board of Equalization and certified by the Tax Commissioner.

That State Auditor shall, at the time of attaching his certificate to Certificates of Indebtedness, register such certificates of indebtedness in the permanent records of his office. He shall also inform the State Treasurer of such registration, and the State Treasurer shall likewise keep a permanent record of such Certificates of Indebtedness.

After Certificates of Indebtedness are paid and cancelled they shall be exhibited to the State Auditor, who shall note the cancellation and payment upon his records, whereupon said certificates shall be properly cancelled by the State Treasurer in the presence of the State Auditor, and filed in the office of the State Treasurer.

§ 2. After the sale of such Certificates of Indebtedness, all tax receipts derived from the said taxes levied for the years listed in such certificates shall be by the State Treasurer set aside into a separate fund to be known as the Certificate of Indebtedness Retirement Fund, which is to be used only for the purpose of retiring such Certificates of Indebtedness and paying interest thereon until sufficient funds shall have accumulated to retire such certificates. Certificates of Indebtedness shall cease to bear interest at maturity; provided, however, that certificates not paid upon presentation at or after maturity shall bear interest from maturity until paid at the same rate as before maturity.

If the amount in Certificate Retirement Fund is insufficient to redeem certificates on maturing dates of said certificates, the Industrial Commission shall issue new certificates, the proceeds from sale of which to be used to retire maturing certificates.

§ 3. SALE OF CERTIFICATES OF INDEBTEDNESS; BANK OF NORTH DAKOTA TO BUY SAME; DISPOSITION OF PROCEEDS.] The Industrial Commission shall sell said Certificates of Indebtedness for cash on such terms and conditions as it shall determine, but in no event for less than par plus accrued interest, and on no terms conflicting with the provisions of this Act. All certificates must be sold by the Industrial Commission in the open market or upon sealed bids, upon at least twenty days' notice by publication in not less than two newspapers published in this State. Provided the Industrial Commission reserve the right to reject any and all bids and if no acceptable bids are received for such certificates the Industrial Commission may deliver the same to the Bank of North Dakota, which shall pay for such certificates the par value thereof plus accrued interest. The proceeds from such sale of said certificates shall be paid to the State Treasurer.

Out of the moneys developing from sale of certificates, the Industrial Commission is hereby directed, authorized and empowered, from time to time, to transfer to the State Public Welfare Fund for use by the Public Welfare Board in carrying out the duties and powers imposed upon it by law, such moneys, not exceeding One Million Dollars, as said Industrial Commission, in its discretion, may determine are available or may become available after making provision for the payment of the unpaid appropriations from General Fund appropriated for the 1935-1937 biennium.

§ 4. The Certificates of Indebtedness issued under this Act shall not be general obligations of the State of North Dakota except to the extent only that the State of North Dakota shall guarantee to pay any deficiency in principal and interest due and payable thereon which may exist at the maturity of such Certificates or any renewal thereof in an aggregate amount of not to exceed Two Million Dollars.

§ 5. All Acts or parts of Acts in conflict herewith are hereby repealed.

§ 6. This Act is hereby declared to be an emergency Act and shall be in full force and effect from and after its passage and approval.

Approved March 9, 1937.

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## CHAPTER 184

H. B. No. 229—(Freitag)

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### CUSTODIAN CAPITOL BUILDING AND GROUNDS

An Act to repeal Chapter 267 of the 1935 Session Laws, the same being an amendment and re-enactment of Chapter 94 of the Session Laws of the State of North Dakota for the year 1929, relating to the custodian of the Capitol Building and grounds, describing his duties, powers, and compensation and appointing of such custodian.

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

§ 1. REPEAL.] That Chapter 267 of the 1935 Session Laws, the same being an Act to amend and re-enact Chapter 94 of the 1929 Session Laws of the State of North Dakota, relating to the custodian of the Capitol building and grounds, describing his powers, duties and compensation and appointing such custodian, be, and the same is hereby repealed.

Approved March 4, 1937.

**CHAPTER 185**

H. B. No. 322—(Holmquist)

**ABOLISHING HETTINGER EXPERIMENT STATION**

An Act abolishing the Agricultural Experiment Station near Hettinger, Adams County, and providing for conveyance of land where located and improvements thereon to the City of Hettinger under certain conditions, repealing Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, and declaring an emergency.

