

# FIRES

## CHAPTER 163

H. B. No. 874  
(Burk)

### REPORTING OF FIRES

#### AN ACT

To amend and reenact section 18-01-06 of the North Dakota Century Code, relating to the reporting of fires.

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

§ 1. **Amendment.)** Section 18-01-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-01-06. Fire Chiefs and Auditors or Clerks or Secretaries of Cities and Villages and Rural Fire Protection Districts Must Report Fires.)** Within five days after the occurrence of any fire in which property in a city or village or rural fire protection district has been destroyed or damaged in an amount which exceeds twenty-five dollars, the fire chief of such city or village or rural fire protection district, if a fire department is maintained therein, or the auditor or clerk of the city or village or the secretary of the rural fire protection district, if a fire department is not maintained therein, shall report the cause, if known, and the origin and circumstances of the fire and the name of the owner and occupant of such property, to the state fire marshal. Such report shall show whether such fire was the result of carelessness, accident, or design. The provisions of this section shall be complied with, insofar as the same are applicable, if the fire is of unknown origin, regardless of the amount of damage caused thereby.

Approved March 2, 1965.

## CHAPTER 164

S. B. No. 104  
(Kisse, Lips, Lashkowitz)

## PARTICIPATION IN FIRE INSURANCE PREMIUM REFUNDS

## AN ACT

To amend and reenact section 18-04-01 of the North Dakota Century Code, relating to participation in fire insurance premium refund.

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

§ 1. **Amendment.)** Section 18-04-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-04-01. Eligibility for Participation in Fund Created from Premium Tax on Fire Insurance Companies.)** In order to become eligible for the benefits provided under this chapter, a city, village or one or more townships, or fire districts, shall maintain therein for a period of at least eight months prior to the filing of the certificate required under section 18-04-02 an organized fire district or department which:

1. Has been in actual existence for the period herein specified;
2. Has had as a part of its equipment at least one steam, hand, or other fire engine, truck;
3. Has had a membership of at least fifteen persons. Such department or district also must be a member of the North Dakota firemen's association in good standing at the time the benefits are paid; and
4. Change in a fire department's name, or incorporation into a fire district, shall be deemed a waiver of the eight month waiting period for filing a certificate of existence under section 18-04-02.

Approved March 3, 1965.

CHAPTER 165  
S. B. No. 103  
(Kisse, Lips, Lashkowitz)

FIRE INSURANCE PREMIUM REFUNDS

AN ACT

To amend and reenact section 18-04-05 of the North Dakota Century Code, relating to amount due cities, villages or rural fire departments; certificate of commissioner of insurance to department of accounts and purchases.

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

§ 1. **Amendment.)** Section 18-04-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-04-05. Amount Due Cities, Villages or Rural Fire Departments—Certificate of Commissioner of Insurance to Department of Accounts and Purchases.)** The amount due to a city or village not encompassed by a fire district under the provisions of this chapter shall be two and one-fourth percent of the premium received by insurance companies on fire and extended coverage insurance policies issued on property in such cities or villages. The commissioner of insurance shall compute the amounts due to the several cities or villages and shall certify such amounts to the department of accounts and purchases on or before June first in each year. The commissioner of insurance shall certify to the department of accounts and purchases on or before June first of each year an additional one hundred dollars to be paid to each city or village fire department performing service outside of its incorporated limits. For each rural fire department or district organized within the provisions of this chapter, the amount of two hundred dollars per year shall be certified to the department of accounts and purchases, plus two and one-fourth percent of fire and extended coverage insurance premiums paid in any city or village encompassed in a fire district. There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated as a standing and continuing appropriation, such sums as may be necessary to make payments as provided in this section.

Approved March 17, 1965.

## CHAPTER 166

H. B. No. 592  
(Poling, Davis)

## FIRE DISTRICT DEBT LIMIT

## AN ACT

To amend and reenact section 18-10-08 of the North Dakota Century Code, relating to indebtedness of district limited.

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

**§ 1. Amendment.)** Section 18-10-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-10-08. Indebtedness of District Limited.)** No district shall become indebted for more than twenty-five thousand dollars, nor for an amount that may not be payable from ten annual maximum tax levies as authorized by section 18-10-07. Within the limits herein authorized, the district shall have power to borrow money at a rate not in excess of six percent per annum and to issue appropriate evidence of indebtedness thereof.

Approved March 19, 1965.

## CHAPTER 167

S. B. No. 63  
(Lips, Lashkowitz)

## FIREMEN'S PENSION PLAN

## AN ACT

To amend and reenact section 18-11-20 of the North Dakota Century Code, relating to members withdrawing from association and members in military service.

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

§ 1. **Amendment.**) Section 18-11-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-11-20. Members Withdrawing from Association—Members in Military Service.)** Each association shall adopt bylaws and regulations providing that in the event any member withdraws from the employment in the department or ceases to be a member of the association he shall be entitled to a return of an amount which is not less than fifty percent nor more than one hundred percent of his contributions paid to the association without interest. Any benefits already received by such person shall be deducted from the amount which would be returned to him. Any applicant for a service pension who subsequently to his entry into the service of such fire department, has served in the military forces of the United States, shall not have the period of such military service deducted in the computation of the period of service herein provided for, but such military service shall be construed and counted as a part and portion of his active duty in said fire department, provided however, that credit for such military service shall not exceed five years. Any such member, who was a full-time regular fireman at the time of his entry into the armed services and who seeks credit for such service, shall, upon his return to employment in the fire department, pay into the pension fund for each year of military service the same amount of money as he would have contributed from his salary had he been in the continuous employment of the department.

Approved March 1, 1965.