

valid. The provisions of this section shall not be available to any corporation, the charter of which has been declared forfeited by the final judgment of any court of competent jurisdiction in this state, nor to any corporation against which any action or proceeding is pending in any of the courts of this state for the forfeiture of its charter, nor to any corporation the directors of which have acted as trustees under the provisions of section 10-1610.

§ 2. EMERGENCY.] This act is hereby declared to be an emergency measure and shall be in full force and effect immediately upon its passage and approval.

Approved March 12, 1945.

COUNTIES

CHAPTER 156

S. B. No. 102

Introduced by Senator Olson of McHenry

RECEPTION BOOK COUNTY AUDITORS

An Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 relating to reception book kept by county auditors.

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

§ 1. REPEAL.] That Section 11-1303 of the North Dakota Revised Code of 1943 is hereby repealed.

Approved February 17, 1945.

CHAPTER 157

H. B. No. 115

Introduced by Representatives Haugen, Bagge, Yirchott and Maher

COUNTY COMMISSIONERS, MILEAGE AND EXPENSE

An Act Authorizing county commissioners to charge and collect mileage and expenses in certain cases.

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

§ 1. COMMISSIONERS MAY COLLECT MILEAGE FOR DAILY TRAVEL BETWEEN PLACE OF RESIDENCE AND COUNTY SEAT, OR IN LIEU THEREOF CERTAIN OTHER EXPENSES.] A county commissioner may charge and receive for his expenses while attending meetings of the county commissioners according to one of the following methods:

1. If the meeting is more than one day's duration, he may charge for and collect mileage for each mile actually traveled.

2. In lieu of such mileage, he may collect and receive the necessary amount paid out for subsistence, but in no case shall such mileage or subsistence exceed the sum of two dollars per day.

Approved March 2, 1945.

CHAPTER 158

S. B. No. 204

Introduced by Senators Streibel and Page

DISPOSITION OF UNEXPENDED BALANCES COUNTY FAIR FUNDS

An Act Amending and re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 relating to un-expended balances of county fairs. .

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

§ 1. That Section 11-2309 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

11-2309. EXPENDITURES: BILLS APPROVED; UNEXPENDED BALANCES.] The expenditure of money by a county shall be in accordance with the annual appropriations of the board of county commissioners. All bills in connection with any public office or undertaking

shall be approved by the official or officials in charge of the office or undertaking before being allowed by the board of county commissioners. At the closing of the auditor's books on June thirtieth, the balance to the credit of each annual appropriation shall become a part of the general unappropriated balance in the county treasury. A special appropriation, however, shall not lapse until the work for which it was made has been completed, the bills paid, and the account closed, provided that the county fair fund mentioned in Section 4-0234 of the North Dakota Revised Code of 1943 shall not be affected by this section but shall be maintained as a continuing fund for the maintenance of the county fair.

Approved March 2, 1945.

CHAPTER 159

H. B. No. 259

Introduced by Representative Fitch

COUNTY OFFICERS SALARY CERTAIN COUNTIES

An Act To Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 fixing the salary of County Officers in Counties where the County Court has Increased Jurisdiction and the County has a Population Exceeding Forty Thousand; and declaring an Emergency.

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

§ 1. AMENDMENT.] That Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

4. In Counties where the County Court has increased jurisdiction and where the county has a population exceeding forty thousand the salary of the county auditor, county treasurer, sheriff, county judge, superintendent of schools, state's attorney, register of deeds and clerk of the district court shall be three thousand dollars per year.

§ 2. EMERGENCY.] Whereas an emergency is hereby declared to exist, this act shall become effective immediately upon its passage and approval.

Approved March 12, 1945.

CHAPTER 160

H. B. No. 158

Introduced by Representatives Luick, Wollitz and McInnes

COUNTY HIGHWAY ENGINEERS

An Act To permit the Board of County Commissioners of any county in North Dakota to employ highway engineers, providing for their duties and method of paying such engineers.

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

§ 1. If in the opinion of the Board of County Commissioners of any county in this state it is necessary for that county to obtain the services of a qualified highway engineer, such Board of County Commissioners is hereby authorized to enter into a contract for such employment.

§ 2. Only duly qualified civil engineers and residents of the State of North Dakota may be so employed. Such engineers shall be employed on a monthly basis or on a per diem basis and several counties may employ the same engineer.

§ 3. Such engineers shall have all the duties now provided in Section 11-2001 of the North Dakota Revised Code of 1943, and in addition thereto shall, under the direction and supervision of the Board of County Commissioners make plans for county and township highways, and shall set up a comprehensive plan of county highways under the direction of the Board of County Commissioners. Such engineer or engineers may plan such highways in co-operation with the Federal Bureau of Public Roads and/or North Dakota State Highway Department. Such engineer or engineers shall also have power to prepare plans and specifications and supervise the construction and repair of drainage ditches and any other work the Board of County Commissioners may designate for them to do.

§ 4. PAYMENT.] The Board of County Commissioners is hereby authorized to pay such engineer or engineers for the work actually performed by such engineer or engineers out of the county Road and Bridge Fund or the general funds of the county upon sworn vouchers showing the time actually expended and the contract price agreed upon and filed with the county auditor and approved by the Board of County Commissioners, as now provided by law for the filing of other claims against the counties.

Approved March 14, 1945.

CHAPTER 161

H. B. No. 136

Introduced by Representative F. J. Graham

MONTHLY REPORTS TO ATTORNEY GENERAL

An Act to Repeal Subsection 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

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

§ I. REPEAL.] That subsection 11 of section 11-1601 of the North Dakota Revised Code of 1943 is hereby repealed.

Approved February 28, 1945.

EDUCATION

CHAPTER 162

H. B. No. 285

Introduced by Delayed Bills Committee

**COMPENSATION, SECRETARY TEACHERS INSURANCE
AND RETIREMENT FUND**

An Act to amend and re-enact Section 15-3905 of the North Dakota Revised Code of 1943, relating to compensation of secretary of Teachers' Insurance and Retirement Fund.

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

§ I. AMENDMENT.] That Section 15-3905 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

15-3905. MEMBERS OF BOARD TO RECEIVE TRAVELING EXPENSES ONLY: COMPENSATION OF SECRETARY.] The members of the board shall receive no compensation except their necessary traveling expenses incurred in attending meetings of the board, but if the board elects one of its members as secretary, he may receive compensation for services rendered as such. The secretary shall receive a salary to be fixed by the board within the limitation of any appropriation therefor by the legislative assembly. The traveling expenses of the board members, the compensation of the secretary, and any