

Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven

HOUSE BILL NO. 1033
(Legislative Council)
(Advisory Commission on Intergovernmental Relations)

AN ACT to amend and reenact sections 43-19.1-28 and 48-01.1-04 of the North Dakota Century Code, relating to plans and specifications for public improvement contracts; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1033 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 90 Nays 4 Absent 3

Speaker of the House

Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 48 Nays 0 Absent 1

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State