

Sixty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1114

Introduced by

Industry, Business and Labor Committee

(At the request of the State Plumbing Board)

1 A BILL for an Act to amend and reenact sections 43-18-13, 43-18-17, 43-18-21, 43-18.2-03,
2 43-18.2-04, 43-18.2-08, and 43-18.2-09 of the North Dakota Century Code, relating to license
3 fees for plumbers and sewer and water installers.

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

5 **SECTION 1. AMENDMENT.** Section 43-18-13 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **43-18-13. License - How obtained - Fee.**

8 1. Any person qualified under the rules of the board who desires to take the examination
9 to become a registered and licensed plumber shall make application to the board
10 therefor and pay to the treasurer of the board the licensing and examination fee.
11 Such fees.

12 a. The licensing fee may not exceedis two hundred twenty-five dollars for a master
13 plumber's certificate and license and one hundred twenty-five dollars for a
14 journeyman plumber's certificate and license; however, the board may increase
15 the licensing fees by rule to a maximum of three hundred twenty-five dollars for a
16 master plumber's certificate and license and two hundred twenty-five dollars for a
17 journeyman plumber's certificate and license.

18 b. The examination fee is forty-five dollars for a master plumber's examination or
19 thirty-five dollars for a journeyman's examination if the examination is provided by
20 the board; however, the board may increase the examination fees by rule to a
21 maximum of sixty-five dollars for a master and fifty-five dollars for a journeyman.
22 If the examination is provided by a third-party provider, the applicant is
23 responsible for paying the charges made by that provider instead of paying an
24 examination fee to the treasurer of the board.

2. The board, when the condition of its fund permits and when in its judgment it is deemed advisable, temporarily may reduce the amount of the licensing, late, or examination fees by motion, but it may not increase the same above the amount specified in this section. Any such change must be adopted by the board to take effect on the first day of January following its action and must apply to all licensing, late, or examination fees in the classes specified in the ruling. ~~The applicant shall appear at the next regular meeting of the board for examination of applicants. The board may~~ return the fees to the amounts in effect before the reduction through motion, but any further increase must be through rule.

3. If upon examination the applicant is found by the board to be qualified as a master plumber or journeyman plumber, or both, it shall issue to the applicant a certificate of registration and license which entitles the applicant to do the work and be a plumber as specified in the license. If the applicant is not found to be qualified, the applicant may reapply, including payment of additional examination fees.

4. A master plumber's and journeyman plumber's license may be issued to one and the same ~~person~~individual, and the holder of a master plumber's license may be granted a journeyman plumber's license without the payment of the journeyman's fee. All certificates and licenses must be numbered consecutively and may not be transferable, and ~~no person~~an individual may not work under the license issued to another ~~person~~individual. ~~Should a person fail~~If an applicant fails upon examination to qualify as a master or journeyman plumber, ~~such person has the right to~~the applicant may review the examination to determine the reasons for failure and ~~has the right to~~may appeal to the board.

SECTION 2. AMENDMENT. Section 43-18-17 of the North Dakota Century Code is amended and reenacted as follows:

43-18-17. Renewal of license - Fee.

1. A certificate and license issued under the provisions of this chapter is valid for only one year and expires on the thirty-first day of December of the year in which it was issued. The certificate must be renewed by the board upon application made within thirty days after the expiration thereof and on the payment of a sum ~~not to exceed of~~ two hundred twenty-five dollars for a master plumber's certificate and license, and the

sum of one hundred twenty-five dollars for a journeyman plumber's certificate and license; however, the board may increase the renewal fees by rule to a maximum of three hundred twenty-five dollars for a master plumber's certificate and license and two hundred twenty-five dollars for a journeyman plumber's certificate and license.

2. The board, when the condition of its fund permits and when in its judgment it is deemed advisable, temporarily may reduce the amount of the renewal or late fees by motion, but it may not increase the same above the amount specified in this section.

Any such change must be adopted by the board to take effect on the first day of January following its action and applies to all renewals in the classes specified in the ruling. The board may return the fees to the amounts in effect before the reduction through motion, but any further increase must be through rule.

3. The board may charge a late fee for a master plumber of forty-five dollars; however, the board may raise this fee by rule to a maximum of sixty-five dollars. The board may charge a late fee for a journeyman plumber of thirty-five dollars; however, the board may raise this fee by rule to a maximum of fifty-five dollars. Payment of a late fee is not a defense to a disciplinary action or criminal action for practicing without a license.

SECTION 3. AMENDMENT. Section 43-18-21 of the North Dakota Century Code is amended and reenacted as follows:

43-18-21. Apprenticeship.

