Prepared by the Legislative Council staff for
Senator Schneider
April 8, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2098

That the House recede from its amendments as printed on pages 994 and 995 of the Senate Journal and pages 1109 and 1110 of the House Journal and that Senate Bill No. 2098 be amended as follows:

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, replace "43-11-05" with "43-11-03, 43-11-04"

Page 1, line 3, remove the second "and"

Page 1, line 4, remove "43-11-17, 43-11-19,"

Page 1, line 4, after the fifth comma insert "and"

Page 1, line 4, replace "43-11-27" with "subdivision b of subsection 1 of section 43-11-28"

Page 1, line 4, after "and" insert "section"

Page 1, line 5, after "to" insert "fees,"

Page 1, line 6, after "schools" insert a comma

Page 1, line 6, after "powers" insert ", membership,"

Page 1, line 7, remove "; to repeal section 43-11-28 of the North Dakota"

Page 1, line 8, remove "Century Code, relating to fees; and to provide an effective date"

Page 3, replace lines 21 through 29 with:

"**SECTION 3. AMENDMENT.** Section 43-11-03 of the North Dakota Century Code is amended and reenacted as follows:

43-11-03. State board of cosmetology - Appointment - Term - Removal.

The state board of cosmetology consists of ~~three~~five members appointed by the governor for three years each, with their terms of office so arranged that ~~one term expires~~no more than two terms expire on June thirtieth of each year. Each member shall qualify by taking the oath required of civil officers and shall hold office until a successor is appointed and qualified. The governor may remove from office a member for misconduct, malfeasance, neglect of duty in office, crime in office, gross incompetency, or habitual drunkenness. A vacancy on the board must be filled by appointment by the governor for the unexpired term.

SECTION 4. AMENDMENT. Section 43-11-04 of the North Dakota Century Code is amended and reenacted as follows:

43-11-04. Members of board - Qualifications.

Each member of the board must be a citizen of this state ~~and~~. Three of the members of the board must each be a licensed cosmetologist who has had at least three years' practical experience in the occupation. The other two members of the

board must be citizen members, at least one of whom has professional experience as a secondary teacher or as a postsecondary educator."

Page 4, line 2, overstrike "of one hundred dollars" and insert immediately thereafter "in the amount provided for members of the legislative management under section 54-35-10"

Page 4, remove lines 20 through 31

Page 5, remove lines 1 through 8

Page 5, line 17, remove the overstrike over "~~pursuant to section 43-11-28~~"

Page 5, line 17, remove "by rule"

Page 5, line 20, remove the overstrike over "~~section 43-11-28~~"

Page 5, line 20, remove "rule"

Page 6, line 1, remove the overstrike over "~~as set forth in section 43-11-28~~"

Page 6, line 23, remove the overstrike over "~~as set forth in section 43-11-28~~"

Page 6, remove lines 26 through 31

Page 7, remove lines 1 through 31

Page 8, replace lines 1 through 6 with:

"**SECTION 11. AMENDMENT.** Subdivision b of subsection 1 of section 43-11-28 of the North Dakota Century Code is amended and reenacted as follows:

b. Examinations:

(1)	Operator practical examination	$25.00
(2)	Instructors practical examination	$55.00
(3)	~~Reexamination fee, operator's~~	
	~~(a) Practical~~	~~$30.00~~
	~~(b) Written~~	~~$20.00~~
~~(4)~~	~~Reexamination fee, instructor's~~	
	~~(a) Practical~~	~~$55.00~~
	~~(b) Written~~	~~$25.00~~Written examination fees are set and collected by the administrator of the examination and payment is the responsibility of the applicant."

Page 8, remove lines 25 through 27

Renumber accordingly