

Fifty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1044

Introduced by

Legislative Council

(Judiciary Committee)

1 A BILL for an Act to amend and reenact section 4-22-47, subsection 4 of section 6-08-16,
2 subsection 7 of section 6-08-16.2, sections 11-19-05, 11-19-11, 14-03-20, subsection 3 of
3 section 16.1-01-09, sections 16.1-11-10, 16.1-11.1-02, 16.1-12-02.1, 16.1-13-05, 16.1-14-20,
4 16.1-15-45, 21-01-06, 27-06-07, 29-05-31, 32-09.1-07, subsection 5 of section 32-09.1-09,
5 sections 35-22-07, 37-07-03, 37-08-02, subsection 1 of section 43-25-11, sections 47-16-36,
6 57-09-06, 57-20-05, 57-24-20, 57-24-24, 57-25-05, 57-27-06, 57-27-07, 57-27-08, 57-27-09,
7 57-28-05, 57-28-07, 57-28-16, 58-16-03, 60-02-13, 61-05-15, 61-06-10, 61-24-03, 61-24.5-06,
8 and 61-24.5-07 of the North Dakota Century Code, relating to corrections of twentieth century
9 statutory references.

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

11 **SECTION 1. AMENDMENT.** Section 4-22-47 of the 1997 Supplement to the North
12 Dakota Century Code is amended and reenacted as follows:

13 **4-22-47. Consolidation of districts - Petition - Referendum - Conduct of**
14 **referendum.** Two or more districts may be consolidated into one district by compliance with
15 this chapter. A petition for consolidation of soil conservation districts must be filed with the state
16 soil conservation committee and must be signed by at least twenty-five qualified electors living
17 in each district. Upon the filing of a petition, the committee by resolution shall fix a date for a
18 referendum to be held in each district and shall direct the supervisors to cause notice of the
19 referendum to be posted in at least five conspicuous places within the district and to be
20 published once each week for two consecutive weeks before the referendum in a newspaper of
21 general circulation in the districts involved. Only qualified electors living within the district are
22 eligible to vote at the referendum. The notice must state the date of the referendum, identify
23 each polling place for holding the referendum, the time when the polls will open and close, and

the question to be submitted to the qualified electors. The notice must be substantially in the following form:

On the _____ day of _____, 19____, a referendum will be held at _____ for the purpose of submitting
(Designate polling place or places)
to the qualified electors within _____ soil conservation
(Name of district)
district the question as to whether _____ soil conservation
(Name of districts)
districts embracing the following townships _____
(Designate townships, by number and range)
shall be consolidated into one soil conservation district.

The ballot must be in the following form:

Shall _____ soil conservation districts embracing the
(Names of districts)
following townships _____ be
(Designate townships, by number and range)
consolidated into one soil conservation district?

Yes _____

No _____

The board of supervisors of the district shall appoint the board of election for each polling place. The board of election must consist of one inspector, one judge, and one clerk. Members of the election board are entitled to receive five dollars for their services.

SECTION 2. AMENDMENT. Subsection 4 of section 6-08-16 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. A notice of dishonor may be mailed by the holder, or its agent or representative, of the check upon dishonor. Proof of mailing may be made by return receipt or by an affidavit of mailing signed by the individual making the mailing. The notice must be in substantially the following form:

Notice of Dishonored Check

Date _____

1 Name of Issuer _____
2 Street Address _____
3 City and State _____
4 You are according to law notified that a check dated _____, 49____,
5 drawn on the _____ Bank of _____ in the
6 amount of _____ has been returned unpaid with the notation the payment
7 has been refused because of nonsufficient funds. Within ten days from the
8 receipt of this notice, you must pay or tender to _____
9 (Holder or Agent or Representative)
10 sufficient moneys to pay such instrument in full and any collection fees or costs
11 not in excess of twenty dollars.

12 The notice of dishonor also may contain a recital of the penal provisions of this
13 section and the possibility of a civil action to recover any collection fees or costs or
14 civil penalty authorized by this section.

15 **SECTION 3. AMENDMENT.** Subsection 7 of section 6-08-16.2 of the 1997

16 Supplement to the North Dakota Century Code is amended and reenacted as follows:

17 7. A notice of dishonor may be mailed by the holder, or its agent or representative, of
18 the instrument upon dishonor. Proof of mailing may be made by return receipt or
19 by an affidavit of mailing signed by the individual making the mailing. The notice
20 must be in substantially the following form:

21 Notice of Dishonored Instrument

22 Date _____
23 Name of Issuer _____
24 Street Address _____
25 City and State _____
26 You are according to law notified that an instrument dated _____, 49____,
27 drawn on the _____ Bank of _____ in the amount of
28 _____ has been returned unpaid with the notation the payment has
29 been refused because (of nonsufficient funds) (the drawer does not have an
30 account). Within ten days from the receipt of this notice, you must pay or tender
31 to _____

An inquisition was held at _____ in _____ County, state
aforesaid, on the _____ day of _____, 19____, before
_____ coroner of such county, upon the body of _____
(or person unknown) ~~there lying dead~~, by the jurors whose names are ~~hereto~~
subscribed. The ~~said~~ jurors, upon their oaths, ~~do~~ say (here state when, how, by what
person, means, weapon, or accident, the person came to die, and whether feloniously).
~~In testimony whereof, said~~ The jurors have ~~hereunto set their hands~~ signed this
return on the indicated day and year ~~aforesaid~~.

~~Such~~ The coroner shall attest the inquisition ~~shall be attested by the coroner~~.

SECTION 6. AMENDMENT. Section 14-03-20 of the North Dakota Century Code is
amended and reenacted as follows:

14-03-20. License and certificate. The marriage license and certificate of the person
solemnizing the marriage must be upon one blank form in duplicate consisting of two pages
with a perforated seam to make it readily detachable. The form must be substantially as
follows:

MARRIAGE LICENSE

State of North Dakota,)

) ss.

County of _____)

To any person authorized by law to perform the marriage ceremony, ~~greetings~~:

You ~~are hereby authorized to~~ may join in marriage _____ of _____,

aged _____ who has _____ been divorced, and _____ of _____,

aged _____ who has _____ been divorced, ~~and of~~. You shall return this license

and your certificate ~~you will make due return~~ to my office within five days.

Dated at _____ this _____ day of _____, 19__.

(Seal)

Clerk of District Court

CERTIFICATE OF MARRIAGE

I ~~hereby~~ certify that the persons named in the foregoing license, _____ and

_____, whose names after marriage are _____ and _____, respectively,

1 were ~~by me~~ joined in marriage by me at _____, county of _____,
2 State of North Dakota, on ~~the~~ _____ day of _____, 19 ____.

3 In the presence of

4 _____) _____

5 _____) _____

6 Witnesses

7 Every marriage license must contain the full name of each party before the marriage. Every
8 certificate of marriage must contain the full name of each party before and after the marriage
9 and be signed by two witnesses to the marriage in addition to the signature of the person who
10 solemnized the marriage.

11 **SECTION 7. AMENDMENT.** Subsection 3 of section 16.1-01-09 of the North Dakota
12 Century Code is amended and reenacted as follows:

13 3. Each copy of any petition provided for in this section, before being filed, must have
14 attached ~~thereto~~ an affidavit executed by the circulator in substantially the following
15 form:

16 State of North Dakota)
17) ss.

18 County of _____)
19 (county where signed)

20 I, _____, being ~~duly~~ sworn, ~~depose and~~ say that I am a
21 (circulator)

22 qualified elector; that I reside at _____;
23 (address)

24 that each signature contained on the attached petition was executed in my
25 presence; and that to the best of my knowledge and belief each person whose
26 signature appears on the attached petition is a qualified elector; and that each
27 signature contained on the attached petition is the genuine signature of the
28 person whose name it purports to be.

29 _____
30 (signature of circulator)

Subscribed and sworn to before me this _____ day of on _____,
49__, at _____, North Dakota.

(city)

(Notary Seal) _____

(signature of notary)

Notary Public, ~~North Dakota~~

My commission expires _____

SECTION 8. AMENDMENT. Section 16.1-11-10 of the North Dakota Century Code is amended and reenacted as follows:

16.1-11-10. Applicant's name placed upon ballot - Affidavit to accompany petition. Upon receipt by the secretary of state of the petition or certificate of endorsement provided for in section 16.1-11-06 accompanied by the following affidavit, the secretary of state shall place the applicant's name upon the primary election ballot in the columns of the applicant's party as hereinafter provided. The affidavit must be substantially as follows:

State of North Dakota)

) ss.