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

§ 1. STATION ABOLISHED; CONVEYANCE OF LAND; CONDITIONS.] The Agricultural Experiment Station located near the City of Hettinger, Adams County, and created under the provisions of Chapter 115 of the 1909 Session Laws, is hereby abolished, and the Governor is authorized to convey by Quit Claim Deed for and on behalf of the State to the City of Hettinger, North Dakota, the land upon which the same is now located and the permanent improvements thereon, the same to be used by the said city for the exclusive purpose of establishing and maintaining thereon a municipal hospital, and to revert, together with all added improvements thereon, to the State of North Dakota in the event the said municipal hospital thereon is discontinued, unless otherwise directed by future legislative enactment.

§ 2. REPEAL.] Sections 1643 and 1644 of the Compiled Laws of North Dakota, 1913, are repealed.

§ 3. EMERGENCY.] An emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

Approved March 6, 1937.

**CHAPTER 186**

S. B. No. 255—(Committee on Printing)

**LEGISLATIVE SEALS**

An Act relating the introduction and printing of bills and providing for an Official Seal for each branch of the Legislative Assembly; repealing Section 52 of the Compiled Laws of 1913 and all Acts and parts of Acts in conflict herewith.

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

§ 1. SEAL; INTRODUCTION OF BILLS.] The Secretary of State is hereby directed to present to the Secretary of the Senate and the Clerk of the House of Representatives an official seal at the opening of each legislative session. Four copies of all bills introduced shall

be presented to the desk at the time of introduction and every page of each bill introduced shall be impressed with said seal. The lines of the typewritten copies of bills introduced shall be numbered and such lines shall not exceed 65 spaces in length.

§ 2. **BILLS TO BE PRINTED; HOW.]** Five hundred copies of each bill or concurrent resolution shall be printed unless otherwise ordered by motion or resolution of either branch of the Legislative Assembly. Bills and concurrent resolutions to amend the Constitution shall be numbered consecutively and be printed on first class calendar paper in eleven point Roman type with a single space between each line, the printed pages to be 30 picas wide and 50 picas long. The numbering and the lines in the printed bill shall correspond to the numbering and the lines of the typewritten copy. A calendar of bills and resolutions introduced and referred shall be printed daily for the use of the members of the Legislative Assembly and for distribution. Such calendar shall be printed on sized and calendered paper, set solid in eight point type, two columns thirteen ems wide, in pages of sufficient length to contain a brief synopsis of each bill or resolution introduced and referred on that day, the number of each bill or resolution, the name of the person introducing the same, the name of the committee to whom referred, the number of each bill that day passing either branch of the Legislative Assembly and messaged to the other, and the statement of the final disposition of any bill or resolution on that day made. The synopsis of bills and resolutions to be so printed in such calendar, and such other matter to be printed therein as hereinbefore provided, shall be edited by a clerk to be employed for such purpose by the branch of the Legislative Assembly in which such bill or resolution is introduced or in which the action respecting such measure is had. Such synopsis or statement of any bill or resolution, as published in such calendar, shall not exceed ten printed lines in length. Such daily calendar shall be distributed and mailed in such number and manner as by resolution of either branch of the Legislative Assembly determined. Copies of every bill or resolution shall be furnished for the files of each member of the Legislative Assembly, and may be procured by any person by applying either in person or in writing to the billclerk of the branch of the Legislative Assembly in which such bill or resolution originated.

§ 3. **REPEAL.]** Section 52 of the Compiled Laws of 1913 and all Acts and parts of Acts in conflict herewith are hereby repealed.

Approved March 10, 1937.

## CHAPTER 187

H. B. No. 73—(Committee on Taxes and Tax Laws)

## MILEAGE STATE OFFICIALS AND EMPLOYEES

An Act for an Act to amend and re-enact that certain Initiated Law entitled: "An Act reducing, equalizing and fixing allowance for mileage and travel expense of State Officials, elective and appointive, their deputies, assistants, clerks and other state employees, and repealing all Acts and parts of Acts in so far as they are in conflict herewith, and taking effect as to all except elective officials on the 30th day of July, 1932, and as to elective officials upon their election and qualification hereafter," adopted and approved by the electors at the June 29th, 1932, Primary Election, reducing and fixing allowances for mileage and travel expenses of State Officials, elective and appointive, their deputies, assistants, clerks and other State employees, providing for the filing of an itemized statement thereof, repealing all Acts and parts of Acts in conflict herewith and declaring an emergency.

