

subject to audit by the United States treasury department, or its representatives, that no audit by the state board of auditors, or by the office of the state examiner, shall be required. Any balances in this fund shall not lapse at any time but shall be available continuously to the bureau for expenditures consistent with this title. The state treasurer shall give a separate and additional bond conditioned for the faithful performance of his duties in connection with the unemployment compensation administration fund in an amount to be fixed by the bureau and in a form prescribed by law or approved by the attorney general. The premiums for such bond shall be paid from the moneys in the unemployment compensation administration fund.

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

Approved February 27, 1947.

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## STATE GOVERNMENT

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### CHAPTER 322

S. B. No. 242—(Shure, Day, Page)

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#### SALARY OF ATTORNEY GENERAL

##### AN ACT

To amend and reenact Section 54-1211 of the North Dakota revised code of 1943, fixing the annual salary of the Attorney General.

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

§ 1. AMENDMENT.] That Section 54-1211 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-1211. SALARY OF ATTORNEY GENERAL. The attorney general shall receive an annual salary of five thousand dollars for all services performed by him.

Approved March 21, 1947.

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**CHAPTER 323****H. B. No. 332****(Brickner, Ohnstad and Starck)**

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**POWERS AND DUTIES OF BOARD OF ADMINISTRATION  
WITH RESPECT TO PLACEMENT AND ADOPTION OF CHILDREN****AN ACT**

Repealing subsections 3 and 4 of section 54-2113 of the North Dakota Revised Code of 1943 relating to adoptions, and declaring an emergency.

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

§ 1. REPEAL.] That Subsections 3 and 4 of Section 54-2113 of the North Dakota Revised Code of 1943 are hereby repealed.

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

Approved March 15, 1947.

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**CHAPTER 324****H. B. No. 199****(Haugen, Stair, Smart, and Langley)**

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**LEGISLATIVE RESEARCH COMMITTEE****AN ACT**

To amend and reenact Section 1 of Chapter 289 of the Session Laws of North Dakota for the year 1945, relating to the creation of a legislative research committee, providing for its members and their terms.

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

§ 1. AMENDMENT.] That Section 1 of Chapter 289 of the Session Laws of North Dakota for the year 1945 is hereby amended and reenacted to read as follows:

1. There is hereby created a legislative committee which is hereinafter referred to as the "legislative research committee" or the "committee". The legislative committee shall

consist of five senators and six representatives to be chosen biennially before the close of each regular legislative session. In the house of representatives such committee members shall be chosen in the same manner as the members of other committees from the list of nine members recommended by each political faction and shall be divided equally between such factions. In the senate such committee members shall be chosen by the lieutenant governor three from the majority faction and two from the minority faction, such committee members to be chosen from a list of seven members recommended to him by each such faction. Any vacancy occurring when the legislature is not in session shall be filled by the selection of another member of the legislature, said selection to be made by the remaining senate or house members of the committee, depending upon which body has the vacancy. Each senator and each representative chosen to serve on the committee shall serve until a new committee has been selected at the next regular legislative session; provided, however, that no senator, not a hold-over, who is not reelected to the senate, and no representative, who is not reelected to the house of representatives, shall serve as a member of the committee beyond the closing day of the term to which he was elected. Any vacancy occurring because any member of the committee is not reelected, shall be filled for the period from the beginning of the session until a new committee is selected, in the same manner as the original committee is selected.

Approved March 7, 1947.

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## CHAPTER 325

S. B. No. 113—(Wolf)

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### CONVEYANCE OF FORMER MINING EXPERIMENT STATION PREMISES TO THE CITY OF HEBRON

#### AN ACT

Authorizing the conveyance of Block 14 of Leutz's first addition to the Village of Hebron to the City of Hebron.

WHEREAS, the property known as "The Mining Experiment Station" in Morton County, City of Hebron, is serving no useful purpose either to the State of North Dakota or to the University of North Dakota and the School of Mines, now therefore,

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

1. That the State Board of Higher Education, shall with the approval of the Governor and the Attorney General con-

vey to the City of Hebron, the property described as follows, to wit:

“Block fourteen of Leutz’s first addition to the Village of Hebron according to the plat now on file and of record with the Register of Deeds of said County.”