County of _____)

I, _____, being duly sworn, ~~depose and~~ say that I reside in the county of _____ and state of North Dakota; that I am a candidate for nomination to the office of _____ to be chosen at the primary election to be held on _____, 49__, and I ~~do hereby~~ request that my name be printed upon the primary election ballot as provided by law, as a candidate of the _____ party for said office.

Candidate's signature

Subscribed and sworn to before me this _____ day of on _____,
49__.

Notary Public, ~~North Dakota~~

NOTARY SEAL

My Commission Expires _____

SECTION 9. AMENDMENT. Section 16.1-11.1-02 of the North Dakota Century Code is amended and reenacted as follows:

16.1-11.1-02. Application for mail ballots. The county auditor shall mail an application form for a mail ballot to each person listed in the pollbooks of the county from the last regular statewide election on one date no sooner than the forty-fifth day before the election and no later than the thirtieth day before the election. The county auditor, for two consecutive weeks after the date on which the mail ballot applications are mailed, shall publish in the official newspaper of the county an application form for a mail ballot and a notice that additional mail ballot applications may be obtained from the election official. The application form for a mail ballot must be in substantially the following form:

I, _____, am or will be a ~~duly~~ qualified elector and to my best
(please print name)
knowledge and belief am or will be entitled to vote at the primary election. I ~~hereby~~
apply for an official mail ballot to be voted by me at that election. I understand that it is
a criminal offense to knowingly vote when not qualified to do so.

I have or will have resided at the below address for at least thirty days before the
election. My phone number is _____.

Dated this _____ day of _____, 19__.

(Signature of Applicant)

(Mailing Address)

_____, North Dakota _____

(City)

(Zip Code)

SECTION 10. AMENDMENT. Section 16.1-12-02.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-12-02.1. Applicant's name placed upon ballot - Affidavit to accompany petition. Upon receipt by the secretary of state of the certificate of nomination provided for in section 16.1-12-02 accompanied by the following affidavit, the secretary of state shall place the applicant's name upon the general election ballot. The affidavit must be substantially as follows:

State of North Dakota)

) ss.

County of _____)

I, _____, being ~~duly~~ sworn, ~~depose and~~ say that I reside at

_____, in the city of _____, state of North Dakota; that I am

a candidate for nomination to the office of _____ to be chosen at the

general election to be held on _____, 19____, and I ~~do hereby~~ request that

my name be printed upon the general election ballot as provided by law.

Date _____

Candidate's signature

Subscribed and sworn to before me this _____ day of on

_____, 19____.

Notary Public ~~North Dakota~~

NOTARY SEAL

My Commission Expires _____

SECTION 11. AMENDMENT. Section 16.1-13-05 of the North Dakota Century Code is amended and reenacted as follows:

16.1-13-05. Notice of election - Contents - Publication with sample ballot. Notice of all general elections must be published by the county auditor in the official county newspaper at the same time as, and as a part of, the publication of the sample ballot preceding the election. The notice must be substantially as follows:

Notice is ~~hereby~~ given that on Tuesday, the _____ day of November _____, 19____, at the polling places in the various precincts in the county of _____, an election will be held for the election of state, district, and county officers, which election will be opened at _____ a.m. and will continue open until _____ p.m. of that day with the following exceptions:

Dated this _____ day of _____, 19____

Signed _____

County Auditor

The county auditor shall publish a copy of the sample ballot of the general election once each week for two consecutive weeks ~~prior to~~ before the election in the official county newspaper. If no newspaper is published in the county, the publication must be in a newspaper published in an adjoining county in the state. The form of the sample ballot as ordered and arranged by the county auditor must conform in all respects to the form prescribed by the secretary of state for the sample general election ballot. The county auditor shall publish the sample ballot in all forms appropriate for the method or methods of voting in the county. Absentee voter ballots may not be considered in determining which form of voting is used. Candidates from each legislative district which falls within the boundaries of the county must be listed in a separate box or category within the sample ballot by legislative district number to enable the voters in each legislative district to ascertain the legislative candidates in their specific district. Sample ballots used for publication purposes must be arranged using the rotation of the ballot in the precinct in the county which cast the highest total vote for governor at the last general election at which the office of governor was filled. The notice must include a statement in substantially the following format:

The arrangement of candidate names appearing on ballots in your precinct may vary from the published sample ballots, depending upon the precinct and legislative district in which you reside.

SECTION 12. AMENDMENT. Section 16.1-14-20 of the North Dakota Century Code is amended and reenacted as follows:

16.1-14-20. Application for presidential ballot by new residents. A person desiring to qualify to vote for presidential electors is not required to register but, not less than ten days in advance of the election, shall make an application in the form of an affidavit executed in duplicate in the presence of the county auditor substantially as follows:

State of North Dakota)
) ss.

County of _____)

I, _____, do solemnly swear that:

1. I am a citizen of the United States.

2. Before becoming a resident of this state, I resided at _____ street, in the (town) (township) (city) of _____, county of _____ in the state of _____.

3. On the day of the next presidential election, I shall be at least eighteen years of age. I have been a resident of this state since ~~the~~ _____ day of _____, 19____, now residing at _____ street, in the (town) (township) (city) of _____, county of _____ in the state of North Dakota.

4. I have resided in _____ precinct for less than thirty days. I believe I am entitled under the laws of this state to vote at the presidential election to be held on the _____ day of November _____, 19____.

5. I hereby ~~make application~~ apply for a presidential election ballot. I have not voted and will not vote otherwise than by this ballot at that election.

Signed _____

(Applicant)

Subscribed and sworn to before me this _____ day of _____, 19____.

Signed _____

(Title and name of officer

authorized to administer oaths)

SECTION 13. AMENDMENT. Section 16.1-15-45 of the North Dakota Century Code is amended and reenacted as follows:

16.1-15-45. Form of certificate of election for state officers - Signatures. A

certificate of election must be prepared by the secretary of state for each person elected to a state or a district office. The certificate, in substance, must be in the following form:

At an election held on the _____ day of _____, 19____,
_____ was elected to the office of _____ of this state for the
term of _____ years from the _____ day of _____ in the
year, _____, (or, if to fill a vacancy, for the residue of the term ending on the
_____ day of _____, 19____), and until a successor is duly elected and
qualified.

Given at Bismarck this _____ day of on _____, 19____.

The certificate must be signed by the governor and the secretary of state, and must have the great seal of the state affixed ~~thereto~~, and must be attested by at least one of the other members of the state canvassing board.

SECTION 14. AMENDMENT. Section 21-01-06 of the North Dakota Century Code is amended and reenacted as follows:

21-01-06. Registration of warrants - Rate of interest. Whenever the law authorizes the officers of any taxing district to issue warrants in excess of the amount of cash available in any fund upon which warrants are drawn for payment, the treasurer of ~~such that~~ taxing district, when any ~~such~~ warrant is presented to ~~him~~ the treasurer for payment, if not paid for want of funds, shall endorse the same "Presented for payment ~~this _____ day of on _____,~~ 49____, and not paid for want of funds", and thereupon shall enter ~~such the~~ warrant in ~~his the~~ treasurer's warrant register in the order of presentation for registration. The governing body of ~~any such a~~ taxing district authorizing the issuance of warrants in excess of cash on hand shall determine the rate of interest which ~~such the~~ warrants must bear, but in the case of counties and cities ~~such the~~ rate may not exceed eight percent per annum from the date of registration until the expiration of the time specified for presentment for payment.

SECTION 15. AMENDMENT. Section 27-06-07 of the North Dakota Century Code is amended and reenacted as follows:

27-06-07. Certification of transcript. Each transcript prepared by a district court reporter must be certified by the reporter in the following form:

CERTIFICATE OF COURT REPORTER

STATE OF NORTH DAKOTA)

) ss.

COUNTY OF _____)

I, _____, a duly appointed official court reporter,

~~DO HEREBY~~ CERTIFY that I recorded in shorthand the foregoing proceedings had and made of record at the time and place indicated.

I ~~DO HEREBY~~ FURTHER CERTIFY that the foregoing and attached _____ typewritten pages contain an accurate transcript of my shorthand notes then and there taken.

Dated at _____, North Dakota, ~~this _____ day of on _____,~~ 49____.

Official Court Reporter

If the person preparing the transcript has ceased to hold office as court reporter, the certificate must be made under oath.

