

Introduced by

1 A BILL for an Act to amend and reenact section 11-28.3-09, subsection 2 of section 28-32-10,  
2 subsection 1 of section 29-15-21, subsection 5 of section 57-64-02, section 64-02-09, and  
3 subsection 1 of section 65-02-35 of the North Dakota Century Code, relating to technical  
4 corrections and improper, inaccurate, redundant, missing, or obsolete references; and to repeal  
5 section 54-03-01.11 of the North Dakota Century Code, relating to obsolete provisions.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Section 11-28.3-09 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **11-28.3-09. Emergency medical service policy to be determined.**

10 The board of directors shall establish a general emergency medical service policy for the  
11 district and shall annually estimate the probable expense for carrying out that policy. The  
12 estimate shall be certified by the president and secretary to the proper county auditor or county  
13 auditors, on or before June thirtieth of each year. The auditor or auditors shall levy a tax not to  
14 exceed ~~five~~ten mills upon the taxable property within the district for the maintenance of the  
15 ambulance service district for the fiscal year as provided by law. The tax shall be:

- 16 1. Collected as other taxes are collected in the county.
- 17 2. Turned over to the secretary-treasurer of the rural ambulance service district, who  
18 shall be bonded in the amount of at least five thousand dollars.
- 19 3. Deposited by the secretary-treasurer in a state or national bank in a district account.
- 20 4. Paid out upon warrants drawn upon the district account by authority of the board of  
21 directors of the district, bearing the signature of the secretary-treasurer and the  
22 countersignature of the president.

23 In no case shall the amount of the tax levy exceed the amount of funds required to defray the  
24 expenses of the district for a period of one year as embraced in the annual estimate of expense,

1 including the amount of principal and interest upon the indebtedness of the district for the  
2 ensuing year. The district may include in its operating budget no more than ten percent of its  
3 annual operating budget as a depreciation expense to be set aside in a dedicated emergency  
4 medical services sinking fund deposited with the treasurer for the replacement of equipment  
5 and ambulances. The ten percent emergency medical services sinking fund may be in addition  
6 to the actual annual operating budget, but the total of the annual operating budget and the  
7 annual ten percent emergency medical services sinking fund shall not exceed the approved mill  
8 levy.

9 **SECTION 2. AMENDMENT.** Subsection 2 of section 28-32-10 of the North Dakota Century  
10 Code is amended and reenacted as follows:

11 2. The agency shall mail or deliver a copy of the agency's full notice and proposed rule to  
12 each member of the legislative assembly whose name appeared as a sponsor or  
13 cosponsor of legislation enacted during the most recent session of the legislative  
14 assembly which is being implemented by the proposed rule and to each person who  
15 has made a timely request to the agency for a copy of the notice and proposed rule.  
16 The agency may mail or otherwise provide a copy of the agency's full notice to any  
17 person who is likely to be an interested person. ~~The agency shall mail or deliver a~~  
18 ~~copy of the rules to each member of the legislative assembly whose name appeared~~  
19 ~~as a sponsor or cosponsor of legislation enacted during the most recent session of the~~  
20 ~~legislative assembly which is being implemented by the proposed rule and to any~~  
21 ~~person requesting a copy.~~ The agency may charge persons who are not members of  
22 the legislative assembly fees for copies of the proposed rule as allowed under section  
23 44-04-18.

24 **SECTION 3. AMENDMENT.** Subsection 1 of section 29-15-21 of the North Dakota Century  
25 Code is amended and reenacted as follows:

26 1. Subject to the provisions of this section, any party to a civil or criminal action or  
27 proceeding pending in the district court may obtain a change of the judge before whom  
28 the trial or any proceeding with respect thereto is to be heard by filing with the clerk of  
29 the court in which the action or proceeding is pending the original of a written demand  
30 for change of judge, executed ~~in triplicate~~ either:

- 1           a. By the personal signature of the party, if an individual, and by the personal  
2           signature of an authorized officer or manager, if a corporation, limited liability  
3           company, or association; or
- 4           b. By the attorney for a party with the permission of the party, in which event the  
5           attorney shall file with the demand a certificate that the attorney has mailed a  
6           copy of the demand to such party.