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

§ 1. That certain initiated law entitled "An Act reducing, equalizing and fixing allowances for mileage and travel expense of State officials, elective and appointive, their deputies, assistants, clerks and other State employees, and repealing all Acts and parts of Acts in so far as they are in conflict herewith, and taking effect as to all except elective officials on the 30th day of July, 1932, and as to elective officials upon their election and qualification herein," adopted and approved by the electors at the June 29th, 1932, primary election, be and the same is hereby amended and re-enacted to read as follows:

§ 1. AMENDMENT.] Hereafter, State officials, whether elective, or appointive, and deputies, assistants, clerks of such officials, or other State employees, entitled by law to be reimbursed for mileage or travel expense, shall be allowed and paid for mileage and travel expense the sum of five cents per mile for each mile actually and necessarily travelled within this State in the performance of official duty when such travel is by motor vehicle or by team, and when any such motor vehicle or team is owned by the State or by any department or political subdivision thereof, no allowance shall be made or paid for such mileage. When travel is by rail or other common carrier the allowance for mileage and travel expense is hereby fixed at the amount actually and necessarily expended therefor in the performance of official duties, but in no case exceeding the sum of five cents per mile for each mile actually and necessarily travelled in the performance of such duties. Provided, that before any allowance for any such mileage or travel expense shall be made, such official, deputy, assistant, clerk or other employee shall file with the State Auditor an itemized statement showing the mileage travelled, the days when and how travelled and the purpose thereof, verified by his

or her affidavit, which statement shall be submitted to the State Auditing Board for approval and shall only be paid when approved by said Board.

§ 2. All Acts and parts of Acts in conflict herewith, are hereby repealed.

§ 3. This Act is hereby declared an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 13, 1937.

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CHAPTER 188  
H. B. No. 326—(Sand)

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DISPLAY NEW YORK WORLD'S FAIR, 1939

An Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the New York World's Fair in 1939.

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

§ 1. For the purpose of exhibiting the resources, products and advantages of the State of North Dakota at the New York World's Fair to be held in the City of New York in the year 1939, a Commission consisting of the Governor, Secretary of State and the Commissioner of Agriculture and Labor and three citizens of the State of North Dakota to be appointed by the Governor, is hereby created. The Governor shall be the President of the Commission and the Commissioner of Agriculture and Labor shall be the Secretary.

§ 2. The Commissioners shall meet at the call of the Governor at such time and place as he shall designate and may do all things necessary to send a complete and creditable exhibit to the New York World's Fair to be held in the City of New York, during the year 1939, which exhibit shall have for its purpose the exhibition of the resources and industries of the State of North Dakota. Said Commissioners shall adopt their own rules and regulations necessary and proper for the purpose of carrying out this Act.

§ 3. The members of the Commission shall serve without compensation unless they shall, through the generosity of our citizens be able to collect a fund sufficient to cover the expenses of the Commission, in which event they shall be entitled to such compensation and expenses as may be agreed upon, the same to be paid wholly out of the sum so collected.

§ 4. The Commission shall make a full statement and report

of any action taken under the provisions of this Act to the next Legislative Assembly.

Approved March 6, 1937.

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**CHAPTER 189**  
H. B. No. 333—(Schauss)

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**REGULATION SALE PURCHASE AND EXCHANGE OF STATE  
BONDS AND INDEBTEDNESS**

An Act making it unlawful for any officer or the head of any department, board, bureau, institution or industry, to buy, sell, exchange or in any manner acquire or dispose of any bond, stocks, certificates of indebtedness, notes, mortgages or other evidence of debt in which any public funds have been or may be invested, without permission of the Industrial Commission of the State of North Dakota; providing penalty for violation and declaring an emergency.