SECTION 16. AMENDMENT. Section 29-05-31 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

29-05-31. Uniform traffic complaint and summons. There is hereby established a uniform complaint and summons that may be used in cases involving violations of statutes or ordinances relating to the operation or use of motor vehicles. Whenever the complaint and summons established by this section is used, the provisions of rule 5 of the North Dakota Rules of Criminal Procedure relating to arrests without warrants do not apply, and magistrates or state's attorneys are not required to make another complaint of the offense charged in the uniform complaint and summons. The uniform complaint and summons must be in substantially the following form:

State of North Dakota) In _____ Court,

$$) SS_{\cdot}$$

County of _____) Before Hon. _____;

The undersigned, being duly sworn, ~~upon oath deposes and says that, on the~~

_____ day of _____ 19__.

First Name	Middle Name	Last Name	Street	City	State
------------	-------------	-----------	--------	------	-------

did unlawfully operate a motor vehicle upon a public highway, namely

_____, _____ N E S W of _____ and did then and there commit

Location	City
----------	------

the following offense:_____

MPH in _____

MPH Zone _____

All in violation of ~~Sec. _____ of the N.D. Century Code as amended~~ Sec. _____
and against the peace and dignity of the state of N.D.

Officer _____ LET A WARRANT ISSUE HEREIN Sworn to and subscribed
before me this _____ day of on _____ 19____.

Judge

State's Attorney

DESCRIPTION OF DEFENDANT AND VEHICLE

Mo. _____ Day _____ Yr. _____ Race _____ Sex _____ Wt. _____ Ht. _____

Birth date _____

Hair _____ Dr. Lic: State _____ No. _____ Motor Vehicle: _____

PSC _____

Make _____ Reg. No. _____ State _____ Year _____ ICC No. _____

CLAIMED CONDITIONS OF THE VIOLATION

SLIPPERY SURFACE

_____ Rain _____ Snow _____ Ice _____

DARKNESS

_____ Night _____ Fog _____ Snow _____

OTHER TRAFFIC PRESENT

_____ Cross _____ Oncoming _____ Pedestrian _____ Same direction _____

IN ACCIDENT

_____ Ped. _____ Vehicle _____ Intersection _____

_____ Right angle _____ Head on _____ Rear end _____

_____ Ran off road _____ Other _____

Area: _____ School _____ Rural _____ Business _____

_____ Industrial _____ Residential _____

Highway: _____ 2 Lane _____ 4 Lane _____ 4 Lane Divided _____

Type _____

_____ Gravel _____ Dirt _____

OFFENSE CONTRIBUTED MATERIALLY TO ACCIDENT

_____ Yes _____ No _____

THE STATE OF NORTH DAKOTA TO THE ABOVE-NAMED DEFENDANT

(CITY ORDINANCE OR STATE CRIMINAL TRAFFIC VIOLATION)

You are ~~hereby~~ summoned to appear at the time and place designated below to answer
to the charge ~~above indicated to be made against you~~

Appearance

Before: Municipal Judge-District Ct. _____

_____ A.M./P.M.

Location Month Day Year Time

Dated this _____ day of _____ 19, _____

Officer _____

PROMISE TO APPEAR

I ~~hereby~~ consent and promise to appear at the time and place specified in the above
summons, the receipt of a copy of which is ~~hereby~~ acknowledged, and I expressly waive earlier
hearing.

Dated this _____ day of _____ 19, _____

Defendant _____

(STATE NONCRIMINAL TRAFFIC VIOLATION)

You are ~~hereby~~ notified of your right to request, within fourteen days of the date of this
citation, a hearing concerning the alleged traffic violation. If you do not request a hearing, the
bond is deemed forfeited and the violation admitted. If you are requesting a hearing, date and
sign the following portion of this citation AND INCLUDE THE BOND NOTED ON THIS
CITATION for the alleged violation. Failure to do so may result in the suspension of your
operator's license. You will be notified of the hearing date by the court for the county in which
this citation was issued.

REQUEST FOR HEARING

I ~~hereby~~ submit the designated bond and request a hearing on the alleged traffic
violation and promise to appear at the time and date specified in the summons issued by the
court for the county in which the citation was issued.

Dated this _____ day of _____ 19, _____

Defendant _____

SECTION 17. AMENDMENT. Section 32-09.1-07 of the North Dakota Century Code is amended and reenacted as follows:

32-09.1-07. Form of summons and notice. The garnishee summons must state that the garnishee ~~must~~ shall serve upon the plaintiff or the plaintiff's attorney within twenty days after service of the garnishee summons a written disclosure, under oath, of indebtedness to the defendant and answers to all written interrogatories that are served with the garnishee summons. The plaintiff may not require disclosure of indebtedness or property of the defendant in the garnishee's possession or under the garnishee's control to the extent that the indebtedness or property exceeds one hundred ten percent of the amount of the judgment which remains unpaid. The garnishee summons must include the full name of the defendant and place of residence and the amount of the judgment which remains unpaid. The garnishee summons must also state that the garnishee ~~must~~ shall retain property or money in the garnishee's possession pursuant to this chapter until the plaintiff causes a writ of execution to be served upon the garnishee or until the defendant authorizes release to the plaintiff and must state that after the expiration of the period of time specified in section 32-09.1-20, the garnishee ~~must~~ shall release all retained property and money to the defendant and is discharged and relieved of all liability on the garnishee summons. The garnishee summons must state that no employer may discharge any employee because the employee's earnings are subject to garnishment. The garnishee summons must state that any assignment of wages made by the defendant or indebtedness to the garnishee incurred within ten days before the receipt of notice of the first garnishment on the underlying debt is void. The garnishee summons must state the date of the entry of judgment against the defendant. The garnishee summons must state that the defendant ~~must~~ shall provide to the garnishee within ten days after receipt of the garnishee summons a verified list of the dependent family members who reside with the defendant and their social security numbers, if any, to have the maximum amount subject to garnishment reduced under subsection 2 of section 32-09.1-03. The garnishee summons must state that failure of the defendant to provide a verified list to the garnishee within ten days after receipt of the garnishee summons is conclusive with respect to whether the defendant claims no family members.

The garnishee summons and notice to defendant must be substantially in the following form:

State of North Dakota)	In _____ Court
) ss.	
County of _____)	_____

	Plaintiff	
against		Garnishee Summons and
_____		Notice to Defendant
	Defendant	
and		

	Garnishee	

The State of North Dakota to the above-named Garnishee:

You ~~must~~ shall serve upon the plaintiff or the plaintiff's attorney, within twenty days after service of this summons upon you, a written disclosure, under oath, setting forth the amount of any debt you may owe to the defendant, _____ (give full name and residence of defendant) and a description of any property, money, or effects owned by the defendant which are in your possession. Your disclosure need not exceed \$_____. (Enter 110 percent of the plaintiff's judgment which remains unpaid.) The date of entry of the judgment against the defendant was _____ (enter date of entry of plaintiff's judgment) and the amount of the judgment that remains unpaid is \$_____.

The defendant ~~must~~ shall provide you with a verified list of the names of dependent family members who reside with the defendant and their social security numbers if the defendant desires to have the garnishment amount reduced under subsection 2 of section 32-09.1-03. Failure of the defendant to provide the list to you is conclusive to establish that the defendant claims no dependent family members reside with the defendant.

Failure to disclose and withhold may make you liable to the plaintiff for the sum of \$_____. (Enter the lesser of the plaintiff's judgment against the defendant or 110 percent of the amount that remains unpaid.)

You ~~must~~ shall retain the defendant's nonexempt property, money, and effects in your possession until a writ of execution is served upon you, until the defendant authorizes release to the plaintiff, or until the expiration of 180 days from the date of service of this summons upon you. If no writ of execution has been served upon you or no agreement has been made for payment within 180 days, the garnishment ends and any property or funds held by you must be returned to the defendant if the defendant is otherwise entitled to their possession.

Any assignment of wages by the defendant or indebtedness to you incurred by the defendant within ten days before the receipt of the first garnishment on a debt is void and should be disregarded.

You may not discharge the defendant because the defendant's earnings are subject to garnishment.

Dated this ____ day of _____, 19____.

By: _____

NOTICE TO DEFENDANT

To: _____

The garnishee summons, garnishment disclosure form, and written interrogatories (strike out if not applicable), that are served upon you, were also served upon _____, the garnishee.

(Attorneys for Plaintiff)

(Address)

(Telephone)

SECTION 18. AMENDMENT. Subsection 5 of section 32-09.1-09 of the North Dakota Century Code is amended and reenacted as follows:

5. If other persons make claims to any disposable earnings, debt, or property of the defendant, the garnishee shall disclose the names and addresses of the other claimants and, so far as known, the nature of their claims.

A garnishment disclosure form must be served upon the garnishee. The disclosure must be substantially in the following form:

State of North Dakota) In _____ Court
) ss.
County of _____) _____

Plaintiff

VS.

