

tion, or markets and manufacturing establishments buying federal or state inspected meats shall be exempt from the provisions of this Act.

§ 5. STATE LIVESTOCK SANITARY BOARD TO LICENSE AND TO MAKE RULES AND REGULATIONS.) The state livestock sanitary board shall make proper rules and regulations for the control and inspection of all establishments covered by this Act processing meat or meat products for human consumption within this State and may fix maximum fees for the licensing of such establishments not to exceed ten dollars annually.

No establishment, subject to the provisions of this Act, may sell or deliver meat or meat products without a license issued under this Act.

§ 6. 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 March 13, 1951.

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## MILITARY

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### CHAPTER 224

H. B. No. 629  
(Bourgeois and Fleck)

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#### SALE AND CONVEYANCE OF CERTAIN TRACTS OF NATIONAL GUARD PREMISES TO CITY OF BISMARCK

##### AN ACT

Authorizing the adjutant general to sell and convey to the city of Bismarck, North Dakota, a certain tract of land located on part of the state of North Dakota property used for national guard purposes.

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

§ 1. AUTHORIZATION TO SELL AND CONVEY.) The adjutant general of the state of North Dakota, for and in behalf of the state of North Dakota, and with the consent and approval of the secretary of the interior of the United States, is hereby authorized to sell and convey to the city of Bismarck, North Dakota, for the consideration of one dollar the following described real property, to-wit:

A tract of land lying in government lot three, section thirty-one, township one hundred thirty-nine north, range eighty west, Burleigh county, North Dakota, said tract being described as follows:

Beginning at a point on the southwesterly right-of-way line of the Northern Pacific railway a distance of seventeen hundred forty-one and one tenth feet north of and seven hundred sixty and six tenths feet west of the southeast corner of said section thirty-one, said point of beginning was located as follows: Beginning on the east line of said section thirty-one and the center line of the Northern Pacific railway main tracks; thence running north fifty-seven degrees fifty-eight minutes west, along the centerline of the Northern Pacific main tracks, seven hundred seventy-two and twelve hundredths feet; thence running south thirty-two degrees two minutes west at right angles to main tracks, two hundred feet to said point of beginning; thence continuing south thirty-two degrees two minutes west, three hundred eleven and nine hundredths feet to a corner of the present water plant property; thence running north thirty-two degrees forty minutes west along the present water plant property, four hundred seventy-five and sixty eight hundredths feet; thence running north sixteen degrees fifty-nine minutes east along the present water plant property, one hundred ten and sixty-one hundredths feet, more or less, to the southwesterly right-of-way line of the Northern Pacific railway; thence running southeasterly along the said southwesterly right-of-way line, four hundred fifty-seven feet, more or less, to the point of beginning; containing two and eleven hundredths acres, more or less.

Approved March 5, 1951.

## CHAPTER 225

S. B. No. 139  
(Krenz)

## POWERS AND DUTIES OF BOARD OF ARMORY SUPERVISORS

## AN ACT

To amend and reenact section 37-1003 of the North Dakota Revised Code of 1943, relating to powers and duties of the board of armory supervisors.

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

§ 1. AMENDMENT.) Section 37-1003 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

37-1003. POWERS AND DUTIES OF BOARD OF ARMORY SUPERVISORS.) The board of armory supervisors shall fix for each unit of the national guard the maintenance and rent allowance to be paid by this state for other than state-owned armories. The board shall acquire, contract for, erect, purchase, sell, maintain, repair, and alter state-owned armories subject to the laws made and provided therefor. Such board may lease property to be used for armory purposes, but no lease shall extend for a period exceeding fifteen years. Such board, with the approval of the adjutant general, is authorized to make exchange of lands, owned by the state of North Dakota and used for military purposes, with other agencies of the state, counties, municipalities or other political subdivisions, corporations or individuals; or to purchase, within funds available, parcels of land necessary for the construction of armories or the expansion of present military installations in the state of North Dakota. Such board is authorized, with the approval of the adjutant general, to lease parts of military installations to the department of defense or other agencies of the federal government.

