

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

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

3 On the _____ day of _____, 19 _____, a referendum will be held at
4 _____ for the purpose of submitting

5 (Designate polling place or places)

6 to the qualified electors within _____ soil conservation

7 (Name of district)

8 district the question as to whether _____ soil conservation

9 (Name of districts)

10 districts embracing the following townships _____

11 (Designate townships, by number and range)

12 shall be consolidated into one soil conservation district.

13 The ballot must be in the following form:

14 Shall _____ soil conservation districts embracing the

15 (Names of districts)

16 following townships _____ be

17 (Designate townships, by number and range)

18 consolidated into one soil conservation district?

19 Yes _____

20 No _____

21 The board of supervisors of the district shall appoint the board of election for each
22 polling place. The board of election must consist of one inspector, one judge, and one clerk.

23 Members of the election board are entitled to receive five dollars for their services.

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

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

30 Notice of Dishonored Check

31 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 _____

1 (Holder)
2 sufficient moneys to pay such instrument in full and any collection fees or costs
3 not in excess of twenty dollars.

4 The notice may also contain a recital of the penal provisions of this section and the
5 possibility of a civil action to recover any collection fees or costs authorized by this
6 section.

7 **SECTION 4. AMENDMENT.** Section 11-19-05 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **11-19-05. Form of warrant to summon coroner's jury.** The warrant to summon a
10 coroner's jury ~~shall~~ must be in substantially the following form:

11 State of North Dakota;)
12) ss.
13 County of _____)

14 To the sheriff of said county:

15 You ~~are hereby required to~~ shall summon ~~forthwith~~ three electors, having the
16 qualifications of jurors of your county, to appear before me at (name the place) at
17 (name the day and hour or say forthwith), ~~then and there~~ to hold an inquest on the
18 dead body of _____ and find by what means that person died.

19 ~~Witness my hand this _____ day of~~ Signed _____, 19__.

20 _____
21 Coroner

22 **SECTION 5. AMENDMENT.** Section 11-19-11 of the 1997 Supplement to the North
23 Dakota Century Code is amended and reenacted as follows:

24 **11-19-11. Return by coroner's jury - Form.** The coroner's jury, after having inspected
25 the body, ~~heard~~ hearing the testimony, and ~~made~~ making all ~~needful~~ necessary inquiries, shall
26 return to the coroner its inquisition in writing, ~~under the hands of~~ signed by the members of the
27 jury, in substantially the following form:

28 State of North Dakota;)
29) ss.
30 County of _____)

1 An inquisition was held at _____ in _____ County, state
2 aforesaid, on the _____ day of _____, 19____, before
3 _____ coroner of such county, upon the body of _____
4 (or person unknown) ~~there lying dead~~, by the jurors whose names are ~~hereto~~
5 subscribed. The ~~said~~ jurors, upon their oaths, ~~do~~ say (here state when, how, by what
6 person, means, weapon, or accident, the person came to die, and whether feloniously).

7 ~~In testimony whereof, said~~ The jurors have ~~hereunto set their hands~~ signed this
8 return on the indicated day and year aforesaid.

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

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

12 **14-03-20. License and certificate.** The marriage license and certificate of the person
13 solemnizing the marriage must be upon one blank form in duplicate consisting of two pages
14 with a perforated seam to make it readily detachable. The form must be substantially as
15 follows:

MARRIAGE LICENSE

17 State of North Dakota,)

18) ss.

19 County of _____)

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

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

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

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

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

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

26 (Seal)

Clerk of District Court

CERTIFICATE OF MARRIAGE

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

31 _____, 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 ~~hereto~~ 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)

1 State of North Dakota)

2) ss.

3 County of _____)

4 I, _____, being ~~duly~~ sworn, ~~depose and~~ say that I reside at
5 _____, in the city of _____, state of North Dakota; that I am
6 a candidate for nomination to the office of _____ to be chosen at the
7 general election to be held on _____, 19____, and I ~~do hereby~~ request that
8 my name be printed upon the general election ballot as provided by law.