Defendant

and Garnishment Disclosure

Garnishee

I am the _____ of the garnishee and duly authorized to disclose for the garnishee.

On the _____ day of _____, 19____, the time of service of garnishee summons on the garnishee, there was due and owing the defendant from the garnishee the following:

1. **Earnings.** For the purposes of garnishment, "earnings" means compensation payable for personal service whether called wages, salary, commission, bonus, or otherwise, and includes periodic payments under a pension or retirement program. "Earnings" does not include social security benefits or veterans' disability pension benefits, except when the benefits are subject to garnishment to enforce any order for the support of a dependent child. "Earnings" includes military retirement pay. "Disposable earnings" means that part of the earnings of an individual remaining after the deduction from those earnings of amounts required by law to be withheld. If the garnishee summons was served upon you at a time when earnings from a prior

completed pay period were owing but not paid, complete the following disclosure for earnings from both the past pay period and the current pay period.

a. Enter on the line below the amount of disposable earnings earned or to be earned by the defendant within the defendant's pay periods which may be subject to garnishment.

b. Enter on the line below forty times the hourly federal minimum wage times the number of workweeks within the defendant's pay periods which may be subject to garnishment. When pay periods consist of other than a whole number of workweeks, each day of a pay period in excess of the number of completed workweeks must be counted as a fraction of a workweek equal to the number of workdays divided by the number of workdays in the normal workweek.

c. Enter on the line below the difference obtained (never less than zero) when line b is subtracted from line a.

d. Enter on the line below 25 percent of line a.

e. Enter on the line below the lesser of line c and line d.

f. Enter on the line below the number of dependent family members living with the defendant (if properly claimed within ten days after receipt of the garnishee summons).

g. Enter on the line below an amount equal to the number of dependents (line f) times twenty dollars times the number of workweeks used to compute line b.

- 1 h. Enter on the line below the difference (never less than zero) when line g
2 is subtracted from line e.
3 _____
- 4 2. Money. Enter on the line below any amounts due and owing defendant,
5 except earnings, from the garnishee.
6 _____
- 7 3. Property. Describe on the line below any personal property, instruments, or
8 papers belonging to the defendant and in the possession of the garnishee.
9 _____
- 10 4. Setoff. Enter on the line below the amount of any setoff, defense, lien, or
11 claim which the garnishee claims against the amount set forth on lines 1(h), 2,
12 and 3. Allege the facts by which the setoff, defense, lien, or claim is claimed.
13 (Any indebtedness to a garnishee-employer incurred by the judgment debtor
14 within ten days before the receipt of the first garnishment on a debt is void
15 and should be disregarded.)
16 _____
17 _____
- 18 5. Adverse Interest. Enter on the line below any amounts claimed by other
19 persons by reason of ownership or interest in the defendant's property. State
20 each person's name and address and the nature of that person's claim, if
21 known. (Any assignment of wages made by the defendant within ten days
22 before the receipt of the first garnishment on a debt is void and should be
23 disregarded.)
24 _____
- 25 6. Enter on the line below the total of lines 4 and 5.
26 _____
- 27 7. Enter on the line below the difference obtained (never less than zero) when
28 line 6 is subtracted from the sum of lines 1(h), 2, and 3.
29 _____
- 30 8. Enter on the line below 110 percent of the amount of the judgment creditor's
31 judgment which remains unpaid.

9. Enter on the line below the lesser of line 7 and line 8. As garnishee, you are hereby instructed to retain this amount only if it is \$10.00 or more.

Signature _____

Authorized Representative
of Garnishee

Title

Subscribed and sworn to before me ~~this~~ _____ day of _____, 19____.

Notary Public

SECTION 19. AMENDMENT. Section 35-22-07 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

35-22-07. Notice of sale - Form. The notice of sale must be in substantially the following form:

Notice is ~~hereby~~ given that that certain mortgage, executed and delivered by _____, mortgagor, to _____, mortgagee, dated ~~the~~ _____ day of _____, 19____, and filed for record in the office of the register of deeds of the county of _____ and state of North Dakota on ~~the~~ _____ day of _____, 19____, and recorded in book _____ of _____ at page _____ (and assigned by said mortgagee to _____), will be foreclosed by a sale of the premises in such mortgage and hereinafter described at the front door of the courthouse in the county of _____ and state of North Dakota at the hour of _____ o'clock ____ m., on ~~the~~ _____ day of _____, 19____, to satisfy the amount due upon such mortgage on the day of sale. The premises described in such mortgage and which will be sold to satisfy the same are described as follows: (here insert description and street address, if any).

There will be due on such mortgage at the date of sale the sum of _____ dollars.

The failure to include the street address in the notice does not affect the validity of the notice.

SECTION 20. AMENDMENT. Section 37-07-03 of the North Dakota Century Code is amended and reenacted as follows:

37-07-03. Enlisted men to sign contract of enlistment and subscribe to oath. ~~Men~~ Individuals enlisting in the national guard of this state shall sign an enlistment contract and subscribe the following oath of enlistment:

I ~~do hereby~~ acknowledge to have voluntarily enlisted ~~this _____ day of on~~
_____, 49____, as a soldier in the national guard of the United States and of
the state of North Dakota, for the period of three years (or one year _____,) under the
conditions prescribed by law, unless sooner discharged by proper authority. And I do
solemnly swear that I will bear true faith and allegiance to the United States of America
and to the state of North Dakota, and that I will serve them honestly and faithfully
against all their enemies whomsoever, and that I will obey the orders of the president of
the United States and of the governor of the state of North Dakota, and of the officers
appointed over me according to law, the rules of war, and the uniform code of military
justice.

SECTION 21. AMENDMENT. Section 37-08-02 of the North Dakota Century Code is amended and reenacted as follows:

37-08-02. Enlistments in national guard reserve - Contract - Oath. ~~Men~~ Individuals
duly qualified for enlistment in the active national guard may enlist in the national guard reserve
for a period of one year or three years under ~~such the~~ the regulations ~~as prescribed by the~~
secretary of defense ~~shall prescribe~~. Upon enlisting in ~~such the~~ the reserve, each ~~man~~ individual
shall subscribe the following enlistment contract and take the oath therein specified:

I ~~do hereby~~ acknowledge to have voluntarily enlisted ~~this _____ day of on~~
_____, 49____, as a soldier in the national guard of the United States and of
the state of North Dakota, to serve in the reserve thereof, or in the active national guard
of the United States and said state if transferred thereto, for a period of one year (or
three years), unless sooner discharged by proper authority, and I do solemnly swear
that I will bear true faith and allegiance to the United States of America and to the state
of North Dakota, and that I will serve them honestly and faithfully against all their
enemies whomsoever, and that I will obey the orders of the president of the United

States and the governor of the state of North Dakota, and of the officers appointed over me according to law, the rules of war, and the uniform code of military justice.

SECTION 22. AMENDMENT. Subsection 1 of section 43-25-11 of the 1997

Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. Whenever accusations under section 43-25-10 are filed, the board shall set a day for hearing and the secretary-treasurer of the board shall transmit to the accused a copy of all charges filed relating to the accusations, and shall notify in writing the accused that on the day fixed for the hearing, which may not be less than ten days from the date of notice, the accused may appear or show cause why the accused's license to practice massage in this state should not be revoked, suspended, or annulled. For the purpose of this type of hearing, the board may require by subpoena the attendance of witnesses, to administer oaths and hear testimony and receive evidence, either oral or documentary, for and against the accused, and the accused has the right at the hearing to cross-examine the witnesses, to produce defense witnesses, and to appear personally or by counsel. The notice provided for in this section must be substantially in the following form:

To _____ charges have been filed with the
secretary-treasurer of the North Dakota Board of Massage against you as
a practicing _____ in the state of North Dakota. A
(Massage Therapist)
copy of the charges is attached. The board has fixed ~~the _____ day of~~
_____, 49____, at _____ o'clock _____ at _____ in
_____ for a hearing on ~~such~~ the charges, at which time and place you are
to appear before the board, and show cause, if you can, why your license
to practice massage in the state of North Dakota should not be revoked,
suspended, or annulled. At the same time and place the board will hear
testimony and receive evidence, either oral or documentary, or both, for
and against you relating to the charges.

Dated at _____ this _____ day of _____, 49____.