Approved February 28, 1951.

## CHAPTER 226

H. B. No. 614  
(Fristad and Dahl)

## SOLDIERS HOME; OBJECT; ADMITTANCE

## AN ACT

To amend and reenact sections 37-1502 and 37-1510 of the North Dakota Revised Code of 1943, relating to the object of the North Dakota soldiers' home and admission thereto.

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

§ 1. AMENDMENT.) Section 37-1502 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

37-1502. OBJECT OF SOLDIERS' HOME.) The object of the soldiers' home shall be to provide a home and subsistence for:

1. All honorably discharged United States soldiers, sailors, marines, coast guard and feminine members of the armed services who have served the United States in any of its wars or military expedition and who are disabled by disease, wounds or otherwise and do not have sufficient means or ability to support themselves, and honorably discharged members of the North Dakota national guard mustered into federal service in 1916 and who served on the Mexican border and all honorably discharged soldiers of the North Dakota national guard who heretofore or hereafter may become permanently disabled from any cause while in line and discharge of duty; and
2. The wives and widows of those mentioned in subsection 1 of this section providing they meet the requirements for admission under the provisions of section 37-1510.

§ 2. AMENDMENT.) Section 37-1510 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

37-1510. ADMITTANCE TO SOLDIERS' HOME; REGULATIONS GOVERNING.)

1. No applicant shall be admitted to the soldiers' home unless he or she has been a bona fide resident of this state for at least three years next preceding his or her application for admission thereto. The three year residency immedi-

- ately preceding application may be waived if the applicant served in a North Dakota regiment or was accredited to the state of North Dakota during a war period ;
2. All honorably discharged soldiers of the North Dakota national guard who heretofore or hereafter may become permanently disabled from any cause while in line and discharge of duty and are not able to support themselves, due to aforesaid disabilities, may be admitted to the North Dakota soldiers' home in accordance with the laws for admission of others and under such rules and regulations as the board of trustees may adopt ;
  3. The wife or widow of a United States or North Dakota service man mentioned in subsection 1 of section 37-1502 may be admitted upon the same footing as her husband, provided, however, that such wife or widow shall have entered into the contract of marriage to her husband at least ten years prior to date of application or prior to the date necessary for her to obtain a United States pension and shall have attained the age of forty-five years at date of application ;
  4. No person shall be admitted to the home until he or she shall have made formal application and furnished such proof as may be required by the board of trustees and such application shall have been approved by the board of trustees or a board of officers of the institution which they shall designate ; and
  5. When a member of the home who is not eligible for veterans administration hospitalization and care, becomes unable from any cause to care for self under the rules and regulations prescribed by the board of trustees for the admission and care of members in the home, he or she shall become a charge of the county of residence at the time of admission. No individual shall gain or lose legal residence by reason of residence in or a member of the soldiers' home.

Approved March 5, 1951.

## CHAPTER 227

H. B. No. 615  
(Fristad and Wahl)

DISBURSEMENT OF MONEYS FOR SUPPORT, ETC.,  
OF SOLDIERS HOME

## AN ACT

To repeal section 37-1515 of the North Dakota Revised Code of 1943, relating to disbursement of moneys for the support and maintenance of the state soldiers home.

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

§ 1. REPEAL.) Section 37-1515 of the North Dakota Revised Code of 1943 is hereby repealed.

Approved February 9, 1951.

## CHAPTER 228

S. B. No. 197  
(Committee on Appropriations)

## CIVIL DEFENSE

## AN ACT

Relating to the civil defense; providing for the establishment of a civil defense council headed by the governor; setting out the powers and duties of such council and the governor; providing for the termination of the Act at the end of the present national emergency; making an appropriation; repealing chapter 37-17 of the North Dakota Revised Code of 1943; and declaring an emergency.