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

§ 1. That from and after the passage and approval of this Act it shall be unlawful for any officer, or the head of any board, bureau, commission, institution or industry of the State of North Dakota except the Bank of North Dakota, to buy, sell, exchange, or in any manner acquire or dispose of any stocks, bonds, certificates of indebtedness, notes, mortgages or other evidence of debt, in which any of the public funds of said officer, board, bureau, commission, institution, department or industry is invested or may be invested, without first having obtained permission from the Industrial Commission of the State of North Dakota; such permission to be granted by a resolution duly adopted; provided, however, that the provisions of this Act shall not apply to loans and investments made by the Board of University and School Lands.

§ 2. Any officer, or the head of any board, bureau, commission, department, institution or industry of the State violating any of the provisions of Section 1 of this Act shall upon conviction thereof be punished by fine not less than \$100.00 nor more than \$1,000.00, or by imprisonment in the County jail for not less than thirty days nor more than one year, or by both such fine and imprisonment.

§ 3. EMERGENCY.] Whereas there is now no provision for the orderly investment for the public funds in the State's various departments, boards, bureaus, commissions, industries and offices in this State, an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval.

Approved March 6, 1937.

**CHAPTER 190**  
**S. B. No. 226—(Johnson)**

**SESSION LAWS**

**An Act amending and re-enacting Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, relating to printing of popular and authenticated editions of the Session Laws, reducing number of copies of popular editions required to be printed, and repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.**

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

§ 1. AMENDMENT.] Section 69 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, is amended and re-enacted to read as follows:

§ 69. LAWS; HOW PRINTED.] In addition to the official and authenticated edition of the Session Laws to be published, the Secretary of State shall cause to be printed a popular edition of the session laws of each session in the following form: Type to be of ten point size set solid twenty-five ems pica wide, title to be set eight point solid twenty-five ems pica wide. Same to be printed on first grade print paper of the basis of twenty-four by thirty-six inches and thirty-five pounds to the ream, with proper heading, size to be five and three-fourths by eight and three-fourth inches, wire stitched with paper covers of the grade and weight now used and specified for departmental reports. There shall be two thousand copies of said popular edition so printed.

The official and authenticated edition of the Session Laws shall be printed and published from the same matter and from the same type as for the popular edition thereof, to be properly edited, revised and authenticated. The same shall be printed on first grade machine finished paper twenty-five by thirty-eight inches of fifty pounds to the ream, page to be six by nine inches, said volume to be bound in library buckram and properly titled. The popular edition and the authenticated edition of the Session Laws so printed shall be a part of the fourth class of State printing.

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

§ 3. EMERGENCY.] An emergency is hereby declared to exist and this Act shall become operative from the date of its passage and approval.

Approved March 16, 1937.

**CHAPTER 191****H. B. No. 145—(Benno, Frazier and Niewoehner)****TRANSFER OF TRANSIENT CAMP IN BOTTINEAU COUNTY TO  
THE STATE HISTORICAL SOCIETY**

An Act providing for a transfer of certain school lands situated in Bottineau County, State of North Dakota, with the buildings thereon, to the State Historical Society to be used and maintained as a part of the State Public Park System, and providing for an appropriation to reimburse the permanent school fund of the State, and declaring an emergency.

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

WHEREAS, the Government of the United States has expended large sums of money in the construction of Transient Camp Buildings on Section 36, Township 164, North of Range 75 West of the Fifth Principal Meridian, located in Bottineau County, State of North Dakota, which buildings are so designed that they are best suited for use in connection with public park service, and

WHEREAS, the United States Public Park Service requires the title to such land, as they will develop for park purposes, to be in the Public, NOW, THEREFORE:

§ 1. The Governor and the Board of University and School Lands are hereby authorized and directed to transfer and convey said Section 36, of Township 164 North of Range 75 West of the Fifth Principal Meridian, located in Bottineau County, State of North Dakota, containing 640 acres, more or less, according to the United States Government Survey, including the said buildings thereon, to the State Historical Society for public park purposes.

§ 2. That there be and is hereby appropriated to reimburse the Permanent School Fund of the State the sum of \$400.00 for the year 1937; \$1,000.00 for the year 1938; \$1,000.00 for the year 1939; \$1,000.00 for the year 1940; \$1,000.00 for the year 1941; \$1,000.00 for the year 1942, and \$1,000.00 for the year 1943, payable out of any moneys in the State Treasury not otherwise appropriated.

§ 3. EMERGENCY.] An emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval.

Approved February 17, 1937.