Secretary-treasurer of the

North Dakota Board of Massage

SECTION 23. AMENDMENT. Section 47-16-36 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

47-16-36. Duty of lessee to have terminated or forfeited lease released - Publication notice - Satisfaction of lease to be recorded - Notice to real property owner - Remedies. When any oil, gas, or other mineral lease ~~heretofore or hereafter~~ given on real property situated in any county of North Dakota and recorded therein ~~shall terminate~~ terminates or ~~become~~ is forfeited it ~~shall be~~ is the duty of the lessee, ~~his~~ the lessee's successors or assigns, within fifteen days after the date of the termination or forfeiture of any ~~such~~ lease, to have ~~such~~ the lease surrendered in writing, ~~such~~ the surrender to be signed by the party making the same, acknowledged, and placed on record in the county where the leased real property is situated without cost to the owner thereof. If the ~~said~~ lessee, ~~his~~ the lessee's successors or assigns, ~~shall fail or neglect~~ fails or neglects to execute and record ~~such~~ the surrender within the time provided for, then the owner of ~~said~~ the real property may serve upon ~~said~~ the lessee, ~~his~~ the lessee's successors or assigns of record, in person or by registered or certified mail, at ~~his~~ the lessee's last known address, or if the post-office address is not shown of record then by publication once a week for three consecutive weeks in a newspaper of general circulation in the county where the real property is situated, a notice in writing in substantially the following form:

To _____: I, the undersigned, owner of the following described land situated in _____ County, North Dakota, ~~to-wit:~~ (description of land) upon which a lease dated _____ day of _____, 19____, was given to _____ ~~do hereby~~ notify you that ~~such~~ the lease has terminated or become forfeited by breach of the terms thereof, that I ~~hereby~~ elect to declare and do declare the ~~said~~ lease forfeited and void and that, unless you do, within twenty days from this date, notify the register of deeds of ~~said~~ the county as provided by law that ~~said~~ the lease has not been forfeited, I will file with the ~~said~~ register of deeds a satisfaction of lease as provided by law, and I ~~hereby~~ demand that you execute or have executed a proper surrender of ~~said~~ the lease and that you put the same of record in the office of the register of deeds of ~~said~~ the county within twenty days from this date.

Dated this _____ day of _____, 19____.

1 _____

2 The owner of ~~said the~~ real property may after twenty days from the date of service,
3 registration, or first publication of ~~said the~~ notice, file with the register of deeds of the county
4 where ~~said the~~ real property is situated a satisfaction of lease setting forth that the affiant is the
5 owner of ~~said the~~ real property, that the lease has terminated or that the lessee, or ~~his the~~
6 lessee's successors or assigns, has failed ~~and or~~ neglected to comply with the terms of ~~said the~~
7 lease, reciting the facts constituting ~~such the~~ failure and that the same has been forfeited and is
8 void, and setting out in ~~said~~ satisfaction of lease a copy of the notice served, as above provided
9 and the manner and time of the service thereof. If the lessee, ~~his the lessee's~~ successors or
10 assigns, ~~shall within such twenty days after service, give~~ gives notice in writing within twenty
11 days after service to the register of deeds of the county where ~~said the~~ real property is located
12 that ~~said the~~ lease has not been forfeited and that ~~said the~~ lessee, ~~his the lessee's~~ successors
13 or assigns, still claim that ~~said the~~ lease is in full force and effect, then the ~~said~~ satisfaction of
14 lease ~~shall may~~ not be recorded but the register of deeds shall notify the owner of the real
15 property of the action of the lessee, ~~his the lessee's~~ successors or assigns, and the owner of
16 the real property ~~shall be~~ is entitled to the remedies now provided by law for the cancellation of
17 ~~such the~~ disputed lease. If the lessee, ~~his the lessee's~~ successors or assigns, ~~shall not~~ fails to
18 notify the register of deeds, as above provided, then the register of deeds shall record ~~said the~~
19 satisfaction of lease and thereafter the record of the ~~said~~ lease ~~shall is~~ not be notice to the
20 public of the existence of ~~said the~~ lease or of any interest therein, or rights thereunder, and ~~said~~
21 ~~the~~ record ~~shall may~~ not be received in evidence in any court of the state on behalf of the
22 lessee, ~~his the lessee's~~ successors or assigns, against the lessor, ~~his the lessor's~~ successors
23 or assigns.

24 **SECTION 24. AMENDMENT.** Section 57-09-06 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **57-09-06. Assessor's statement and return to auditor.** The assessor shall add and
27 note the amount of each column in ~~his the assessor's~~ assessment books after making the
28 corrections ordered by the township board of equalization. ~~He~~ The assessor also shall make in
29 each book a tabular statement showing the footings of the several columns upon the page, and
30 shall add and set down under the respective headings the total amount of the several columns.
31 On or before the fourth Monday in April in each year, ~~he the assessor~~ shall make returns to the

county auditor of ~~his~~ the assessment books, and shall deliver ~~therewith~~ the lists and statements of all persons assessed, all of which must be filed and preserved in the office of the county auditor. ~~Such~~ The returns must be verified by ~~his~~ the assessor's affidavit substantially in the following form:

STATE OF NORTH DAKOTA)

) ss.

County of)

I, _____, assessor of _____, ~~do solemnly~~ swear that the book to which this is attached contains a full list of all property subject to taxation in _____ so far as I have been able to ascertain, and that the assessed value set down in the columns opposite the several kinds and descriptions of property in each case is fifty percent of the true and full value of ~~such~~ the property, to the best of my knowledge and belief, except where and as corrected by the township board of equalization, and that the footings of the several columns in ~~said~~ the book, and the tabular statement returned herewith, are correct, as I verily believe.

Assessor

Subscribed and sworn to before me ~~this~~ _____ day of on _____, 19 ____.

Auditor of _____
County, North Dakota

SECTION 25. AMENDMENT. Section 57-20-05 of the North Dakota Century Code is amended and reenacted as follows:

57-20-05. Certificate of county auditor to tax list. The county auditor shall attach to each tax list ~~his~~ the auditor's certificate in the following form:

STATE OF NORTH DAKOTA)

) ss.

County of)

I, _____, auditor of _____ ~~county~~ County, state of North Dakota, ~~hereby~~ certify that the following is a correct list of the taxes levied on the real

and personal property in the _____ (here name the taxing
district or municipality) for the year _____.

Witness my hand and official seal ~~this~~ _____ ~~day of~~ on _____,
19____.

(SEAL)

County Auditor:-

SECTION 26. AMENDMENT. Section 57-24-20 of the North Dakota Century Code is
amended and reenacted as follows:

57-24-20. Form of certificate of sale. The county auditor shall execute to the
purchaser a certificate of sale which must be substantially in the following form:

COUNTY CERTIFICATE OF SALE FOR TAXES

I, _____, auditor for the county of _____, in the state of
North Dakota, ~~hereby do~~ certify that the following described real estate in ~~said the~~
county and state, ~~to-wit:~~ _____ (describing the same), was, on ~~the~~
_____ day of _____ A.D. 19____, sold by me in the manner provided by law for
the delinquent taxes of the year 19____ thereon, amounting to _____ dollars,
including interest and penalty and costs allowed by law, to _____ of
_____, for the sum of _____ dollars, he being the bidder who agreed
to accept the lowest rate of interest thereon from the date of sale on the total amount of
~~such the~~ taxes, penalties, and costs as paid by him, and that ~~said the~~ rate of interest
which ~~said the~~ purchaser so agreed to accept was _____ percent per annum.

And I further certify that unless redemption is made of ~~said the~~ real estate in the
manner provided by law the ~~said~~ _____ or his assignee, will be entitled to a
deed therefor ~~on and after the~~ _____ day of _____, 19____, on the surrender of
this certificate.

In witness whereof I have hereunto set my hand and seal ~~this~~ _____ ~~day of~~ on
_____, 19____.

(SEAL)

Auditor

SECTION 27. AMENDMENT. Section 57-24-24 of the North Dakota Century Code is
amended and reenacted as follows:

57-24-24. Form of subsequent tax sale certificate. The county auditor shall execute to the payer of subsequent taxes a subsequent tax sale certificate which must be substantially in the following form:

SUBSEQUENT TAX SALE CERTIFICATE

I, _____, county auditor of _____ County in the state of North Dakota,
~~hereby do~~ certify that at the annual tax sale of real estate held on the _____ day of
December _____, 19____, the following described real estate ~~to-wit:~~ _____ was sold
for the taxes of the year _____ to _____ of _____ for the aggregate sum of
_____ dollars (\$_____), and there was issued to ~~such~~ the purchaser tax sale
certificate No. _____ and that thereafter, the owner of ~~said~~ the tax sale certificate
paid subsequent taxes upon said real estate for the year _____ which payment was
made on _____ and it is ~~hereby~~ certified that there is due ~~him~~ the owner on account
of subsequent taxes for said year, the sum of _____ dollars (\$_____), together with
interest at nine percent (9%) per annum from _____, and that unless redemption
~~shall be~~ is made from this subsequent tax sale certificate within three (3) years from
December _____, 19____, ~~he~~ the owner will be entitled after due notice given, to a tax
deed conveying to ~~him~~ the owner the ~~said~~ real estate.