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

§ 1. PURPOSE; POLICY.) It is hereby found and declared that it is necessary, because of the present national emergency with which the United States of America is confronted, to provide for the creation of state and local civil defense agencies, and to confer upon the said defense agencies and upon the political subdivisions of the state, the emergency powers and the incidents thereof enumerated in this Act. It is further declared to be the

purpose of this Act and the policy of the state thereby to assist and cooperate with the federal government and other states, including the contiguous provinces of the Dominion of Canada, in matters relating to the civil defense effort; to meet the extraordinary conditions and problems resulting in this state from the present emergency by establishing such organizations and taking such steps as are necessary and appropriate to carry out the provisions of this Act; and, generally, to defend the state, protect the public peace, health, and safety, and preserve the lives and property of the people of the state.

§ 2. ORGANIZATION OF COUNCIL.) There is hereby created the North Dakota civil defense council, hereinafter designated as the "council", to consist of the governor, the attorney general, the commissioner of agriculture and labor, and twelve other members, to be appointed by the governor. The governor shall be chairman of the council. The members of the council shall serve without compensation, but may be reimbursed for their actual and necessary traveling and other expenses incurred in connection with attendance upon meetings of the council. The council shall be provided with appropriate office space, furniture, equipment, supplies, stationery, and printing in the same manner as other state agencies.

§ 3. POWERS; FUNCTIONS AND DUTIES OF THE GOVERNOR, THE STATE DIRECTOR AND THE COUNCIL.)

1. a. The governor shall have general direction and control of the civil defense agency, and shall be responsible for carrying out the provisions of this Act, and in the event of disaster or emergency beyond community control, may assume direct operational control over all or any part of the civil defense functions within the state.

b. The governor shall have the power to appoint a state director and fix his salary, and to establish and appoint, in cooperation with local officials, a council in each county which shall act as a coordinating agency under the supervision and direction of the state council in cooperation with the local governmental agencies.

2. The director, subject to the direction and control of the governor, shall be the executive head of the civil defense agency and shall be responsible to the governor. He shall coordinate the activities of all organizations for civil defense within the state, and shall maintain liaison with and cooperate with civil defense agencies and organizations of other states, including the contiguous provinces of the Dominion of Canada, and of the federal government, and such additional authority, duties, and responsibilities as may be prescribed by the governor. He is authorized

to employ such technical, clerical, stenographic, and other personnel as are necessary to carry out the purposes of this Act and to fix the compensation of employees:

3. The council shall have the following powers, functions and duties:
  - a. To cooperate with:
    - (1). Any and all federal departments, agencies, and independent establishments and the officers and employees thereof charged with responsibilities relating to the defense of the nation;
    - (2). The officers and agencies of other states in matters pertaining to the common defense of the state and nation;
    - (3). The political subdivisions and local defense councils and agencies of this state; and
    - (4). Private agencies engaged in activities essential to civil defense;
  - b. To provide for the recruitment, qualification, training, equipment, powers, and duties of all persons engaged in civil defense activities;
  - c. To require and direct the cooperation and assistance of state and local governmental agencies and officials;
  - d. To provide for the appointment of such committees and sub-committees, to be composed of members of the council or other persons, as the council may determine, and prescribe their duties and functions, and to make, amend, and rescind such orders, rules, and regulations, not inconsistent with law, as the council may deem necessary and proper to carry out the purposes of this Act;
  - e. To perform all duties authorized by the governor, under the laws, constitutions, and war powers.

§ 4. CIVIL DEFENSE POWERS TO FORM LOCAL DEFENSE COUNCILS TO COOPERATE WITH COUNTY DEFENSE COUNCILS AND OF POLITICAL SUBDIVISIONS.) Cities are hereby authorized to enact such ordinances as may be necessary and proper effectually to carry out the provisions of this Act

§ 5. POWERS AND DUTIES OF LOCAL DEFENSE COUNCIL.)

1. A local defense council may appoint and remove, or provide for the appointment and removal of, air raid wardens, auxiliary fire and police personnel, and such other civilian

defense workers as may be found necessary for conducting the activities of any agency created pursuant to this Act. The persons appointed shall not be entitled to pension or retirement rights or privileges;

2. A local defense council, if and when established, shall cooperate with and assist the state council and shall perform such services as may be requested by the council. A local council may act jointly with other such councils. Except as limited by the state council, a local council shall have such powers, functions, and duties as may be conferred by the governing body which established it.