Approved February 27, 1947.

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## CHAPTER 326

H. B. No. 126—(Johnson of Cass)

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### ANNUAL EXAMINATION OF BANK OF NORTH DAKOTA AND OTHER INDUSTRIAL INSTITUTIONS BY BOARD OF AUDITORS

#### AN ACT

To amend and reenact Section 54-1302 of the North Dakota Revised Code of 1943, relating to the annual examination of the Bank of North Dakota and other industrial institutions by the board of auditors.

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

§ 1. AMENDMENT.] That Section 54-1302 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

54-1302. BOARD TO MAKE ANNUAL EXAMINATION OF BANK OF NORTH DAKOTA.] The board of auditors, at least once in each year, shall:

1. Examine and audit the accounts, books, and vouchers of the Bank of North Dakota, and any other industrial institution of the state.
2. Take an account and ascertain the amount of funds belonging to the state; and
3. Take an account and ascertain the assets and liabilities of the Bank of North Dakota, and any other industrial institutions of the state.

The examination and audit made by the board shall be made without previous notice to the officials of the industrial institution examined. The board shall make a report of the examination and audit, and of its acts and doings in the premises, to the governor, and shall make the same public.

Approved March 3, 1947.

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**CHAPTER 327****H. B. No. 130****(Fitch, Yirchott, Brickner, Brady and Johnson of Cass)**

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**NORTH DAKOTA HYMN****AN ACT**

Establishing and naming "North Dakota Hymn" as the official song for the state of North Dakota.

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

§ 1. OFFICIAL SONG.] The song known as "North Dakota Hymn", with words written by James W. Foley and music composed by Dr. C. S. Putnam shall be the official song for the state of North Dakota.

Approved March 15, 1947.

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**CHAPTER 328****S. B. No. 4****(Brant for Legislative Research Committee at the request of Office of State Examiner)**

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**ANNUAL AUDIT OF N. D. MILL AND ELEVATOR ASSOCIATION****AN ACT**

To amend and reenact Section 54-1814 of the North Dakota Revised Code of 1943 relating to the annual audit of the North Dakota Mill and Elevator Association.

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

§ 1. AMENDMENT.] That Section 54-1814 of the North Dakota Revised Code of 1943 be amended and reenacted to read as follows:

54-1814. ANNUAL AUDIT OF ASSOCIATION.] The books, records, accounts, inventories, stocks of merchandise, supplies, equipment, and all affairs of the North Dakota Mill and elevator association shall be audited and examined once in each year by the state board of auditors. The audit shall be made as soon as possible after the thirtieth day of June in each year. Said audit and the report thereof shall disclose fairly and accurately the actual condition of the North Da-

kota mill and elevator association as of the thirtieth day of June of that year. Profits and losses shall be computed only on such contracts and commitments, or parts thereof, as shall have been completed on said date, and no estimates of forecasts shall be made as to the probable loss or gain on transactions to be fulfilled after said date. Inventories of grains, supplies, and stocks on hand shall be computed at the market price on said date. The report may disclose the actual obligations and commitments of the association on existing unfulfilled contracts, and the consideration and prices fixed in said contracts, if, in the judgment of said auditors, the same shall be necessary to a complete audit, but the report shall constitute a factual report of existing conditions, and, to the fullest extent possible, all estimates, forecasts, and probabilities shall be eliminated therefrom. Copies of such audit report upon completion shall be filed with the industrial commission, the manager of the mill and elevator, with the state board of auditors, and a consolidated balance sheet and operating statement shall be made public.

Approved February 27, 1947.

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## CHAPTER 329

H. B. No. 270

(Halcrow, Einarson, Benno, Levin, Dalzell, Callahan, Power, Smart and Bubel)

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### NORTH DAKOTA STATE TREE AND STATE BIRD

#### AN ACT

To name the North Dakota state tree and the North Dakota state bird.

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

§ 1.] The American Elm, *Ulmus Americana*, shall be the official tree of the state of North Dakota.

§ 2.] The Meadowlark, *Sturnella Neglecta*, shall be the official bird of the state of North Dakota.

Approved March 10, 1947.