7           **SECTION 4. AMENDMENT.** Subsection 5 of section 57-64-02 of the North Dakota Century  
8 Code is amended and reenacted as follows:

- 9           5. For purposes of this section, "taxable valuation" means the valuation to which the mill  
10          rate is applied to determine the amount of ad valorem taxes or payments in lieu of  
11          taxes, and includes taxable valuation determined for agricultural, residential, and  
12          commercial property; railroad property assessed by the state board of equalization  
13          under chapter 57-05; gas company property, pipeline property, and power company  
14          property, ~~and railroad property~~ assessed by the state board of equalization under  
15          chapter 57-06; mobile homes under chapter 57-55; land controlled by the game and  
16          fish department subject to valuation under chapter 57-02.1; land owned by the board  
17          of university and school lands or the state treasurer subject to valuation under chapter  
18          57-02.3; national guard land subject to valuation under chapter 37-07.3; farmland or  
19          ranchland owned by nonprofit organizations for conservation purposes subject to  
20          valuation under section 10-06.1-10; land acquired by the state water commission for  
21          the Devils Lake project subject to valuation under chapter 61-02; a workforce safety  
22          and insurance building and associated real property subject to valuation under section  
23          65-02-32; and carbon dioxide pipeline property subject to valuation under section  
24          57-06-17.2. For purposes of this section, "taxable valuation" includes the taxable  
25          valuation of the homestead credit reimbursed by the state under section 57-02-08.2  
26          and the disabled veterans' credit reimbursed by the state under section 57-02-08.8.

27          **SECTION 5. AMENDMENT.** Section 64-02-09 of the North Dakota Century Code is  
28 amended and reenacted as follows:

29          **64-02-09. Standards of weights and measures.**

30          The commission shall maintain the following standards of weights and measures, which  
31 must conform to the United States standards:

Sixty-third  
Legislative Assembly

- 1        1.    One surveyor's chain, ~~thirty-three standards~~sixty-six United States survey feet [10.06-  
2        ~~meters~~] in length.
- 3        2.    One yard [~~.9144 meter~~in meters, equal to 36 divided by 39.37] measure.
- 4        3.    One United States survey foot [~~.3048 meter~~in meters, equal to 12 divided by 39.37]  
5        measure and one international foot [exactly .3048 meters] measure.
- 6        4.    One inch [25.40 millimeters] measure.
- 7        5.    One one hundred pound [45.36 kilograms] weight.
- 8        6.    One fifty pound [22.68 kilograms] weight.
- 9        7.    One twenty-five pound [11.34 kilograms] weight.
- 10       8.    One ten pound [4.54 kilograms] weight.
- 11       9.    One one pound [.4536 kilogram] weight.
- 12       10.   One half-pound [.2268 kilogram] weight.
- 13       11.   One quarter-pound [.1134 kilogram] weight.
- 14       12.   One one-eighth of a pound [.0567 kilogram] weight.
- 15       13.   One one-sixteenth of a pound [.0284 kilogram] weight or one ounce [28.35 grams]  
16       weight.
- 17       14.   One set of apothecaries' weights from one pound [.4536 kilogram] to one grain [64.80  
18       milligrams] and one set of troy weights from one pound [.3732 kilogram] to one grain  
19       [64.80 milligrams].
- 20       15.   Other weighing and measuring devices necessary to test and calibrate standards.

21    These standards are the legal standards of weights and measures for this state, and must be  
22    used for testing the secondary standards used to test weighing or measuring devices.

23        **SECTION 6. AMENDMENT.** Subsection 1 of section 65-02-35 of the North Dakota Century  
24    Code is amended and reenacted as follows:

- 25       1.    The organization shall pay an injured employee's attorney for the fees and costs to  
26       consult with the injured employee regarding a request for rehearing of an  
27       administrative order issued by the organization under section 65-01-16 and chapter  
28       28-32. The attorney's fees and costs under this section are for the purpose of an initial  
29       consultation and review of the claimant's case and are separate from and independent  
30       of the attorney's fees and costs provided for under section 65-02-08. To be eligible for  
31       payment of attorney's fees and costs under this section, before consulting the attorney

1           the injured employee must first receive a certificate of completion from the decision  
2           review office of independent review, and the attorney consultation must take place  
3           after the certificate of completion is issued but before the rehearing is conducted.

4           **SECTION 7. REPEAL.** Section 54-03-01.11 of the North Dakota Century Code is repealed.