Every apprentice plumber shall, within thirty days after beginning apprenticeship, register with the state plumbing board on a registration application form which will be supplied by the board, showing date of beginning apprenticeship, age, schooling, previous experience, employer, and such other information as the board may require, except that a person who is working in a school-work program need not register. A registration certificate issued under the provisions of this section shall be valid for only one year and shall expire on the thirty-first day of December of the year in which it was issued. The certificate shall be renewed by the board upon application made within thirty days after the expiration thereof and on payment of ~~the sum set by the board, but not to exceed twenty-four~~ forty dollars for the first year, thirty-five dollars for the second year, forty-six dollars for the third year, and fifty-seven dollars for the fourth year of apprenticeship; however, the board may increase the fees by rule to a maximum of eighty dollars for the first year, ninety dollars for the second year, one hundred dollars for the third

1 year, and one hundred ten dollars for the fourth year. The fee, including a late fee, after a
2 four-year term of apprenticeship is the same as the feeapplicable fees for a journeyman
3 plumber. Payment of a late fee is not a defense to a disciplinary action or criminal action for
4 practicing without a license. This certificate of registration shall be the license required to be
5 employed as a plumber's apprentice in this state.

6 **SECTION 4. AMENDMENT.** Section 43-18.2-03 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **43-18.2-03. Licenses.**

- 9 1. No~~A~~ person, firm, corporation, or limited liability company, except plumbers holding
10 valid licenses under chapter 43-18, may not engage in the business of sewer and
11 water contractor or sewer and water installer unless registered and licensed by the
12 board to do so. This license allows the licensee to do plumbing necessary for sewer
13 and water installation.
- 14 2. An individual with a sewer and water contractor's license shall pay a license fee of two
15 hundred dollars, and an individual with a sewer and water installer's license shall pay
16 a license fee of one hundred twenty-five dollars; however, the board may increase the
17 fee for a sewer and water contractor by rule to a maximum of three hundred dollars
18 and the board may increase the fee for a sewer and water installer by rule to a
19 maximum of two hundred twenty-five dollars.

20 **SECTION 5. AMENDMENT.** Section 43-18.2-04 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **43-18.2-04. Sewer and water installer apprentice license.**

23 All applicants for a ~~building~~ sewer and water installer apprentice license shall complete an
24 application identifying the ~~building~~ sewer and water ~~installer~~contractor under whose supervision
25 the applicant is working. The license ~~is without charge for two years and~~ must be renewed
26 annually.

27 **SECTION 6. AMENDMENT.** Section 43-18.2-08 of the North Dakota Century Code is
28 amended and reenacted as follows:

29 **43-18.2-08. Examination fees.**

30 An applicant for a sewer and water contractor's license shall pay an examination fee of ~~one~~
31 ~~hundred~~forty-five dollars, and an applicant for a ~~building~~ sewer and water installer's license shall

1 pay an examination fee of ~~twenty-five~~thirty-five dollars before taking the examination for the first
2 time; however, the board may increase the examination fee for a sewer and water contractor by
3 rule to a maximum of sixty-five dollars and the board may increase the fee for a sewer and
4 water installer by rule to a maximum of fifty-five dollars. The re-examination fee is ~~fifty~~forty-five
5 dollars for a sewer and water contractor's ~~license~~examination and ~~ten~~thirty-five dollars for a
6 sewer and water installer's license. ~~No additional fee may be charged for the first year of~~
7 ~~licensure~~examination; however, the board may increase the re-examination fees by rule to a
8 maximum of sixty-five dollars for a sewer and water contractor's re-examination and fifty-five
9 dollars for a sewer and water installer's re-examination. No applicant may be examined for the
10 same license more often than every three months.

11 **SECTION 7. AMENDMENT.** Section 43-18.2-09 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **43-18.2-09. License renewal fees.**

- 14 1. The license renewal fee for a sewer and water contractor after the first year of
15 licensure may not exceed one~~is two~~ hundred dollars per year, and the license renewal
16 fee for a sewer and water installer after the first year of licensure ~~may not exceed~~is
17 one hundred twenty-five dollars per year; however, the board may increase the fees by
18 rule to a maximum of three hundred dollars for a sewer and water contractor and two
19 hundred twenty-five dollars for a sewer and water installer. The license renewal fee for
20 a sewer and water installer apprentice ~~after the first two years of licensure is~~
21 ~~twenty-five~~with less than three thousand four hundred hours experience is one
22 hundred dollars; however, the board may increase the fee by rule to a maximum of two
23 hundred dollars. The license renewal fee for a sewer and water installer apprentice
24 with three thousand four hundred or more hours experience is one hundred twenty-five
25 dollars; however, the board may increase the fee by rule to a maximum of two hundred
26 twenty-five dollars.
- 27 2. The board may charge a late fee for a sewer and water contractor of forty-five dollars;
28 however, the board may raise this fee by rule to a maximum of sixty-five dollars. The
29 board may charge a late fee for a sewer and water installer of thirty-five dollars;
30 however, the board may raise this fee by rule to a maximum of fifty-five dollars. The
31 board may charge a late fee of thirty-five dollars for a sewer and water installer

1 apprentice with three thousand four hundred or more hours experience; however, the
2 board may raise this fee by rule to a maximum of fifty-five dollars. Payment of a late
3 fee is not a defense to a disciplinary action or criminal action for practicing without a
4 license.