9 Date _____

10 _____
Candidate's signature

11 Subscribed and sworn to before me this _____ day of on

12 _____, 19____.

13 _____

14 Notary Public ~~North Dakota~~

15 NOTARY SEAL My Commission Expires _____

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

18 **16.1-13-05. Notice of election - Contents - Publication with sample ballot.** Notice
19 of all general elections must be published by the county auditor in the official county newspaper
20 at the same time as, and as a part of, the publication of the sample ballot preceding the
21 election. The notice must be substantially as follows:

22 Notice is ~~hereby~~ given that on Tuesday, the _____ day of November _____,
23 19____, at the polling places in the various precincts in the county of _____,
24 an election will be held for the election of state, district, and county officers, which
25 election will be opened at _____ a.m. and will continue open until _____ p.m. of
26 that day with the following exceptions:

27 _____
28 _____

29 Dated this _____ day of _____, 19____

30 Signed _____

31 _____
County Auditor

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

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

6 **21-01-06. Registration of warrants - Rate of interest.** Whenever the law authorizes
7 the officers of any taxing district to issue warrants in excess of the amount of cash available in
8 any fund upon which warrants are drawn for payment, the treasurer of ~~such that~~ taxing district,
9 when any ~~such~~ warrant is presented to ~~him~~ the treasurer for payment, if not paid for want of
10 funds, shall endorse the same "Presented for payment ~~this~~ _____ day of on _____,
11 ~~19~~_____, and not paid for want of funds", and thereupon shall enter ~~such the~~ warrant in ~~his~~ the
12 treasurer's warrant register in the order of presentation for registration. The governing body of
13 ~~any such a~~ taxing district authorizing the issuance of warrants in excess of cash on hand shall
14 determine the rate of interest which ~~such the~~ warrants must bear, but in the case of counties
15 and cities ~~such the~~ rate may not exceed eight percent per annum from the date of registration
16 until the expiration of the time specified for presentment for payment.

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

19 **27-06-07. Certification of transcript.** Each transcript prepared by a district court
20 reporter must be certified by the reporter in the following form:

21 CERTIFICATE OF COURT REPORTER

22 STATE OF NORTH DAKOTA)

23) ss.

24 COUNTY OF _____)

25 I, _____, a duly appointed official court reporter,

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

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

30 Dated at _____, North Dakota, ~~this~~ _____ day of on _____, 19____.

31 _____

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

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

5 _____
6 Judge State's Attorney

7 DESCRIPTION OF DEFENDANT AND VEHICLE

8 Mo. ____ Day ____ Yr. ____ Race ____ Sex ____ Wt. ____ Ht. ____

9 Birth date

10 Hair ____ Dr. Lic: State ____ No. ____ Motor Vehicle:

11 PSC

12 Make ____ Reg. No. ____ State ____ Year ____ ICC No. ____

13 CLAIMED CONDITIONS OF THE VIOLATION

14 SLIPPERY SURFACE

15 ____ Rain ____ Snow ____ Ice

16 DARKNESS

17 ____ Night ____ Fog ____ Snow

18 OTHER TRAFFIC PRESENT

19 ____ Cross ____ Oncoming ____ Pedestrian ____ Same direction

20 IN ACCIDENT

21 ____ Ped. ____ Vehicle ____ Intersection

22 ____ Right angle ____ Head on ____ Rear end

23 ____ Ran off road ____ Other

24 _____

25 Area: ____ School ____ Rural ____ Business

26 ____ Industrial ____ Residential

27 Highway: ____ 2 Lane ____ 4 Lane ____ 4 Lane Divided

28 Type

29 ____ Gravel ____ Dirt

30 OFFENSE CONTRIBUTED MATERIALLY TO ACCIDENT

31 ____ Yes ____ No

1 THE STATE OF NORTH DAKOTA TO THE ABOVE-NAMED DEFENDANT
2 (CITY ORDINANCE OR STATE CRIMINAL TRAFFIC VIOLATION)

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

5 _____
6 _____

7 Appearance

8 Before: Municipal Judge-District Ct. _____

9 _____ A.M./P.M.

