



North Dakota Legislative Council

Prepared for the Judiciary Committee
LC# 23.9370.01000
September 2022

TESTIMONY - TECHNICAL CORRECTIONS BILL DRAFT - INTERIM JUDICIARY COMMITTEE

This testimony is provided in favor of the technical corrections bill draft [23.0171.01000] prepared by the Legislative Council for the interim Judiciary Committee. This bill draft is the Legislative Council's technical corrections bill draft, which is prepared for each legislative session to make corrections to the North Dakota Century Code to address improper, inaccurate, redundant, missing, or obsolete references.

EXPLANATION OF THE BILL DRAFT

The bill draft provides the following technical corrections:

- Section 1 of the bill draft clarifies the use of the terms "commissioner" and "department," as used in the law relating to public access to leased and unleased trusts lands, refers to the Commissioner of University and School Lands and the Department of Trust Lands.
- Section 2 of the bill draft clarifies the use of the term "commissioner," as used in the law relating to vehicular access to trusts lands, refers to the Commissioner of University and School Lands.
- Section 3 of the bill draft corrects the reference to the University of North Dakota medical school to instead refer to the University of North Dakota School of Medicine and Health Sciences, which is the correct name of this entity. This section also corrects the caption to include the continuing appropriation language in accordance with Legislative Council form and style.
- Section 4 of the bill draft corrects an internal cross reference in Section 26.1-05-19(24). Between 2010 and 2017, the Code Revisor repealed subsection 6 due to reference to a repealed chapter of Century Code, necessitating this correction.
- Section 5 of the bill draft corrects internal cross references in Section 26.1-05-19(34). Between 2010 and 2017, the Code Revisor repealed subsection 6 due to reference to a repealed chapter of Century Code, necessitating these corrections. This section corrects cross references to subsections 19, 20, and 21. Additional formatting changes are made in accordance with Legislative Council form and style.
- Section 6 of the bill draft corrects an outdated cross reference to Section 26.1-05-19(21) which occurred due to renumbering of this section by the Code Revisor between 2010 and 2017.
- Section 7 of the bill draft creates a new subdivision to Section 27-20.2-21(1), regarding the ability to access juvenile court files and records. House Bill No. 1035 (2021) repealed Chapter 27-20 and relocated several of the repealed provisions in the newly created Chapter 27-20.2; however, House Bill No. 1047 (2021) amended the repealed Section 27-20-51(1). This section incorporates the intended amendment into the newly created Section 27-20.2-21.
- Section 8 of the bill draft corrects an outdated cross reference to Chapter 47-30.1, regarding unclaimed property. Senate Bill No. 2048 (2021) repealed Chapter 47-30.1 and replaced it with Chapter 47-30.2. This section updates that cross reference to refer to Chapter 47-30.2.
- Section 9 of the bill draft corrects a formatting error to Section 39-06-32, regarding the authority to suspend motor vehicle operator licenses, which occurred in 2013.
- Sections 10 through 12 of the bill draft correct cross references that are necessary due to the formatting correction under Section 9 of the bill draft.
- Section 13 of the bill draft corrects a formatting error to Section 40-34-13, regarding the use of money remaining after the payment of bonds.
- Section 14 of the bill draft corrects a formatting error to Section 40-35-02, regarding the definition of the term "undertaking" as it relates to revenue bonds.

- Section 15 of the bill draft corrects an outdated reference to Section 11-33-20, which was repealed in 2015.
- Sections 16 and 17 of the bill draft remove obsolete language relating to city and county general fund levy authority. The language being removed was included in Senate Bill No. 2144 (2015), which eliminated and consolidated various types of levy authority, to slowly phase cities and counties down to the new levy limits. The period addressed by the phase-in language has passed, so the obsolete language has been removed.
- Section 18 of the bill draft corrects an outdated reference to "state engineer" in Section 61-32-03.1(6), regarding permits required to drain subsurface waters.