§ 6. RECIPROCAL AGREEMENTS BETWEEN POLITICAL SUBDIVISIONS.) In order to achieve the most effective use of the services and equipment of all political subdivisions of the state, throughout the state, each political subdivision may negotiate reciprocal aid agreements with other political subdivisions of the state with respect to the furnishing of services, equipment, supplies, and facilities for the purpose of rendering aid in cases of disaster, including any occasioned by air raid or other form of enemy attack.

§ 7. POWERS HEREIN CONFERRED TO BE EXERCISED IN CONFORMITY WITH FEDERAL ACTION.) In order to attain uniformity so far as practicable throughout the country in measures taken to aid in civilian defense, all action taken under this Act, and all orders, rules, and regulations made pursuant thereto, shall be taken or made with due consideration to the orders, rules, regulations, recommendations, and requests of federal authorities relevant thereto, and, to the extent permitted by law, shall be consistent with such orders, rules, regulations, recommendations, and requests.

§ 8. ASSISTANCE FROM OTHER STATE AND PRIVATE AGENCIES.) In providing such assistance hereunder, state agencies shall cooperate to the fullest extent with the state director of civil defense, local governments, relief agencies and the American National Red Cross, but nothing contained in this Act shall be construed to limit or in any way affect the responsibilities of the American National Red Cross under the Act approved by the Congress of the United States, January 5, 1905, and are subsequently amended.

§ 9. COORDINATION WITH THE FEDERAL CIVIL DEFENSE ADMINISTRATION.) Anything in this Act to the contrary notwithstanding, no action shall be taken, and no order, rule or regulation shall be made, under this Act which is inconsistent with any

relevant order, rule, or regulation of the federal civil defense administration.

§ 10. GOVERNOR TO ACCEPT FEDERAL AID.) The governor, for the use and benefit of the state, its political subdivisions, and the civil defense council, is authorized to accept any loans, grants in aid, or other services or assistance offered in aid of the civil defense by the federal government, upon such terms and in accordance with such rules and regulations as the federal government or its authorized agencies may prescribe.

§ 11. IMMUNITY.)

1. The officers, agents, or representatives of the state or any political subdivision thereof, shall not be liable for personal injury or property damage sustained by any person appointed or acting as a civil defense worker, or member of any agency engaged in civil defense activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under the workmen's compensation law or any pension law or any act of the congress of the United States.
2. No officer or employee of the state defense council, or of a local council, nor any civil defense worker or member of any agency engaged in any civil defense activity, complying with or attempting to comply with this Act, or any order, rule or regulation promulgated pursuant to the provisions of this Act, or pursuant to any ordinance relating to any blackout or other precautionary measure enacted by any political subdivision of the state, shall be liable for the death of or injury to persons, or for damage to property, as a result of any such activity.

§ 12. TERMINATION.) The provisions of this Act shall expire and become inoperative by action of the legislative assembly of the State of North Dakota, or whenever the president or congress of the United States proclaims an end to the present existing national emergency.

§ 13. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund of the state treasury the sum of Fifty Thousand Dollars (\$50,000.00) to carry out the provisions of this Act.

§ 14. REPEAL.) Chapter 37-17 of the North Dakota Revised Code of 1943 is hereby repealed.

§ 15. 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 March 13, 1951.

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CHAPTER 229

S. B. No. 114  
(Morgan)

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SALARY OF COMMISSIONER OF VETERANS AFFAIRS

AN ACT

To amend and reenact section 37-1807 of the 1949 Supplement to the North Dakota Revised Code of 1943, relating to the salary of the commissioner of veterans affairs.

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

§ 1. AMENDMENT.) Section 37-1807 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

37-1807. COMPENSATION AND EXPENSES OF COMMISSIONER.) The salary of the commissioner shall be the amount appropriated therefor by the legislative assembly. He shall be allowed such amounts for travel, clerkhire and expenses as may be prescribed from time to time by legislative appropriations.

Approved February 7, 1951.