

FIRES

CHAPTER 224

H. B. No. 115
(Davis, Kelsch)

DIRECTORS AND OFFICERS OF RURAL FIRE PROTECTION DISTRICTS

AN ACT

To amend and reenact section 18-10-04 of the North Dakota Century Code, relating to the board of directors and officers of rural fire protection districts.

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

Section 1. Amendment.) Section 18-10-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-10-04. Organization—Board of Directors.) At the time and place fixed by the county auditor for the public meeting as provided in section 18-10-03, the electors who are owners of any interest in real or personal property assessed for taxation in the district and who are residing within the boundaries of the district shall have the opportunity to decide by majority vote of those present whether the organization of the district shall be completed. Permanent organization shall be effected by the election of a board of directors consisting of not less than five residents of the district, at least one of whom shall reside in and represent each township if the district includes more than one township. The board of directors shall meet as soon after the organizational meeting as possible to elect a president, a vice president, and a secretary-treasurer. All directors and officers shall be elected for two years and hold office until their successors have been elected and qualified, except that at the first election the vice president shall be elected as provided in this section for a one-year term, and one-half, or as close to one-half as possible depending upon the total number of directors, of the directors elected at the first election follow-

ing the effective date of this Act shall be selected by lot in the presence of a majority of such directors to serve one-year terms. All officers shall serve without pay.

Approved March 8, 1969.

CHAPTER 225

S.B. No. 132
(Holand)

**EXAMINATION OF FIREMEN'S RELIEF
ASSOCIATION'S BOOKS**

AN ACT

To amend and reenact section 18-05-13 of the North Dakota Century Code, relating to state auditor to examine books of relief associations.

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

Section 1. Amendment.) Section 18-05-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-05-13. State Auditor to Examine Books of Relief Association—Report of Unauthorized Spending to Governor—Duty of Governor.) The state auditor, annually, shall examine the books and accounts of the secretary and treasurer of each firemen's relief association receiving funds under the provisions of this chapter. If he finds that the money, or any part of it, has been or is being expended for unauthorized purposes, he shall report the facts to the governor. Thereupon, the governor shall direct the department of accounts and purchases not to prepare any warrants for the benefits of the fire department or relief association of the municipality in which such association is organized until it shall be made to appear to the state auditor who shall report the fact to the governor, that all moneys wrongfully expended have been replaced. The governor may take such further action as the emergency may demand. Each firemen's relief association shall pay into the state treasury fees for such annual examinations at the same rate as fixed by section

6-01-21.2 for the examination of the books and accounts of city auditors and city treasurers.

Approved February 22, 1969.

CHAPTER 226

S. B. No. 407
(Sorlie)

TOWNSHIP FIRE PROTECTION CONTRACTS
AND TAX LEVY

AN ACT

To amend and reenact section 18-06-10 and subsection 17 of section 58-02-07 of the North Dakota Century Code, relating to fire protection contracts by townships and authorizing a tax levy for such services, and declaring it an emergency.

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

Section 1. Amendment.) Section 18-06-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-06-10. Township May Contract for Prevention and Extinguishment of Fires.) The electors of each township shall have the power at the annual township meeting to authorize and empower the board of township supervisors to levy, not to exceed a one mill tax, and to provide by contract or otherwise, for the prevention of, protection from and extinguishment of fires within the townships, in such manner as the board of supervisors shall deem advisable.

When so authorized, the supervisors may enter into a five-year contract and levy, not to exceed a one mill tax, for the payment of the services obtained under such contract. The mill levy provided for herein shall be over and above any mill levy limitation provided by law, and shall be collected and paid in the same manner as other taxes are collected and paid. Such contract may be renewed or renegotiated for another five-year

period upon authorization by the electors of the township at the annual meeting.

Section 2. Amendment.) Subsection 17 of section 58-03-07 of the North Dakota Century Code is hereby amended and re-enacted to read as follows:

58-03-07. Powers of Electors.) The electors of each township have the power at the annual township meeting:

17. To authorize the purchase of township firefighting equipment in the manner provided in title 18, Fires; and to authorize the entering into a contract for fire protection as provided for in section 18-06-10 of the North Dakota Century Code, as amended; and

Section 3. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after passage and approval.

Approved March 17, 1969.

CHAPTER 227

H. B. No. 126
(Kelsch, Kuehn)

CONTRACTING FOR RURAL FIRE PROTECTION

AN ACT

To amend and reenact section 18-10-10 of the North Dakota Century Code, relating to rural fire departments.

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

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

18-10-10. Rural Fire Department May Enter Into Contract.) Any rural fire protection district may elect to enter into a contract with another rural fire protection district to consolidate or cooperate for mutual fire protection and prevention purposes, or may enter into a contract with any federal, state or local government agency for fire protection service or fire protection cooperation, upon terms suitable to all concerned, and power to make such contracts is hereby conferred upon such state or local government agency in addition to such powers as have been heretofore provided by law.

Approved March 13, 1969.

CHAPTER 228

H. B. No. 153
(Aamoth, Hentges, White)

**BENEFITS UNDER AND MEMBERSHIP IN ALTERNATE
FIREMEN'S RELIEF PLAN**

AN ACT

To amend and reenact section 18-11-14 and section 18-11-20 of the North Dakota Century Code, relating to benefits under alternate firemen's relief association plan.

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

Section 1. Amendment.) Section 18-11-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-11-14. Disbursement of Moneys from Association State Fund.) The amounts paid into the relief association by the state, city, and employees' salary contribution and set aside in the "association state fund" shall be appropriated and disbursed only for:

1. The payment of disability or service pensions to members of the association;
2. Pensions to widows and children or orphans of members or retired members;
3. The payment of the salary of the secretary-treasurer and the premiums on his bond;
4. Funeral payments;
5. Cost of the state audit;
6. Essential postage;
7. Actuarial study; and
8. Return of contributions to those qualified under section 18-11-20.

Section 2. Amendment.) Section 18-11-20 of the 1967 Supplement to 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 by-laws and regulations providing that in the event any member withdraws from employment in the department or ceases to be a member of the association, whether by death or otherwise, 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 13, 1969.

CHAPTER 229

S. B. No. 337
(Holand)

EXAMINATION OF FIREMEN'S RELIEF
ASSOCIATION'S BOOKS

AN ACT

To amend and reenact section 18-11-22 of the North Dakota Century Code, relating to state auditor to examine books of relief associations, report of unauthorized spending to governor and duty of governor.

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

Section 1. Amendment.) Section 18-11-22 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

18-11-22. State Auditor to Examine Books of Relief Association—Report of Unauthorized Spending to Governor—Duty of Governor.) The state auditor biennially shall examine the books and accounts of the secretary-treasurer of each firemen's relief association receiving funds under the provisions of this chapter. If he finds that the money, or any part of it, has been or is being expended for unauthorized purposes, he shall report the facts to the governor. Thereupon, the governor shall direct the state auditor to refuse to issue any warrants for the benefit of the fire department or relief association of the municipality in which such association is organized until it shall be made to appear to the state auditor, who shall report the fact to the governor, that all moneys wrongfully expended have been replaced. The governor may take such further action as the emergency may demand. Each firemen's relief association shall pay into the state treasury fees for such biennial examinations at the same rate as fixed by section 6-01-21.2 of this Code for the examination of the books and accounts of city auditors and city treasurers.

Approved March 4, 1969.