## CHAPTER 330

S. B. No. 256

(Nordhougen, O'Brien, Stucke, Page and Day)

DIRECTOR OF STATE BUDGET, APPOINTMENT, TERM, VACANCY  
AND SALARY

## AN ACT

Creating the office of director of the state budget; authorizing his appointment by the state budget board; prescribing his qualifications; fixing his term of office; providing for his removal for cause and for filling of office in case of vacancy; prescribing the manner in which he shall qualify; authorizing the appointive power to fix his salary and the compensation of other employees; defining the powers and duties of such director; requiring a bi-annual report for the state budget board and legislative assembly; providing for the supervision of the director's official duties by the appointive power and making an appropriation for the administration of this Act, and amending Section 54-1504 of the North Dakota Revised Code of 1943.

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

§ 1. DIRECTOR OF STATE BUDGET, APPOINTMENT, TERM, VACANCY AND SALARY.] The state budget board shall have the power and it shall be its duty to appoint a director of the budget who shall be qualified by training and experience to perform the duties imposed upon him by this Act. Such director's term of office shall expire at the end of each regular session of the legislature. Such director shall be subject to removal by the appointive power for cause upon reasonable notice and opportunity to be heard. Should a vacancy occur by reason of death, disability, removal or other cause, the vacancy created thereby shall be filled by the appointive power and the director so appointed shall serve for the unexpired term. Before entering upon the discharge of his official duties, the director of the state budget shall take, subscribe and file with the secretary of state his oath as prescribed by the constitution, for the faithful discharge of the duties imposed upon him by this Act. The state budget board shall fix the salary of the director and the compensation of employees, and shall reimburse such director for his actual traveling and maintenance expenses necessarily incurred in the performance of his official duties provided, however:

1. That the salary and expenses of the director and the compensation made to employees shall not exceed the amount appropriated for said purposes.
2. That all claims for compensation for travel and maintenance expenses must be itemized and approved by

the chairman of the budget board and must be duly presented to the state auditing board for audit and payment in the manner provided by law.

§ 2. POWERS AND DUTIES OF THE DIRECTOR OF THE STATE BUDGET.] The director of the budget shall have the power and duty:

1. To investigate, examine and make an exhaustive study;
  - a. of the structure and operation of the entire state government and of every office and agency thereof;
  - b. of all of the functions, duties and services of all state offices, departments, institutions, industries, boards, bureaus and commissions;
  - c. of all of the books, records and methods of accounting of each office or agency of the state to ascertain and determine whether their policies, practices and systems of accounting are sound, necessary, practical and efficient.
2. To examine and consider all of the actual revenue requirements and requests for appropriations made by each official and agency of the state government and to make such recommendations to the state budget board as he shall determine to be necessary and advisable to secure a greater degree of economy and efficiency in governmental expenditures.
3. To prepare and submit to the state budget board:
  - a. Such reports of estimates or revenue requirements of all officials and agencies of the state as said board may require.
  - b. To prepare and submit a bi-annual report to the state budget board at least sixty days prior to the commencement of the ensuing legislative session, which report shall contain definite and specific proposals and recommendations to accomplish the following purposes:
    1. To simplify the entire governmental structure of the the state so as to render it more economical and efficient;
    2. To eliminate all obsolete and unnecessary offices, departments, institutions, boards, bureaus and commissions of the state;

3. To consolidate the functions, services and activities of all state offices and agencies thereof so as to eliminate duplication of service and expense wherever it exists;
4. To correlate the functions and services of the several offices and agencies of the state government;
5. To eliminate obsolete methods, unnecessary functions and services carried on by the state government and to render those functions and services which are determined to be absolutely essential, more economical and efficient;
6. To assist the state budget board and legislative assembly in the preparation of the budget and the formulation of the public policy in the administration of governmental affairs with the objective of establishing the highest degree of efficiency consistent with the maximum degree of economy, to assure the citizens of this state that they will receive the best governmental service at the minimum possible cost.

§ 3. SUPERVISION OF THE DUTIES OF DIRECTOR.] The director of the budget shall maintain his office in the capitol at Bismarck. He shall perform his official duties under the supervision and direction of the state budget board. That said board shall transmit a copy of the bi-annual report, prepared by the director of the budget, to every member of the legislative assembly at least thirty days prior to the commencement of the ensuing session for its consideration and enactment into law of such proposals and recommendations as it shall determine to be sound, necessary and practical to assure a greater degree of efficiency and economy in the administration of all governmental functions of the state.