10 Location Month Day Year Time

11 Dated this _____ day of _____ 19, _____

12 Officer _____

13 PROMISE TO APPEAR

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

17 Dated this _____ day of _____ 19, _____

18 Defendant _____

19 (STATE NONCRIMINAL TRAFFIC VIOLATION)

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

27 REQUEST FOR HEARING

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

31 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.

1 Failure to disclose and withhold may make you liable to the plaintiff for the sum of
2 \$_____. (Enter the lesser of the plaintiff's judgment against the defendant or
3 110 percent of the amount that remains unpaid.)

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

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

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

16 Dated this _____ day of _____, 19____.

17 By: _____

18 NOTICE TO DEFENDANT

19 To: _____

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

23 _____

24 (Attorneys for Plaintiff)

25 _____

26 (Address)

27 _____

28 (Telephone)

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

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

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

7 _____

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

15 _____

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

18 _____

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

20 _____

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

22 _____

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

26 _____

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

30 _____

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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.

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

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

4 **37-07-03. Enlisted men to sign contract of enlistment and subscribe to oath.** ~~Men~~
5 Individuals enlisting in the national guard of this state shall sign an enlistment contract and
6 subscribe the following oath of enlistment:

7 I ~~do hereby~~ acknowledge to have voluntarily enlisted this _____ day of on
8 _____, 19 ____, as a soldier in the national guard of the United States and of
9 the state of North Dakota, for the period of three years (or one year _____,) under the
10 conditions prescribed by law, unless sooner discharged by proper authority. And I do
11 solemnly swear that I will bear true faith and allegiance to the United States of America
12 and to the state of North Dakota, and that I will serve them honestly and faithfully
13 against all their enemies whomsoever, and that I will obey the orders of the president of
14 the United States and of the governor of the state of North Dakota, and of the officers
15 appointed over me according to law, the rules of war, and the uniform code of military
16 justice.

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

19 **37-08-02. Enlistments in national guard reserve - Contract - Oath.** ~~Men~~ Individuals
20 duly qualified for enlistment in the active national guard may enlist in the national guard reserve
21 for a period of one year or three years under ~~such~~ the regulations as prescribed by the
22 secretary of defense ~~shall prescribe~~. Upon enlisting in ~~such~~ the reserve, each ~~man~~ individual
23 shall subscribe the following enlistment contract and take the oath therein specified:

24 I ~~do hereby~~ acknowledge to have voluntarily enlisted this _____ day of on
25 _____, 19 ____, as a soldier in the national guard of the United States and of
26 the state of North Dakota, to serve in the reserve thereof, or in the active national guard
27 of the United States and said state if transferred thereto, for a period of one year (or
28 three years), unless sooner discharged by proper authority, and I do solemnly swear
29 that I will bear true faith and allegiance to the United States of America and to the state
30 of North Dakota, and that I will serve them honestly and faithfully against all their
31 enemies whomsoever, and that I will obey the orders of the president of the United

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

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

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

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

17 To _____ charges have been filed with the
18 secretary-treasurer of the North Dakota Board of Massage against you as
19 a practicing _____ in the state of North Dakota. A
20 (Massage Therapist)
21 copy of the charges is attached. The board has fixed the _____ day of
22 _____, 19____, at _____ o'clock _____ at _____ in
23 _____ for a hearing on ~~such~~ the charges, at which time and place you are
24 to appear before the board, and show cause, if you can, why your license
25 to practice massage in the state of North Dakota should not be revoked,
26 suspended, or annulled. At the same time and place the board will hear
27 testimony and receive evidence, either oral or documentary, or both, for
28 and against you relating to the charges.

29 Dated at _____ this _____ day of _____, 19____.

30 _____

31 Secretary-treasurer of the

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____.