Given under my hand and the seal of the county auditor of _____
County, North Dakota, this _____ day of _____, 19__.

County Auditor of _____ County

SECTION 28. AMENDMENT. Section 57-25-05 of the North Dakota Century Code is amended and reenacted as follows:

57-25-05. Procedure on payment of tax or redemption of portion of tract. Upon payment by the petitioner of the amount as finally apportioned, a tax receipt or certificate of redemption, or both, as the case may be, must be issued to ~~such~~ the petitioner by the county auditor. If there are outstanding tax certificates, the proper amount of the proceeds of ~~such~~ the redemption must be paid to the holders of ~~such~~ the certificates. The original certificate or certificates must be deposited with, and canceled by, the county auditor, and ~~he~~ the auditor

shall issue in lieu thereof a tax sale certificate, which must be entitled "substitute tax sale certificate", and which must be in substantially the following form:

SUBSTITUTE TAX SALE CERTIFICATE

I, _____, auditor of the county of _____ in the state of North Dakota, ~~do hereby~~ certify that the following described real estate situated in ~~said~~ the county and state ~~to-wit:~~ _____, together with other real estate, on the _____ day of _____, 19____, was sold by me in the manner provided by law for the delinquent taxes thereon for the year _____ to _____, he being the bidder who agreed to accept the lowest rate of interest thereon from the date of sale upon the amount of taxes, penalties, and interest paid by him, that the rate of interest which ~~said~~ the purchaser agreed to accept was _____ percent per annum, that thereafter redemption was made from said tax sale of a portion of the real estate then sold to ~~said~~ the purchaser, that redemption of the above described real estate was not made, and I further certify that unless redemption of ~~such~~ the real estate is made in the manner provided by law the said _____ or his assigns will be entitled to a deed of the property above described ~~on and after the~~ _____ day of _____, 19____, on the surrender of this certificate, and I further certify that there remains due and unpaid upon this certificate the sum of \$_____ together with interest thereon at _____ percent per annum from _____ day of _____, 19____.

In witness whereof I have hereunto set my hand and the seal of the county auditor of ~~said~~ the county this _____ day of _____, 19____.

County Auditor of _____ County

Such substitute certificate has the same force and effect as the original certificate as to property covered thereby. The county treasurer and county auditor shall make the proper entries in the tax records of their offices showing the payment of the taxes and the cancellation of the original certificate and the issuance of the substitute tax certificate.

SECTION 29. AMENDMENT. Section 57-27-06 of the North Dakota Century Code is amended and reenacted as follows:

57-27-06. Form of tax deed. A tax deed must be substantially in the following form:

TAX DEED

Whereas _____, did on ~~the~~ _____ day of _____, 19____, produce to the undersigned _____, county auditor of the county of _____, in the state of North Dakota, a certificate of tax sale, No. _____, bearing the date of ~~the~~ _____ day of _____, 19____, signed by _____, who on that date was the county auditor of ~~said~~ the county, from which it appears that _____ did on ~~the~~ _____ day of _____, 19____, purchase at public auction at the regular tax sale of that year the tract, parcel, or lot of land in this indenture described, and which was struck off and sold to _____ for the sum of _____ dollars, that being the total amount of taxes, penalties, and costs charged against ~~said~~ the land, including any personal taxes specified in the lists and advertisement, constituting a lien thereon for the year, or years, 19____, ~~to-wit:~~ _____ (describe lands) _____, and that ~~the said~~ _____ did at the time and place of ~~said~~ public auction, as a part of his bid, agree to accept the lowest rate of interest on the amount of ~~such~~ the taxes, penalties, and costs so paid by him, ~~to-wit:~~ the rate of _____ percent per annum, and it appearing that ~~the said~~ _____ is the legal owner of the ~~said~~ certificate of tax sale, and the time allowed by law for redeeming the land herein described having expired, and proof of legal notice of the expiration of the period of redemption having been filed in the office of the county auditor prior to the maturity of ~~such~~ the certificate as provided by law, and ~~said~~ the land not having been redeemed from ~~such~~ the sale pursuant to law, and ~~the said~~ _____ having demanded a deed for the tract of land mentioned in ~~said~~ the certificate, and it appearing that ~~said~~ the lands were legally liable for taxation, and had been assessed and properly charged on the tax book or duplicate for the year or years 19____, and that ~~said~~ the lands had been advertised legally for taxes and were sold on ~~the~~ _____ day of _____, 19____, to ~~the said~~ _____.

Now, therefore, this indenture, made ~~this~~ _____ day of _____ on _____, 19____, between the state of North Dakota by _____ as county auditor of the ~~said~~ county, party of the first part, and ~~the said~~ _____, party of the second part:

WITNESSETH, That the ~~said~~ party of the first part, for and in consideration of the premises and the amount so bid and paid at ~~such~~ the tax sale, has granted, bargained and sold, and by these presents does grant, bargain, sell, and convey unto the ~~said~~

1 party of the second part, ~~his~~ the party's heirs and assigns, forever, the tract or parcel of
2 land mentioned in ~~said the~~ certificate and described as follows ~~to-wit:~~ _____ in
3 _____ County, state of North Dakota.

4 TO HAVE AND TO HOLD ~~said the~~ mentioned lands, with the appurtenances
5 thereto belonging, to the ~~said~~ party of the second part, ~~his~~ the party's heirs and assigns,
6 forever, in as full and ample manner as the ~~said~~ county auditor of the ~~said~~ county of
7 _____ is empowered by law to sell the same.

8 IN TESTIMONY WHEREOF, ~~the said~~ _____, as county auditor of the
9 ~~said~~ county of _____, North Dakota, hereunto has set his hand and the seal of
10 the ~~said~~ county, on the _____ day of _____, 19__.

11
12 (SEAL)

County Auditor of _____
County, North Dakota-

14 **SECTION 30. AMENDMENT.** Section 57-27-07 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **57-27-07. Assignment of certificate for land bid in by county.** At any time after any
17 property has been bid in for the county, unredeemed, and not subject to a tax deed to the
18 county, the county auditor may assign all of the rights of the county in the property to any
19 person, other than the county auditor, county treasurer, or their deputy or clerk. The assignee
20 shall pay the amount that was bid for the property, interest from the date of the tax sale at the
21 rate of six percent per annum, and the amount of any later delinquent taxes. The county
22 auditor shall execute an assignment for each certificate which may be in substantially the
23 following form:

24 I, _____, auditor of the county of _____, state of North Dakota,
25 ~~hereby do~~ certify that at the sale of real estate for the delinquent taxes thereon for the
26 county of _____ and state aforesaid, which sale was held at the _____
27 in ~~said the~~ county of _____ on the _____ day of _____, A.D. 19__, for the
28 taxes of the year _____, the following described piece or parcel of land situated in
29 ~~said the~~ county of _____, state of North Dakota, ~~to-wit:~~ (insert description) was
30 offered for sale to the best bidder, and no one bidding upon ~~such the~~ offer, the same
31 then was bid in for the county for the sum of _____ and the same still remaining

12 In witness whereof I hereunto have set my hand and seal this _____ day of on
13 _____, 19____.

16 **SECTION 31. AMENDMENT.** Section 57-27-08 of the North Dakota Century Code is
17 amended and reenacted as follows:

Offered for sale to the bidder who agreed to accept the lowest rate of interest on the amount of ~~such~~ the taxes, penalties, and costs charged against the land, the following described tract or parcel of real property, ~~to-wit:~~ _____ (describe property) _____ which property was returned delinquent for the nonpayment of taxes for the year ~~19~~____, amounting to _____ dollars, including penalty and costs charged against ~~said~~ the land, including personal property taxes specified in the list and in the advertisement, constituting the lien thereon, and no one bidding upon ~~such~~ the offer an amount equal to that for which ~~said~~ the piece or parcel of land was subject to be sold, the same was bid in for the county. And it appearing by ~~said~~ the certificate that the right, title, and interest of the county in ~~said~~ the tract

or parcel of land acquired at ~~said the~~ sale, on the _____ day of _____,
49__, was assigned to _____, for the sum of _____ dollars, that being the
amount due thereon at that time.

