

**OPINION
58-136**

April 2, 1958 (OPINION)

NURSING

RE: Scholarships - Fulfilling Requirements

This is an answer to your request of March 27, 1958, relative to the question of whether a nurse receiving a scholarship under chapter 43-12 of the 1957 Supplement to the N.D.R.C. of 1943 may fulfill her condition of scholarship as provided in sections 43-1228 and 43-1231 of the 1957 Supplement to the N.D.R.C. of 1943 by nursing in a veterans' hospital in North Dakota for the period of one year.

Subsection 6 of section 43-1228 of the 1957 Supplement to the N.D.R.C. of 1943 states:

* * * In selecting candidates for scholarships, consideration shall be given to:

* * *

6. Capacity and willingness upon graduation to nurse in a hospital or institution in North Dakota for one year."

The statute does not designate certain hospitals or institutions in the state; it provides merely "a hospital or institution in North Dakota." A hospital is defined as an institution or place in which patients or injured persons are given medical or surgical care, after in whole or in part at public expense or by charity. (See *rew v. Beneficial Standard Life Ins. Co.*, 250 P. 2nd, 956). Certainly a veterans' hospital is a hospital within any ordinary definition that could be found. The only other question for determination is whether the ordinary meaning of the statute contemplates "North Dakota" as anything besides geographic area.

Section 1-0202 of the N.D.R.C. of 1943 states:

"Words used in any statute are to be understood in their ordinary sense, unless a contrary intention plainly appears, but any words explained in this code are to be understood as thus explained."

The plain and ordinary meaning of the words "North Dakota" connotes the geographic area of North Dakota, and North Dakota is not defined otherwise in chapter 43-12.

It is, therefore, the opinion of this office that a hospital in North Dakota includes a veterans' hospital within the geographic boundaries of North Dakota, and that nursing a year in a veterans' hospital in North Dakota would be in compliance with chapter 43-12 of the 1957 Supplement to the N.D.R.C. of 1943 relating to scholarships.

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