

February 10, 1999

PROPOSED AMENDMENTS TO SENATE BILL NO. 2045

Page 1, line 3, remove "and" and after "54-52-02" insert ", and subsection 13 of section 58-06-01"

Page 1, line 4, after "law" insert "and the powers and duties of boards of township supervisors"

Page 4, line 10, replace "section 54-40-08" with "chapter 54-40.3"

Page 6, line 6, after the underscored period insert "For the purpose of this section, "prorated" means that each member county's contribution must be based on an equalized mill levy throughout the district."

Page 7, replace lines 15 and 16 with:

"11. Except in the case of an emergency, may conduct a search or seize material located on private property to ascertain the condition of the property as the condition relates to public health and safety as authorized by an administrative search warrant issued under chapter 29-29.1."

Page 9, line 7, replace "The judge may issue" with "If a warrant is issued and if requested by a board of health, a county sheriff or city police department shall provide assistance to that public health unit in any action to search or seize material in or on any private property to destroy, remove, or prevent the nuisance, source of filth, or cause of sickness, if there is probable cause to believe a public health hazard or public health nuisance exists on or in that property, and shall carry out any other preventive measures the public health unit requests. For purposes of this subsection, a request from a public health unit means a request for assistance which is specific to a public health nuisance and is not a continuous request for assistance."

Page 9, remove lines 8 through 11

Page 10, line 16, replace "city auditor" with "governing body" and after "governing body" insert "or auditor"

Page 10, line 29, replace "promptly shall" with "may"

Page 11, replace lines 25 through 29 with:

"3. A local health officer may request the assistance of a county sheriff or city health department in the same manner as provided under subsection 3 of section 23-35-09."

Page 12, line 24, after "state" insert "and political subdivision"

Page 12, line 26, after "state" insert "and political subdivision"

Page 13, after line 2, insert:

**"SECTION 6. AMENDMENT.** Subsection 13 of section 58-06-01 of the North Dakota Century Code is amended as follows:

13. To ~~be and act as a~~ request assistance from a county or district board of health or the state department of health."

Renumber accordingly