SECTION 32. AMENDMENT. Section 57-27-09 of the North Dakota Century Code is
amended and reenacted as follows:

57-27-09. Provision of deed in case of assignment by original purchaser. In case
the certificate of tax sale is assigned by the purchaser, then a statement must be inserted in
~~such the~~ tax deed briefly describing the assignment of ~~such the~~ certificate, in substantially the
following form:

Which ~~said the~~ certificate of tax sale issued to ~~said~~ _____,
purchaser at ~~said the~~ tax sale, and the ~~right~~ rights, title, and interest of the ~~said~~
purchaser in ~~said the~~ tract or parcel of land acquired ~~thereby~~ at ~~said the~~ sale, on
the _____ day of _____, 49__, was assigned to _____.

SECTION 33. AMENDMENT. Section 57-28-05 of the 1997 Supplement to the North
Dakota Century Code is amended and reenacted as follows:

57-28-05. Form of notice for service by certified mail. The notice of the expiration of
the period of redemption which the county auditor is required to serve by certified mail must be
substantially in the following form:

NOTICE OF EXPIRATION OF PERIOD OF REDEMPTION

To _____, the owner of the record title of the real estate hereinafter described,
and to all mortgagees, lienholders, and other persons interested in ~~said the~~ real estate:

I, _____, county auditor of _____ County, North Dakota, ~~heroby~~
give notice that the real estate hereinafter described, at the annual tax sale held in the
county on the _____ of December ____, 49__, was offered for sale for
delinquent taxes against it for the year _____ and was sold to the county, that
subsequent tax sale certificates have been issued to the county for the years hereinafter
set forth, that more than three years have expired since the date of each of ~~said the~~ tax
sale certificates, that no redemption has been made therefrom, and that the same still
are the property of ~~such the~~ county, and unless redemption is made from each of ~~said~~
~~the~~ tax sale certificates on or before October first, after the date of this notice, tax deeds
will be issued to the county, granting to and vesting in it, the absolute title in fee to ~~said~~

1 the real property, subject, however, to the lien for installments of special assessments
2 certified or to be certified to the county auditor or which may become due subsequent to
3 the time of service of this notice, and foreclosing all rights of redemption, and all other
4 rights of the owner, mortgagees, lienholders, and other persons interested therein, as
5 may appear from the records of the register of deeds and the clerk of the district court of
6 ~~said~~ the county. There is given herewith the description of ~~such~~ the parcels of real
7 estate, and set opposite each description is the amount which will be required upon the
8 date of the expiration of the period of redemption to redeem ~~such~~ the real estate from
9 ~~such~~ the original and each subsequent tax sale certificate issued to the county,
10 exclusive of the cost of service of this notice.

11 ~~Said~~ The property is described as follows, with the amount required to redeem set
12 out opposite each description, ~~to-wit:~~ _____

13 _____
14 Given pursuant to authority of law this _____ day of on _____, 19__.

15 County auditor of _____ County, North Dakota.

16 **SECTION 34. AMENDMENT.** Section 57-28-07 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **57-28-07. Form of notice for publication.** The notice of the expiration of the period of
19 redemption to be served by publication must be substantially in the following form:

20 I, _____, county auditor, of _____ County, North Dakota, ~~hereby do~~
21 give notice that the real estate hereinafter described was sold to the county at the
22 annual tax sale on December _____, 19__, for delinquent taxes, that subsequent
23 tax sale certificates have been issued to the county, that more than three years have
24 expired since the date of each of ~~said~~ the tax sale certificates, that no redemption has
25 been made therefrom, that the same still are the property of this county, and that unless
26 redemption ~~shall be~~ is made from ~~such~~ the tax sale, on or before October first after the
27 date of this notice, the same will become the absolute property in fee of this county,
28 subject, however, to the lien for installments of special assessments certified or to be
29 certified to the county auditor or which may become due subsequent to the time of
30 service of this notice, and the former owner thereof, mortgagees, lienholders, and other
31 persons interested therein will be forever foreclosed and barred from asserting any

1 further rights to ~~such~~ the real estate whatsoever. The following is a list of the real estate
2 sold at ~~such~~ the tax sale on which the period of redemption will expire on October first.
3 Opposite each description of ~~such~~ the real estate appears any street address of the
4 property, the name of the owner of the record title thereof, and the amount which must
5 be paid to redeem from ~~such~~ the tax sale before the period of redemption expires. ~~Said~~
6 The sum includes the amount for which ~~said~~ the land was sold, together with
7 subsequent delinquent taxes for _____ and prior years, and interest, penalties,
8 and cost of service. (List descriptions, names of owners, and amount necessary to
9 redeem.)

10 Given pursuant to authority of law ~~this~~ _____ day of on _____, 49__.

11 The failure to include the street address in the notice does not affect the validity of the notice.

12 **SECTION 35. AMENDMENT.** Section 57-28-16 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **57-28-16. Form of deed to purchaser.** The deed which the county shall execute and
15 deliver to the purchaser must be substantially in the following form:

16 COUNTY DEED

17 This indenture made ~~this~~ _____ day of on _____, _____,
18 between the county of _____, North Dakota, party of the first part, and
19 _____, party of the second part, witnesseth:

20 WHEREAS, the real property hereinafter described was acquired by the county
21 through tax deed proceedings for the nonpayment of taxes levied and extended against
22 ~~said~~ the property for the years of 49__ to 49__ inclusive, with interest and penalties,
23 amounting to the sum of _____ dollars; and

24 WHEREAS, ~~said~~ the real property was offered for sale, and sold, pursuant to
25 authority of law, on ~~the~~ _____ day of _____, 49__, and at ~~said~~ the sale, ~~said~~
26 the second party became the purchaser of the whole thereof, for the sum of _____
27 dollars, which has been paid in full;

28 NOW, THEREFORE, the ~~said~~ county as party of the first part, in consideration of
29 the premises, and pursuant to authority of law, hereby does grant, bargain, sell, and
30 convey to the second party, ~~his~~ the second party's heirs and assigns, that certain real

property situated in ~~said~~ the county of _____, North Dakota, described as follows,~~to~~
wit:

To have and to hold the above described real property with all of the
appurtenances thereunto belonging to the ~~said~~ party of the second part, _____ heirs
and assigns forever.

IN WITNESS WHEREOF _____ and _____, as chairman of the
board of county commissioners and county auditor, respectively, of said county, hereby
do set their hands the day and year first above written and do cause the seal of said
county to be affixed thereto.

_____ County,
North Dakota-

Chairman, board of county commissioners-

County auditor-

STATE OF NORTH DAKOTA

County of _____

On this _____ day of _____, 19____, personally appeared before me, a
notary public within the aforesaid county and state, _____ and _____, to
me personally known to be the chairman of the board of county commissioners and the
auditor, respectively, of said county, and acknowledged to me that they executed the
foregoing deed for and on behalf of said county.

My commission expires _____. Notary Public, for _____ County, North
Dakota.

SECTION 36. AMENDMENT. Section 58-16-03 of the North Dakota Century Code is
amended and reenacted as follows:

58-16-03. Assessment and levy upon property - Form. The board of township
supervisors shall assess and levy upon each lot or parcel of land along which the sidewalk has
been built by the township a sum sufficient to cover the cost of the construction thereof, and

shall assess and levy against each lot or parcel of land benefited by the installation of streetlights by the township. The assessment must be in substantially the following form:

The board of supervisors of the township of _____ ~~does hereby~~
~~assess~~ assesses upon and ~~levy~~ levies against the several parcels of land hereinafter
described the respective sums of money set against each lot or parcel. This
assessment is made to defray the cost of a _____ sidewalk or streetlights
along the _____ side of _____ to _____ in accordance
with the resolution of the board of township supervisors passed ~~the~~ _____
~~day of on~~ _____, 19____, and duly published in _____ on the
_____ days of _____, 19____. The amount assessed against and
levied upon each lot or parcel being the amount that it cost to construct or reconstruct
~~such the~~ sidewalk along and fronting upon the same lot or parcel of land. When
streetlights are installed the cost of ~~such the~~ installation ~~shall~~ must be assessed and
levied against all lots or parcels of land that benefit from the streetlights.

Description				
Name of Owner, if known	of land		Amount	
<hr/>				
	Lot	Block	Dollars	Cents

Done at a meeting of the board of supervisors of the township of _____
this _____ day of on _____, 19____.

Chairman

Attest:

Township Clerk-

SECTION 37. AMENDMENT. Section 60-02-13 of the North Dakota Century Code is amended and reenacted as follows:

60-02-13. Purchase by warehouseman - Form of receipt. There may be printed on each warehouse receipt issued by a warehouseman a receipt executed by the owner for use in

case the grain represented thereby is purchased by ~~such the~~ warehouseman. The warehouseman shall record ~~such the~~ purchase, as to the amount paid per bushel, on the stub record or copy of its warehouse receipt books. ~~Such The~~ receipt ~~shall~~ must be in substantially the following form:

Received from _____, _____ dollars and _____ cents net, in full payment for the grain represented by this warehouse receipt. Gross price per bushel _____, storage per bushel _____, net price per bushel _____. I ~~hereby~~ certify that I am the owner of the grain for which this receipt was issued, and that there are no liens, chattel mortgages, or other claims against the grain represented by this receipt.

