

Introduced by

Workforce Development Committee

(At the request of the Department of Water Resources)

1 A BILL for an Act to amend and reenact sections 43-35-21 and 43-35-23 of the North Dakota
2 Century Code, relating to the operations of the board of water well contractors; and to repeal
3 sections 43-35-11.1, 43-35-12, 43-35-13, 43-35-14, 43-35-16, and 43-35-17 of the North Dakota
4 Century Code, relating to the operations of the board of water well contractors.

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

6 **SECTION 1. AMENDMENT.** Section 43-35-21 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **43-35-21. Certification to nonresidents - Reciprocity.**

9 To the extent other states providing for the certification of water well contractors, monitoring
10 well contractors, water well pump and pitless unit installers, or geothermal system drillers
11 provide for similar action, the board may grant certification to water well contractors, monitoring
12 well contractors, water well pump and pitless unit installers, and geothermal system drillers
13 certified by other states, upon payment by the applicant of the required fee ~~and the furnishing of~~
14 ~~a bond as provided by section 43-35-14~~, after being furnished with proof that the qualifications
15 of the applicant are equal to the qualifications of holders of such certificates in this state.

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.**

19 ~~1. As provided under section 43-35-17, each~~Each certificate holder shall earn
20 board-approved continuing education during every two-year reporting cycle to qualify for
21 certificate renewal, except a new certificate holder is not required to earn continuing education
22 until the second renewal year following initial certification. The board shall establish in rule an
23 approval process for continuing education courses.

- 1 2. ~~Continuing education coursework may be provided by the national ground water-~~
2 ~~association, the North Dakota well drillers association, incorporated, a~~
3 ~~board-sponsored workshop, the department of environmental quality, the state water-~~
4 ~~commission, or by any board-approved course provider.~~
- 5 3. ~~A continuing education course must be preapproved by the board unless otherwise-~~
6 ~~provided under this section. A continuing education course provider or a certificate-~~
7 ~~holder shall request preapproval of continuing education coursework by submitting to~~
8 ~~the board a course outline, the instructor's name, the length of the training, and an~~
9 ~~explanation of how the training relates to the construction and service of water wells.~~
- 10 4. ~~A certificate holder may request approval of education that was not preapproved by~~
11 ~~submitting to the board verification of attendance, a course outline, and an explanation~~
12 ~~of why preapproval was not obtained. The board shall determine on a case-by-case-~~
13 ~~basis whether to approve education that was not preapproved.~~

14 **SECTION 3. REPEAL.** Sections 43-35-11.1, 43-35-12, 43-35-13, 43-35-14, 43-35-16, and
15 43-35-17 of the North Dakota Century Code are repealed.