

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1033

Introduced by

Legislative Council

(Advisory Commission on Intergovernmental Relations)

1 A BILL for an Act to amend and reenact sections 43-19.1-28 and 48-01.1-04 of the North
2 Dakota Century Code, relating to plans and specifications for public improvement contracts;
3 and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 43-19.1-28 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **43-19.1-28. Public works.** ~~This~~ Except as otherwise provided by law, the state and its
8 ~~political subdivisions, including counties, cities, townships and legally constituted boards,~~
9 ~~districts, commissions, or authorities,~~ may not engage in the construction of public works
10 involving the practice of professional engineering ~~as herein defined~~ when the contemplated
11 expenditure for the project exceeds the sum of fifty one hundred thousand dollars, unless the
12 engineering drawings and specifications and estimates have been prepared by, and the
13 construction ~~is~~ administration and construction observation services are executed under the
14 supervision of, a registered professional engineer. Any engineering contract executed in
15 violation of this section is ~~null and~~ void.

16 **SECTION 2. AMENDMENT.** Section 48-01.1-04 of the 1995 Supplement to the North
17 Dakota Century Code is amended and reenacted as follows:

18 **48-01.1-04. Plans and specifications for public improvement contracts.** If a
19 contract of a governing body for the construction of a public improvement is estimated to cost in
20 excess of fifty one hundred thousand dollars, the governing body shall procure plans, drawings,
21 and specifications for the work from a licensed architect or registered professional engineer.
22 For public buildings in use by or to be used by the North Dakota agricultural experiment
23 stations in connection with farm or agricultural research operations, the plans, drawings, and
24 specifications ~~may~~, with the approval of the board of higher education, may be procured from a

- 1 registered professional engineer if the engineer is in the regular employment of the agricultural
- 2 experiment station.

3 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.