Dated _____ 49, _____. Signed _____ Owner.

Nothing in this section contained ~~shall~~ may be construed to affect in any manner the conditions of the storage contract specified in sections 60-02-17 and 60-02-18.

SECTION 38. AMENDMENT. Section 61-05-15 of the North Dakota Century Code is amended and reenacted as follows:

61-05-15. Form of notice of election. The notice of election provided for section 61-05-14 ~~shall~~ must be substantially in the following form:

NOTICE OF ELECTION

Notice is ~~hereby~~ given that on the _____ day of _____, 49____, an election will be held for the purpose of submitting to the electors within the territory established and described by the order of the state engineer as _____ irrigation district, the question as to whether ~~or not~~ the order of the state engineer establishing ~~such the~~ irrigation district ~~shall be~~ is approved. Notice is ~~hereby~~ given that the lands of ~~such the~~ district are fully described in the order of the state engineer establishing the district and filed in the state engineer's office ~~at the state capitol~~ in Bismarck, North Dakota, and in the office of the county auditor of _____ County, North Dakota. The ballot ~~will~~ must be in the following form:

FOR IRRIGATION DISTRICT

Yes ☐

No ☐

Notice is further given that a board consisting of _____ directors will be elected, one from each district division, who will serve as provided by law after the establishment of the district is approved. Polls will be open from one p.m. to seven p.m. Notice is further given that any elector desiring to be a candidate for the office of district director and have the elector's name appear on the ballot must file the elector's request in writing with the state engineer not less than twenty days before the ~~said~~ election.

Dated this _____ day of _____, 19____.

Signed _____

State Engineer-

SECTION 39. AMENDMENT. Section 61-06-10 of the North Dakota Century Code is amended and reenacted as follows:

61-06-10. Notice of election after district is organized - Contents - Form. Within thirty-five days of, but at least twenty-five days prior to, any regular or special election held in an irrigation district, the secretary of the board of directors shall ~~cause~~ publish a notice of the election ~~to be published~~ in the newspaper or newspapers of general circulation where the district is located and in the official newspaper of each county in which the district is located. The notice ~~shall~~ must specify the matters to be voted upon, the location of the polling place or places, and the time of their opening and closing. ~~Such~~ The notice ~~shall~~ must be in substantially the following form:

~~NOTICE hereby~~ Notice is given that on the _____ day of _____, 19____, an election will be held at _____ (here designate the polling place) for the purpose of electing _____ members of the board of directors and for the purpose of voting upon ~~such the~~ the questions ~~as shall be~~ submitted by the directors of the district. Polls will be opened at one p.m. and will be closed at five p.m. of that day. Notice is further given that any elector desiring to have the elector's name appear on the ballot must file a request in writing with the secretary of the district not less than twenty days before the election.

SECTION 40. AMENDMENT. Section 61-24-03 of the North Dakota Century Code is amended and reenacted as follows:

61-24-03. Election of directors of the Garrison diversion conservancy district. A director of the Garrison diversion conservancy district ~~shall~~ must be nominated and elected in

each county in the district. Any person who is a resident and qualified elector of the county who aspires to the office of director of the Garrison diversion conservancy district shall, not more than seventy days or less than sixty days and before four p.m. of the sixtieth day ~~prior to~~ before any primary election preceding a general election at which a director of the district is to be elected, present to the county auditor a petition giving that person's name, post-office address, the title of the office "Director of the Garrison Diversion Conservancy District", and containing the signatures of not less than fifty nor more than three hundred qualified electors of the county to which each signer has added the signer's residence with street number, if any, and the date of signing.

The petition must be accompanied by an affidavit substantially as follows:

STATE OF NORTH DAKOTA,

County of _____

I, _____, being ~~duly~~ sworn, ~~depose and~~ say that I reside in the county of _____ and State of North Dakota; that I am a qualified elector therein; that I am a candidate for nomination to the office of director of the Garrison Diversion Conservancy District to be chosen at the primary election to be held on ~~the~~ _____ day of _____, 19____, and I ~~do hereby~~ request that my name be printed upon the no-party primary election ballot as provided by law, as a candidate for ~~said~~ the office.

Subscribed and sworn to before me ~~this _____ day of~~ on _____, 19____.

Notary Public, ~~North Dakota~~

Upon receipt of the petition the county auditor shall without fee place the name of the aspirant on the no-party primary election ballot as a candidate for the aforesaid office of director. The two candidates receiving the highest number of votes if more than two are running ~~shall be~~ are nominated.

The names of the candidates so nominated at the primary election must be placed on the no-party ballot at the ensuing general election and the candidate receiving the highest number of votes ~~shall be duly~~ is elected.

At the primary and general elections votes must be canvassed, returned certified, and certificates of nomination and election issued in the manner provided by law for the nomination and election of county officers.

SECTION 41. AMENDMENT. Section 61-24.5-06 of the North Dakota Century Code is amended and reenacted as follows:

61-24.5-06. Election of county directors of the southwest water authority. Any person who is a resident and qualified elector of the county, who aspires to the office of director of the southwest water authority, shall, not more than seventy nor less than sixty days and before four p.m. of the sixtieth day before any primary election preceding a general election at which a director of the authority is to be elected, present to the county auditor a petition giving that person's name, post-office address, and the title of the office of the southwest water authority to which that person is seeking election. The petition must contain the signatures of not less than two percent of the qualified electors of the county as determined by the number of votes cast in the county for the office of director of the southwest water authority at the most recent preceding election at which the office of director of the southwest water authority was voted upon. Each signer of the petition shall include with that signer's name that signer's mailing address.

The petition must be accompanied by an affidavit substantially as follows:

STATE OF NORTH DAKOTA)

) ss.

County of)

I _____, being ~~duly~~ sworn, ~~depose and~~ say that I reside in the county of _____ and State of North Dakota; that I am a qualified elector therein; that I am a candidate for the office of director of the Southwest Water Authority to be elected at the primary election to be held on the _____ day of _____, 19____, and I ~~do hereby~~ request that my name be printed upon the no-party primary election ballot as provided by law, as a candidate for ~~said~~ the office.

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public, ~~North Dakota~~

Upon receipt of the petition, the county auditor shall without fee place the name of the aspirant on the no-party primary election ballot as a candidate for the office of director. The candidate receiving the highest number of votes is elected.

At the primary election, votes must be canvassed, returned certified, and certificates of election issued in the manner provided by law for the election of county officers.

SECTION 42. AMENDMENT. Section 61-24.5-07 of the North Dakota Century Code is amended and reenacted as follows:

61-24.5-07. Election of city directors of the southwest water authority. Any person who is a resident and qualified elector of the city of Dickinson who aspires to the office of director of the southwest water authority shall, at least sixty days and before five p.m. on the sixtieth day ~~prior to~~ before the ~~holding of the~~ election, file with the city auditor a petition signed by not less than ten percent of the number of qualified electors who voted for that office in the last city election, except that the petition for the first ~~such~~ election must be signed by not less than two hundred qualified electors. Signers of a petition must reside within the corporate limits of the city, and each signer of the petition shall include with the signer's name the signer's mailing address. The petition must include the candidate's name, post-office address, and the title of the office of the southwest water authority for which the candidate is seeking election.

The petition must be accompanied by an affidavit substantially as follows:

STATE OF NORTH DAKOTA)

) ss.

City of Dickinson)

I _____, being ~~duly~~ sworn, ~~depose and~~ say that I reside in the city of Dickinson and State of North Dakota; that I am a qualified elector therein; that I am a candidate for the office of director of the Southwest Water Authority to be elected at the municipal election to be held on the _____ day of _____, 19____, and I ~~do~~ ~~hereby~~ request that my name be printed upon the election ballot as provided by law, as a candidate for ~~such~~ the office.

Subscribed and sworn to before me ~~this~~ _____ day of on _____, 19____.

Notary Public, ~~North Dakota~~

1 Upon receipt of the petition the city auditor shall without fee place the name of the
2 aspirant on the election ballot as a candidate for the office of director. The candidate or
3 candidates, depending on whether one or two directors are being elected, receiving the highest
4 number of votes are elected. The provisions of chapter 40-21 govern the election of directors
5 from the city of Dickinson for the southwest water authority.