

HEALTH AND SAFETY

CHAPTER 201

S. B. No. 152
(Holand)

MEMBERSHIP OF STATE SAFETY COMMITTEE

AN ACT

To amend and reenact section 23-13-09 of the 1965 Supplement to the North Dakota Century Code, relating to membership of state safety committee.

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

§ 1. **Amendment.**) Section 23-13-09 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-13-09. North Dakota State Safety Committee — Members.) The North Dakota state safety committee shall be composed of the governor, who shall be honorary chairman; the state highway commissioner, who shall be the executive director; the state health officer, the superintendent of the state highway patrol, the motor vehicle registrar, the chairman of the public service commission, the superintendent of public instruction, the chairman of the workmen's compensation bureau, the commissioner of the board of higher education and the attorney general. The governor may appoint a representative to serve in his stead at such meetings as he may be unable to attend. The members of the safety committee shall receive no additional compensation for service on said committee. Said committee shall have no authority, power or duties now vested in any other department or departments of state government.

Approved March 14, 1967.

CHAPTER 202

H. B. No. 624

(Strinden, Stone, Wagner, Unruh, McDonald(18))

FORMATION OF HEALTH DISTRICTS

AN ACT

To create and enact section 23-14-01.1 of the North Dakota Century Code, relating to the formation of health districts.

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

§ 1.) Section 23-14-01.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

23-14-01.1. Formation of County-City Health Districts.) Notwithstanding any provisions of this chapter, a county not included within any health district as provided in this section may by a resolution adopted by the board of county commissioners of such county contract with the governing body of a city within such county which has a health department approved by the state department of health to provide health services throughout the county and in other cities within the county which do not have approved health departments. Such contract shall be entered into pursuant to section 54-40-08. Further, the governing body of a city having a health department approved by the state department of health may enter into a contract with the board of county commissioners of the county in which the city is located to provide health services to the county and cities therein which do not have an approved health department, which contract shall be entered into pursuant to the provisions of section 54-40-08. Any contract entered into under the authority of this section may be renegotiated after existing one year by mutual agreement between the governing bodies which are parties to the contract or by one of the contracting parties giving notice by certified mail to the other contracting party. Such notice shall specify a time and place for the contracting parties to meet and renegotiate the existing contract. The time specified in the notice shall be no sooner than fifteen days after the mailing of the certified notice. When the contract is executed the health department of the city shall exercise and perform all the necessary powers and duties pursuant to all health laws of this state, and any provisions of this chapter relating to organizing district boards of health shall not apply. The county so organized pursuant to a contract

entered into under this provision shall be considered a health district for all purposes by the state department of health.

Approved February 27, 1967.

CHAPTER 203

H. B. No. 699
(Haugland, Olienyk)

ACQUISITION AND DISPOSAL OF HEALTH UNIT PROPERTY

AN ACT

Relating to district health units acquiring and disposing of real and personal property and providing for disposition of same upon dissolution.

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

§ 1. Acquiring and Disposing of Property.) The district board of health may acquire by lease, purchase, construction or gift for district health office use and control both real and personal property for all purposes authorized by law or necessary to the exercise of the powers granted herein. The district board of health may also convey, sell, dispose of or otherwise transfer personal and real property acquired as provided herein. If upon dissolution of a district health unit there remains any balance in the treasury of the district after all obligations have been paid, the balance shall be paid into the general fund of the counties comprising the health district in proportion to the mill levy most recently assessed for budget purposes under the provisions of this chapter.

Approved March 6, 1967.

CHAPTER 204

S. B. No. 154

(Torgerson, Kelly(24), Wilhite, Becker, Longmire)

LICENSING OF DISTRIBUTORS AND RETAILERS
OF FIREWORKS

AN ACT

To amend and reenact section 23-15-04 of the North Dakota Century Code, relating to fireworks; and providing for licensing of distributors and retailers, and declaring an emergency.

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

§ 1. Amendment.) Section 23-15-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-15-04. Exceptions.) Nothing in this chapter shall be construed to prohibit the following:

1. Any licensed wholesaler, dealer, or jobber from selling at wholesale such fireworks as are not herein prohibited;
2. The sale of any kind of fireworks for shipment directly out of the state;
3. The use of fireworks by airplanes, railroads, or other transportation agencies for signal purposes or illumination;
4. The sale or use of blank cartridges for a show or theatre, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations.

Application for a license as distributor shall be made to the state fire marshal on forms prescribed by him. Application for a license as a retailer shall be made to the county sheriff on forms prescribed by the state fire marshal. Each application shall be accompanied by the required fee, which shall be \$250.00 for a distributor's license and \$5.00 for a retailer's license. Fees for distributors' licenses shall be deposited in the general fund in the state treasury and fees for retailers' licenses shall be deposited in the county general fund. The license shall be good only for the calendar year in which issued and shall at all times be displayed at the place of business of the holder thereof. Such distributors' and retailers' licenses shall be in addition to any other license required by law or municipal ordinance. Provided, however, that the

licensing provisions of this section shall not apply to a retailer who is required to become licensed by any municipality and any license fee levied by such municipality shall be deposited in the municipality's general fund.

It shall be unlawful for any person not licensed as a wholesaler or retailer to bring any fireworks into this state, and it shall be unlawful for any retailer in this state to sell any fireworks which have not been purchased from a wholesaler licensed under the provisions of this Act. Any persons licensed under the provisions of this Act shall keep available for inspection by the state fire marshal or any sheriff, police officer, constable or local fire marshal a copy of each invoice for fireworks purchased as long as any fireworks included on such invoice are held in his possession, which invoice shall show the license number of the wholesaler from whom the purchase was made.

§ 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 March 14, 1967.