



North Dakota Legislative Council

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LC# 25.9298.02000
January 2025

TESTIMONY - HOUSE BILL NO. 1031 - HOUSE JUDICIARY COMMITTEE JANUARY 8, 2025

This testimony is provided in favor of House Bill No. 1031 (2025), which was introduced by the Legislative Management at the request of the 2023-24 interim Judiciary Committee. House Bill No. 1031 is the Legislative Council's technical corrections bill, which is prepared each legislative session to make corrections to the North Dakota Century Code to address improper, inaccurate, redundant, missing, or obsolete references.

EXPLANATION OF THE BILL

House Bill No. 1031 provides the following technical corrections:

- Section 1 of the bill merges 14 definitions contained in individual definition sections in Chapter 1-01 into the list of definitions provided in Section 1-01-49.
- Section 2 of the bill removes an outdated reference to Section 12.1-22-03.1(2), which was repealed in 2001.
- Section 3 of the bill corrects an inaccurate cross-reference to Chapter 12.1-32.2, resulting from a typographical error. No such chapter exists. The reference is corrected to reference Chapter 12.1-31.2, related to disorderly conduct restraining orders.
- Section 4 of the bill changes an outdated cross-reference to Chapter 23-37 to Chapter 23.1-12, relating to the petroleum tank release compensation fund. Provisions related to the petroleum tank release compensation fund were moved from Chapter 23-37 to Chapter 23.1-12 when the Department of Environmental Quality was created and certain duties and responsibilities of the State Department of Health relating to environmental quality were transferred to the Department of Environmental Quality following the enactment of Senate Bill No. 2327 (2017).
- Section 5 of the bill corrects an inaccurate cross-reference to Section 27-20.3-36, resulting from a typographical error. No such section exists. The reference is corrected to reference the appropriate section related to permanency hearing limitations in Section 27-20.3-26.
- Section 6 of the bill corrects a minor drafting error that omitted the word "of" in Section 45-13-01(19), regarding the definition of "partnership."
- Section 7 of the bill changes a reference to the "midwest independent system operator" to reflect the updated name of the electric grid operator. The electric grid operator changed its name to the "midcontinent independent system operator" in 2013 when the operator expanded its region to include states outside of the Midwest.
- Section 8 of the bill corrects the reference to the senate industry, business and labor standing committee to instead refer to the senate industry and business standing committee, which is the correct name of this standing committee beginning in the 2023 legislative session.
- Section 9 of the bill removes an obsolete reference to the "state information technology advisory committee." The committee was repealed in 2023 following the enactment of House Bill No. 1159 (2023).
- Section 10 of the bill corrects an inaccurate cross-reference to Chapter 54-42, resulting from a typographical error. The reference is corrected to reference the appropriate chapter related to the Public Employees Retirement System in Chapter 54-52.
- Section 11 of the bill removes the word "unremarried" as it relates to a surviving spouse claiming the disabled veterans credit. House Bill No. 1212 (2023), in part, made the disabled veterans property tax credit available to a surviving spouse of a qualifying veteran who receives United States Department of Veterans Affairs dependency and indemnity compensation, including when eligibility for dependency and indemnity compensation is determined after the qualifying veteran's death. As part of this change, references to

"unremarried" surviving spouses were removed in House Bill No. 1212. The reference to "unremarried" in Section 57-02-08.8(3) was inadvertently left in this section and is therefore removed in the bill.

- Section 12 of the bill removes an outdated reference to Chapter 11-37, which was repealed in 2015.
- Section 13 of the bill corrects a reference to a federal law that has been renumbered. In 1991, Public Law 102-83 renumbered 38 U.S.C. 1901 to 38 U.S.C. 3901.
- Section 14 of the bill accompanies the changes in Section 1 of the bill. This section of the bill repeals the 14 individual definition sections in Chapter 1-01 which were merged into the definition list in Section 1-01-49.
- Section 15 of the bill provides Sections 11 and 12 of the bill are effective for taxable years beginning after December 31, 2024.