§ 4. OFFICE AND EMPLOYEES.] The state budget board shall provide the director of the state budget with an office in the state capitol and shall furnish such stenographic and clerical assistance as, in their judgment, he may require in the performance of his official duties.

§ 5. APPROPRIATION.] There is hereby appropriated to the state budget board out of any monies in the state treasury, not otherwise appropriated, the sum of twenty thousand dollars, or so much thereof as may be necessary for the purpose of the administration of this Act for the biennium beginning with July 1st, 1947, and ending June 30th, 1949, to-wit:

Salary of Director .....	\$ 12,000.00
Travel and maintenance expense .....	3,000.00
Clerk hire .....	4,000.00
Miscellaneous Expenses .....	1,000.00
<b>Total .....</b>	<b>\$ 20,000.00</b>

§ 6. AMENDMENT.] That Section 54-1504 of the North Dakota Revised Code of 1943 be amended and reenacted to read as follows:

54-1504. BUDGET BOARD ORGANIZATION MEETING: CHAIRMAN; SECRETARY; RECORDS The state budget board shall meet and organize in the governor's office at the state capitol at the call of the governor within thirty days after the close of each regular session of the legislature, and at such other times and places as the governor, or a majority of the board, may from time to time determine. The governor shall be chairman of the board and the state auditor shall be its secretary. The secretary shall keep the minutes of the board and shall record them in a suitable book to be kept for that purpose. The minutes of the board shall be a public record and at all times shall be open to public inspection.

Approved March 21, 1947.

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## CHAPTER 331

S. B. No. 112—(Morgan, Murry, Feton and Wolf)

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### RETIREMENT OF EMPLOYEES OF STATE CHARITABLE OR PENAL INSTITUTIONS

#### AN ACT

Providing for the retirement of employees of state charitable or penal institutions, fixing the retirement pay and providing for biennial budget.

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

§ 1. EMPLOYEES ELIGIBLE TO RETIREMENT.] A person who shall have been employed by the State of North Dakota in a state charitable or penal institution for a period of thirty years or more, and who shall have attained the age of sixty-five years may upon request be placed upon a retirement list, which shall hereafter be kept by each state charitable or penal institution. The request shall be made in writing and addressed to the superintendent or other managing officer of such state charitable or penal institution, who shall forthwith ex-

amine the request and shall certify such employee as qualified for retirement, if within the terms of this act.

§ 2. RETIREMENT PAY.] When eligible for retirement, each employee shall be entitled to the payment of a wage equal to one-half of the average monthly salary or wages paid such employee during the ten years next preceding his or her retirement. Such monthly retirement wage shall be paid out of the salaries and wages account of the institution formerly employing such person.

§ 3. BUDGET.] The superintendent or other managing officer of each state charitable or penal institution in preparing the biennial budget shall include therein amounts equal to the sum which may reasonably be expected to be paid as retirement wages during the biennium.

Approved February 27, 1947.

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## CHAPTER 332

S. B. No. 198

(Bridston, Brunsdale, Strelbel, Morgan and Murry)

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### PERMANENT APPROPRIATIONS FOR BUILDINGS, ADDITIONS AND PERMANENT IMPROVEMENTS FOR ALL CHARITABLE, PENAL AND EDUCATIONAL INSTITUTIONS

#### AN ACT

Making permanent all appropriations hereafter made at any session by the legislative assembly of the State of North Dakota, for buildings, additions, and permanent improvements for all charitable, penal and educational institutions of this state.

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

§ 1. The appropriations hereafter made by any legislative assembly of the State of North Dakota for buildings, additions to buildings, and permanent improvements for all charitable, penal, and educational institutions of the State of North Dakota, shall constitute permanent funds for such purposes, and any balance that may remain in such appropriation at the end of the biennium for which it was appropriated shall not revert to the general fund, but shall constitute a revolving fund, any provision in such appropriation measures to the contrary notwithstanding.

Approved March 20, 1947.