

Introduced by

Legislative Management

(Judiciary Committee)

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
2 [~~10.06 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.