

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2202

Introduced by

Senators Erbele, Espeguard, Syverson

Representatives DeKrey, Headland, Pollert

1 A BILL for an Act to amend and reenact sections 43-35-17 and 43-35-23 of the North Dakota
2 Century Code, relating to continuing education requirements for water well contractors; and to
3 provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Section 43-35-17 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **43-35-17. Renewal of certificate - Continuing education.** A certificate issued under
8 this chapter is valid for up to one year and expires on the thirty-first day of December in the
9 year of issuance. The certificate may be renewed by the board upon application. Every two
10 years the application must include reporting information that the applicant completed ~~twelve~~ six
11 hours of continuing education during the two-year reporting cycle which meets continuing
12 education standards adopted by the board. The application must be made before April first in
13 the year following the certificate's expiration, must be accompanied by a fee in an amount set
14 by the board not to exceed fifty dollars, and must be accompanied by a bond as provided in
15 section 43-35-14.

16 **SECTION 2. AMENDMENT.** Section 43-35-23 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **43-35-23. Continuing education - Preapproval requirements.** Each certificate
19 holder shall earn at least ~~twelve~~ six hours of board-approved continuing education during every
20 two-year reporting cycle to qualify for certificate renewal, except a new certificate holder is not
21 required to earn continuing education until the second renewal year following initial certification.
22 Continuing education coursework may be provided by the national ground water association,
23 the North Dakota well drillers association, incorporated, a board-sponsored workshop, the state
24 department of health, the state water commission, or by any board-approved course provider.

1 A continuing education course must be preapproved by the board unless otherwise provided
2 under this section. A continuing education course provider or a certificate holder shall request
3 preapproval of continuing education coursework by submitting to the board a course outline,
4 the instructor's name, the length of the training, and an explanation of how the training relates
5 to the construction and service of water wells. A certificate holder may request approval of
6 education that was not preapproved by submitting to the board verification of attendance, a
7 course outline, and an explanation of why preapproval was not obtained. The board shall
8 determine on a case-by-case basis whether to approve education that was not preapproved.

9 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective January 1, 2004, and
10 applies to all applications for certificate renewal beginning with the 2004 certificate year.