

# WORKMEN'S COMPENSATION

## CHAPTER 390

S. B. No. 142

(Livingston, Larson, Brooks, Longmire, Saumur)

### HEALTH IMPAIRMENT OF MUNICIPAL FIREMEN AN ACT

To amend and reenact subsection 9 of section 65-0102 of the North Dakota Revised Code of 1943, providing that any condition or impairment of health of municipal full-time paid firemen in the state of North Dakota caused by tuberculosis, hypertension, or heart disease, resulting in total or partial disability, shall be presumed to have been suffered in line of duty.

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

§ 1. **Amendment.**) Subsection 9 of section 65-0102 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

9. "Fairly traceable to the employment" when used to modify the term "disease" shall mean only a disease which:
  - a. Arises under conditions wherein it is apparent to the rational mind upon consideration of all the circumstances that there is a direct causal connection between the conditions under which the work is performed and the disease;
  - b. Can be seen to have followed as a natural incident of the work as a result of the exposure occasioned by the nature of the employment; and
  - c. Can be fairly traced to the employment.
  - d. Provided, any condition or impairment of health of municipal full-time paid firemen caused by tuberculosis, hypertension or heart disease resulting in total or partial disability shall be presumed to have been suffered in line of duty unless the contrary be shown by competent evidence, provided, further, that such municipal full-time paid firemen shall have completed two years of continuous service and have successfully passed a physical examination on entering into such service, which examination fails to reveal any evidence of such condition.

Approved March 6, 1957.

## CHAPTER 391

H. B. No. 832  
(The Delayed Bills Committee)

## WORKMEN'S COMPENSATION BUREAU CHAIRMAN

## AN ACT

To amend and reenact section 65-0204 of the North Dakota Revised Code of 1943, relating to chairman of the workmen's compensation bureau.

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

§ 1. **Amendment.**) Section 65-0204 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**65-0204. Chairman Of The Bureau.)** The governor shall designate one of the commissioners as chairman of the bureau who is to act in such capacity for the term of his appointment as commissioner or until his successor has been appointed, designated and qualified.

Approved March 19, 1957.

## CHAPTER 392

S. B. No. 60  
(Longmire, Garaas, and Schrock)

## BOILER INSPECTION RULES

## AN ACT

To amend and reenact section 65-1208 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to promulgation of boiler inspection rules and penalty for violation thereof.

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

§ 1. **Amendment.**) Section 65-1208 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**65-1208. Rules And Regulations And Penalty For Violation.)** The bureau shall promulgate rules and regulations for the safe and proper installation, use, operation and inspection of boilers subject to this chapter. Any owner or user of a boiler who fails or refuses to comply with such rules and regulations shall be guilty of a misdemeanor as provided in section 65-0302 as amended and subject to the penalties provided therein.

Approved March 1, 1957.