

HOUSE BILL NO. 1377

Introduced by

Representatives Magrum, Ertelt, Headland, Jones, Kiefert, Pollert

Senators Dwyer, Erbele, Schaible, Wanzek

1 A BILL for an Act to amend and reenact sections 43-35-03, 43-35-17, and 43-35-23 of the North
2 Dakota Century Code, relating to state board of water well contractors and continuing education
3 requirements for water well pump and pitless unit installers; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 43-35-03 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **43-35-03. State board of water well contractors - Members' appointment -**
8 **Qualification.**

9 The state board of water well contractors consists of the state engineer and the state health
10 officer, or their duly authorized designees, two water well contractors appointed by the governor,
11 one geothermal system driller or one monitoring well contractor appointed by the governor, one
12 water well pump and pitless unit installer appointed by the governor, and one member
13 appointed at large by the governor.

14 **(Contingent effective date - See note) State board of water well contractors -**
15 **Members' appointment - Qualification.** The state board of water well contractors consists of
16 the state engineer and the director of the department of environmental quality, or their duly
17 authorized designees, two water well contractors appointed by the governor, one geothermal
18 system driller or one monitoring well contractor appointed by the governor, one water well pump
19 and pitless unit installer appointed by the governor, and one member appointed at large by the
20 governor.

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

1 **43-35-17. Renewal of certificate - Continuing education.**

2 1. A certificate issued under this chapter is valid for up to one year and expires on the
3 thirty-first day of December in the year of issuance. ~~The~~To renew a certificate may be
4 renewed by, a certificate holder shall submit to the board upon a completed renewal
5 application. Every two years the application must include reporting information that the
6 applicant completed six hours of continuing education during the two-year reporting
7 cycle which meets continuing education standards adopted by the board. The
8 completed renewal application must be made:

9 a. Submitted to the board before April first in the year following the certificate's
10 expiration, must be accompanied;

11 b. Accompanied by a fee in an amount set by the board not to exceed two hundred
12 dollars, and must be accompanied;

13 c. Accompanied by any continuing education reporting information required under
14 this section; and

15 d. Accompanied by a bond as provided in section 43-35-14.

16 2. Except as provided under subsection 3, every two years the renewal application must
17 include reporting information verifying the applicant completed six hours of
18 board-approved continuing education during the two-year reporting cycle.

19 3. A renewal application for certification as a water well pump and pitless unit installer
20 must include reporting information verifying the applicant completed two hours of
21 board-approved continuing education during the two-year reporting cycle.

22 4. The board shall adopt rules establishing continuing education standards.

23 **SECTION 3. AMENDMENT.** Section 43-35-23 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **43-35-23. Continuing education - Preapproval requirements.**

26 Each

27 1. As provided under section 43-35-17, each certificate holder shall earn at least six-
28 hours of board-approved continuing education during every two-year reporting cycle to
29 qualify for certificate renewal, except a new certificate holder is not required to earn
30 continuing education until the second renewal year following initial certification.

- 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 state department of health, 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 **(Contingent effective date - See note) Continuing education - Preapproval**
15 **requirements. Each**

- 16 1. As provided under section 43-35-17, each certificate holder shall earn ~~at least six-~~
17 ~~hours of~~ board-approved continuing education during every two-year reporting cycle to
18 qualify for certificate renewal, except a new certificate holder is not required to earn
19 continuing education until the second renewal year following initial certification.
- 20 2. Continuing education coursework may be provided by the national ground water
21 association, the North Dakota well drillers association, incorporated, a
22 board-sponsored workshop, the department of environmental quality, the state water
23 commission, or by any board-approved course provider.
- 24 3. A continuing education course must be preapproved by the board unless otherwise
25 provided under this section. A continuing education course provider or a certificate
26 holder shall request preapproval of continuing education coursework by submitting to
27 the board a course outline, the instructor's name, the length of the training, and an
28 explanation of how the training relates to the construction and service of water wells.
- 29 4. A certificate holder may request approval of education that was not preapproved by
30 submitting to the board verification of attendance, a course outline, and an explanation

- 1 of why preapproval was not obtained. The board shall determine on a case-by-case
- 2 basis whether to approve education that was not preapproved.
- 3 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.