

2025 SENATE WORKFORCE DEVELOPMENT

SB 2058

2025 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

SB 2058
1/10/2025

Relating to operations of the board of water well contractors.
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9:00 a.m. Chairman Wobbema called the meeting to order.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

Discussion Topics:

- Installers
- Century code matching administrative codes

9:02 a.m. Rex Honeyman, Manager of the Subsurface Exploration Section for the Department of Water Resources, testified in support and submitted testimony #28374

9:07 a.m. Loren DeWitz, Chairman of the North Dakota Board of Water Well Contractors, testified in support and submitted testimony #28372

9:11 a.m. Chairman Wobbema closed the hearing.

9:11 a.m. Senator Larson moved a Do Pass.

9:11 a.m. Senator Axtman seconded the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	Y

9:11 a.m. Motion passed 5-0-0.

9:11 a.m. Senator Larson will carry the bill.

9:11 a.m. Chairman Wobbema closed the meeting.

Andrew Ficek, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2058 ([25.8035.01000](#))

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2058 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.



Board of Water Well Contractors

Testimony in Support of

SB 2058Senate Workforce Development
Committee

January 10, 2025

TESTIMONY OF

Loren DeWitz, Chair, ND Board of Water Well Contractors

Chairman Wobbema, and members of the Senate Workforce Development Committee, I am Loren DeWitz, Chairman of the North Dakota Board of Water Well Contractors. I'm here today to provide testimony in support of SB 2058.

The North Dakota Board of Water Well Contractors (Board) was established in 1971 with the purpose of enforcing North Dakota Century Code chapter 43-35 and focusing on the quantity and quality protection of ground water resources in North Dakota. The Board currently oversees the licensure of 149 water well contractors, pump and pitless unit installers, geothermal system installers, and monitoring well contractors.

SB 2058 is the result of a 2-year long process aiming to transition the operational aspects of the Board from Century Code to Administrative Code. This bill cleans up Century Code and will make the Board's processes more flexible while maintaining transparency and public input in the process.

Section 1 of this bill removes a reference to a section proposed to be repealed in Section 3. Section 2 updates language to reflect that the Board has established procedures in Administrative Code to guide the preapproval process for continuing education courses. