

REFERRED MEASURE

Disapproved

VALUATION BASIS FOR COMPUTING TAX

Referendum of a measure designated as "House Bill 38" Enacted by the Twenty-ninth Legislative Assembly of the State of North Dakota at the regular 1945 Session of said Legislative Assembly, Being an Act Raising the Basis of Assessment of Property for Taxation from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property, Amending and Reenacting Section 57-0228 of the North Dakota Revised Code of 1943; Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

AN ACT

Amending and Reenacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Disapproved June 25, 1946.

70983 to 56988.

VETOS

H. B. No. 265—(Esterby, Siverson)

BANK OF NORTH DAKOTA TRANSFER OF FUNDS TO OTHER STATE DEPARTMENTS; MAKING LOANS, ETC.; OBTAINING ADDITIONAL FUNDS

AN ACT

Permitting the Bank of North Dakota to transfer funds to other State Departments, to make loans and extend credit under limitations and providing method of obtaining additional funds; amending and reenacting Section 6-0915 of the North Dakota Revised Code of 1943.

March 22, 1947.

Honorable Thomas Hall
Secretary of State
Bismarck, North Dakota.
Dear Mr. Hall:

I am transmitting herewith House Bill No. 265 without my approval. Senate Bill No. 159, which I am approving, gives the Bank of North Dakota a broader authority than this bill to make loans to veterans for building purposes when the loans are guaranteed by the Federal Government. This bill

provides that bonds may be issued to make loans up to as high as 75 per cent of the appraised value of the security. This is apparently contrary to the provisions of Section 182 of the constitution of North Dakota, which reads in part "Shall be secured by first mortgage upon real estate in amounts not to exceed one-half of its value." The change of the word "required" to "requested" in the last sentence of the bill is seemingly intended to push the Bank of North Dakota into a broad program of issuing bonds and making real estate loans. Our sad previous experience with a \$39,573,000.00 real estate bond issue, which has thus far required \$17,754,529.03 of tax money for payments of interest and principle, should warn us to move slowly, at least until our people are in urgent need for such loans.

For these reasons I veto this bill.

Respectfully submitted,
FRED G. AANDAHL
Governor

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

§ 1. AMENDMENT.] That Section 6-0915 of the North Dakota Revised Code of 1943 be amended and reenacted to read as follows:

6-0915. BANK MAY TRANSFER FUNDS TO OTHER STATE DEPARTMENTS: LOANS: REAL ESTATE LOANS LIMITED: OBTAINING ADDITIONAL FUNDS.] The Bank of North Dakota may transfer funds to other departments, institutions, utilities, industries, enterprises, or business projects of the state, and such funds shall be returned with interest to the Bank. It may make loans to counties, cities, or other political subdivisions of the state, or to state or national banks, on such terms and under such rules and regulations as the Industrial Commission may determine. It shall not make loans or give its credit to any individual, association or private corporation, except that it may make loans to residents of this state, if such loans are secured by duly recorded first mortgages on real estate, either rural or urban, in the State of North Dakota in amounts not to exceed one-half of the value of the security provided, that servicemen, and servicewomen, eligible for loans under the provisions of Title 3, of Public Law 346 of the 78th Congress, as amended, may make loans in amounts not to exceed seventy-five per cent of the value of the security; and it may make loans to any individual, association, or private corporation of such loans are secured by warehouse receipts issued by the Industrial Commission or by any licensed warehouse within the state in amounts not to exceed ninety

per cent of the value of the commodities evidenced thereby. The Bank, however, shall not loan more than thirty per cent of its capital, nor in addition thereto, more than twenty per cent of its deposits on real estate security. Additional funds that may be requested for such real estate loans shall be procured from the sale of state bonds as may be provided by law.

Filed March 22, 1947.

H. B. No. 263—(Langley)

DISTRIBUTION MOTOR VEHICLE FEES

AN ACT

To amend and reenact Section 39-0467 of the North Dakota Revised Code of 1943, providing for the distribution of motor vehicle registration fees.

March 22, 1947.

Honorable Thomas Hall
Secretary of State
Bismarck, North Dakota.
Dear Mr. Hall:

I am transmitting herewith House Bill No. 263 without my approval. For a good many years we have had what might be called compromise laws, providing for the distribution of the counties' share of gas tax revenue and motor registration fees. The gas tax revenue is distributed according to the number of motor vehicles registered and the motor registration fees according to the amounts of the fees received. This bill would break the compromise arrangement and distribute motor registration fees also on the basis of the number of vehicles registered. Registration fees are paid in lieu of personal property tax and the counties' share belongs to the county in which it is paid. At this time when \$2,941,-718.62 is being repaid to the motor registration fund, half of which is to be distributed to the counties, it would be doubly unfair to change the method of distribution from what it would have been in 1933, 1934 and 1935, when this money rightfully should have been distributed.

I therefore veto this bill.

Respectfully submitted,
FRED G. AANDAHL
Governor

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

§ 1. AMENDMENT.] That Section 39-0467 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

39-0467. DISTRIBUTION OF REGISTRATION FEES COLLECTED.] Any moneys in the registration fund, accruing from license fees or from other like sources, in excess of the amount required to pay salaries and other necessary expenses, in accordance with the legislative assembly's appropriation for such purposes, shall be transferred quarterly and credited by the state treasurer, as follows:

1. Fifty per cent to the state highway department; and
2. Fifty per cent to the counties of this state, which moneys shall be prorated among the counties in the proportion which the number of motor vehicles registered in each county shall bear to the total number of motor vehicles registered in all of the counties of the state during the entire preceding calendar year as shown by the certificate of the Registrar of Motor Vehicles.

Filed March 22, 1947.

S. B. No. 284—(Committee on Delayed Bills)

VALUATION BASIS FOR COMPUTING TAX

AN ACT

Amending and reenacting Subsection 4 of Section 21-0301 of the North Dakota Revised Code of 1943, defining "assessed value of taxable property," as used in Section 183 of the Constitution of the State of North Dakota, and "the value of taxable property" or "the assessed valuation," and providing that the same shall be on the basis of such value as finally equalized before reduction as provided by Section 57-0228 of the North Dakota Revised Code of 1943; that bond issues of school districts and municipalities shall be based on valuation as provided herein; and declaring an emergency.

March 22, 1947.

Honorable Thomas Hall
Secretary of State
Bismarck, North Dakota.
Dear Mr. Hall:

I am transmitting herewith Senate Bill No. 284 without my approval. This bill would double the limit of bonded in-

debtedness for the various political subdivisions of the state. During this period of inflation and adverse conditions of building and new construction of every kind we should use our united effort to keep the state and all political subdivisions on a cash basis. If emergency conditions justify bonded indebtedness, that indebtedness at this time should not be greater than permitted under the present law. There are a few school districts that because of fire losses have extraordinary problems. Had this bill been drafted to meet only those problems it would have had my approval. It would be unwise at this time to give the general encouragement to high bonded indebtedness embodied in this act. Attention should be called to the provisions of Senate Bills 209 and 150, which authorize villages, cities and school districts to establish by special increased levy a building fund. At a later date, when conditions are more favorable for building, money so accumulated together with a smaller bond issue should be adequate.

I therefore veto this bill.

Respectfully submitted,
 FRED G. AANDAHL
 Governor

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

§ 1. AMENDMENT.] That Subsection 4 of Section 21-0301 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

4. "Value of taxable property" or "the assessed value of taxable property," as used in Section 183 of the Constitution of the State of North Dakota, or the "assessed valuation" of any municipality shall mean the value of all taxable property in such municipality as last finally equalized, and before the same is reduced as provided by Section 57-0228 of the North Dakota Revised Code of 1943, against which the mill rate of taxes for state and county purposes is computed and extended, except that if special improvement warrants were issued by a municipality prior to January 1, 1935, and bonds are issued to cover a deficiency in the fund for the payments of such warrants as provided in Section 21-0306, Subsection 2, Subdivision g, then for the purpose of determining the limit of indebtedness of such municipality as applied to the issuance of such bonds, such terms shall mean the full and true one hundred per cent value of all taxable property in such municipality as finally equalized by the state board of equalization;

§ 2. Whenever any school district in this state, whether common, special, or independent, or any other municipality or political subdivision of the State of North Dakota shall authorize a bond issue at an election held for such purpose, the levy required to be made for the purpose of establishing a sinking fund for the payment of the principal and interest of such bond issue shall be computed on the basis of "the assessed value of the taxable property, value of taxable property or assessed valuation," as set forth in Section 1 hereof.

§ 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.

Vetoed March 22, 1947.

RESOLUTIONS

House Concurrent Resolution "M"

(Bjella, Mollet, Smart, Gackle of McHenry, Ellingson,
Hofstrand, Stormon, Hildre, Saumur and Allen)

AIR TRANSPORTATION FROM DULUTH TO SEATTLE

A Concurrent Resolution Memorializing the Civil Aeronautics Board for early consideration in providing a Northern area of the United States as the Crow Flies from Duluth, Minnesota, to Seattle, Washington, with Regular Air Transportation Serving Chicago via the Twin Cities and Duluth and the Intermediate Points of Grand Forks, Devils Lake, Minot, Williston, Glasgow, Havre, Great Falls, Kalispel and Spokane.

Be It Resolved By the House of Representatives of the State of North Dakota, the Senate Concurring Therein:

WHEREAS, there is no transcontinental air service between Lake Superior and Seattle along the Northern part of the United States, and

WHEREAS, said territory can well support such service and is in fact operating one of the most successful railroad operations in the nation, and

WHEREAS, applications are pending on the part of air transport companies for such authority, and

WHEREAS, all of the cities and trade areas affected are desirous of having such service, and