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

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

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

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

5 STATE OF NORTH DAKOTA)

6) ss.

7 County of)

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

16 _____
17 Assessor

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

19 _____
20 Auditor of _____
21 County, North Dakota

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

24 **57-20-05. Certificate of county auditor to tax list.** The county auditor shall attach to
25 each tax list ~~his~~ the auditor's certificate in the following form:

26 STATE OF NORTH DAKOTA)

27) ss.

28 County of)

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

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

3 Witness my hand and official seal this _____ day of on _____,
4 19____.

5 _____
6 (SEAL) County Auditor:-

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

9 **57-24-20. Form of certificate of sale.** The county auditor shall execute to the
10 purchaser a certificate of sale which must be substantially in the following form:

11 COUNTY CERTIFICATE OF SALE FOR TAXES

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

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

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

28 _____
29 (SEAL) Auditor

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

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

3 SUBSTITUTE TAX SALE CERTIFICATE

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

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

22 _____
23 County Auditor of _____ County

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

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

30 **57-27-06. Form of tax deed.** A tax deed must be substantially in the following form:

31 TAX DEED

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

26 Now, therefore, this indenture, made ~~this _____ day of on _____~~,
27 19____, between the state of North Dakota by _____ as county auditor of the ~~said~~
28 county, party of the first part, and ~~the said~~ _____, party of the second part:

29 WITNESSETH, That the ~~said~~ party of the first part, for and in consideration of the
30 premises and the amount so bid and paid at ~~such the~~ tax sale, has granted, bargained
31 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 _____
13 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

1 unredeemed, and _____, on this day, having paid into the treasury of ~~said the~~ the
2 county, the amount for which the same was bid in with interest thereon, and all
3 subsequent delinquent taxes, amounting in all to _____ dollars, therefore, in
4 consideration thereof, and pursuant to law, I ~~hereby do~~ assign and convey all the ~~right~~
5 rights, title, and interest of ~~said the~~ the county to ~~said the~~ the piece or parcel of land acquired
6 therein at ~~said the~~ the sale to ~~the said~~ _____, his heirs and assigns, subject to
7 redemption as provided by law.

8 And I further certify that unless redemption of ~~said the~~ the real estate is made in the
9 manner provided by law, ~~the said~~ _____ or his assigns, will be entitled to a deed
10 therefor on and after the expiration of the time for redemption, as provided by law, and
11 upon the surrender of this certificate.

12 In witness whereof I ~~hereunto~~ have set my hand and seal ~~this _____ day of on~~
13 _____, 49__.

14 County Auditor of _____
15 County, North Dakota-

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

18 **57-27-08. Provision of deed in case grantee is assignee of county.** In case the
19 land has been bid in for the county, and the certificate has been assigned to another holder, the
20 language of ~~such the~~ the deed inappropriate to ~~such the~~ the sale must be stricken out, and the
21 following inserted in lieu thereof:

22 Offered for sale to the bidder who agreed to accept the lowest rate of interest
23 on the amount of ~~such the~~ the taxes, penalties, and costs charged against the land,
24 the following described tract or parcel of real property, ~~to wit:~~ _____ (describe
25 property) _____ which property was returned delinquent for the nonpayment
26 of taxes for the year 49__, amounting to _____ dollars, including penalty and
27 costs charged against ~~said the~~ the land, including personal property taxes specified in
28 the list and in the advertisement, constituting the lien thereon, and no one bidding
29 upon ~~such the~~ the offer an amount equal to that for which ~~said the~~ the piece or parcel of
30 land was subject to be sold, the same was bid in for the county. And it appearing
31 by ~~said the~~ the certificate that the right, title, and interest of the county in ~~said the~~ the tract

1 or parcel of land acquired at ~~said the~~ sale, on the _____ day of _____,
2 19____, was assigned to _____, for the sum of _____ dollars, that being the
3 amount due thereon at that time.

