

**2025 HOUSE JUDICIARY**

**HB 1031**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Judiciary Committee Room JW327B, State Capitol

HB 1031  
1/8/2025

Relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to provide an effective date.

2:20 p.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

### Discussion Topics:

- Bills on the Consent Calendar
- Previous amendments to the bill

2:20 p.m. Megan Gordon, Lawyer with the Legislative Council, testified in neutral and provided testimony #28393

2:30 p.m. Representative Vetter moved a Do Pass.

2:31 p.m. Representative Tveit seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

2:32 p.m. Motion Passed 14-0-0

2:32 p.m. Representative VanWinkle will carry the bill.

2:33 p.m. Representative Vetter motioned to move to Consent Calendar.

2:34 p.m. Chairman Klemin moved for a voice vote.

2:34 p.m. Motion failed.

**Additional written testimony:**

Rebecca Fricke, Executive Director of the North Dakota Public Employees Retirement System, submitted testimony in favor #28087

2:36 Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1031 ([25.0302.01000](#))**

**Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING), and be placed on the Eleventh order on the calendar.

## **TESTIMONY OF REBECCA FRICKE**

### **House Bill 1031 – Section 10 Clarification on NDCC for Special Election Window**

Good Morning, Mr. Chairman and members of the committee. My name is Rebecca Fricke and I am the Executive Director of the North Dakota Public Employees Retirement System, or NDPERS. I am here to testify on behalf of the NDPERS Board in support of the change being made in Section 10 of HB 1031.

Section 10 of House Bill 1031 corrects an incorrect citation that was passed in House Bill 1040 during the 2023 Legislative Session related to the special election window. The current language references NDCC 54-42 and it should reference NDCC 54-52. As such, there is no fiscal impact that is expected if this bill were to pass.

This same correction was identified and is included within the NDPERS technical corrections bill, which is SB 2121.

Mr. Chairman, this concludes my testimony, and I'd be happy to answer any questions the committee may have.



# North Dakota Legislative Council

Prepared by the Legislative Council Staff

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.

**2025 SENATE JUDICIARY**

**HB 1031**



# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

HB 1031  
2/17/2025

Relating to technical corrections and improper, inaccurate, redundant, missing, or obsolete references; and to provide an effective date.

10:46 a.m. Chair Larson opened the hearing.

Members present:

Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

### Discussion Topics:

- Technical corrections
- Legislative council provisions
- Definition standardization

10:47 Senator Myrdal introduced the bill.

10:49 a.m. Chair Larson recessed the hearing.

10:57 a.m. Chair Larson reconvened the hearing.

10:57 a.m. Megan Gordon, Code Revisor of Legislative Council, testified as neutral and submitted testimony #37879.

11:03 a.m. Chair Larson closed the hearing.

11:03 a.m. Senator Luick moved a Do Pass.

11:03 a.m. Senator Myrdal seconded the motion.

Senators	Vote
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Ryan Braunberger	Y
Senator Jose L. Castaneda	Y
Senator Claire Cory	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion Passed 7-0-0.

11:03 a.m. Senator Luick will carry the bill.

**Additional written testimony:**

Rebecca Fricke, Executive Director of NDPERS, submitted testimony in favor #37680.

11:04 a.m. Chair Larson closed the hearing.

*Kendra McCann, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1031 ([25.0302.01000](#))**

**Judiciary Committee (Sen. Larson, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1031 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

## **TESTIMONY OF REBECCA FRICKE**

### **House Bill 1031 – Section 10 Clarification on NDCC for Special Election Window**

Good Morning, Madame Chair and members of the committee. My name is Rebecca Fricke and I am the Executive Director of the North Dakota Public Employees Retirement System, or NDPERS. I provide this testimony on behalf of the NDPERS Board in support of the change being made in Section 10 of HB 1031.

Section 10 of House Bill 1031 corrects an incorrect citation that was passed in House Bill 1040 during the 2023 Legislative Session related to the special election window. The current language references NDCC 54-42 and it should reference NDCC 54-52. As such, there is no fiscal impact that is expected if this bill were to pass.

This same correction was identified and is included within the NDPERS technical corrections bill, which is SB 2121.

Madame Chair, this concludes my testimony. Thank you for your consideration.



# North Dakota Legislative Council

Prepared by the Legislative Council Staff  
LC# 25.9298.03000  
February 2025

## TESTIMONY - SENATE BILL NO. 1031 - HOUSE JUDICIARY COMMITTEE FEBRUARY 17, 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.