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

6 **57-27-09. Provision of deed in case of assignment by original purchaser.** In case
7 the certificate of tax sale is assigned by the purchaser, then a statement must be inserted in
8 ~~such the~~ tax deed briefly describing the assignment of ~~such the~~ certificate, in substantially the
9 following form:

10 Which ~~said the~~ certificate of tax sale issued to ~~said~~ _____,
11 purchaser at ~~said the~~ tax sale, and the ~~right rights~~, title, and interest of the ~~said~~
12 purchaser in ~~said the~~ tract or parcel of land acquired ~~thereby~~ at ~~said the~~ sale, on
13 the _____ day of _____, 19____, was assigned to _____.

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

16 **57-28-05. Form of notice for service by certified mail.** The notice of the expiration of
17 the period of redemption which the county auditor is required to serve by certified mail must be
18 substantially in the following form:

19 NOTICE OF EXPIRATION OF PERIOD OF REDEMPTION

20 To _____, the owner of the record title of the real estate hereinafter described,
21 and to all mortgagees, lienholders, and other persons interested in ~~said the~~ real estate:
22 I, _____, county auditor of _____ County, North Dakota, ~~heroby~~
23 give notice that the real estate hereinafter described, at the annual tax sale held in the
24 county on the _____ of December _____, 19____, was offered for sale for
25 delinquent taxes against it for the year _____ and was sold to the county, that
26 subsequent tax sale certificates have been issued to the county for the years hereinafter
27 set forth, that more than three years have expired since the date of each of ~~said the~~ tax
28 sale certificates, that no redemption has been made therefrom, and that the same still
29 are the property of ~~such the~~ county, and unless redemption is made from each of ~~said~~
30 ~~the~~ tax sale certificates on or before October first, after the date of this notice, tax deeds
31 will be issued to the county, granting to and vesting in it, the absolute title in fee to ~~said~~

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 _____, 19__.

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 _____, _____,
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 19__ to 19__ 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 _____, 19__, 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

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

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

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

11 _____ County,
12 North Dakota-

13 _____
14 Chairman, board of county commissioners-

15 _____
16 County auditor-

17 STATE OF NORTH DAKOTA

18 County of _____

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

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

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

29 **58-16-03. Assessment and levy upon property - Form.** The board of township
30 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

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

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

Name of Owner, if known	Description		Amount
	Lot	Block	

			Dollars Cents

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

23 _____
24 Chairman

25 Attest:
26 _____

27 Township Clerk-

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

30 **60-02-13. Purchase by warehouseman - Form of receipt.** There may be printed on
31 each warehouse receipt issued by a warehouseman a receipt executed by the owner for use in

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

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

11 Dated _____ 49, __. Signed _____ Owner.

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

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

16 **61-05-15. Form of notice of election.** The notice of election provided for section
17 61-05-14 ~~shall~~ must be substantially in the following form:

18 NOTICE OF ELECTION

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

28 FOR IRRIGATION DISTRICT

29 Yes
30 No

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

7 Dated this _____ day of _____, 19____.

8 Signed _____

9 State Engineer-

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

12 **61-06-10. Notice of election after district is organized - Contents - Form.** Within
13 thirty-five days of, but at least twenty-five days prior to, any regular or special election held in an
14 irrigation district, the secretary of the board of directors shall ~~cause~~ publish a notice of the
15 election ~~to be published~~ in the newspaper or newspapers of general circulation where the
16 district is located and in the official newspaper of each county in which the district is located.
17 The notice ~~shall~~ must specify the matters to be voted upon, the location of the polling place or
18 places, and the time of their opening and closing. ~~Such~~ The notice shall must be in
19 substantially the following form:

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

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

30 **61-24-03. Election of directors of the Garrison diversion conservancy district.** A
31 director of the Garrison diversion conservancy district ~~shall~~ must be nominated and elected in

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

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

11 STATE OF NORTH DAKOTA,

12 County of _____

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

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

22 _____
23 Notary Public, ~~North Dakota~~

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

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

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.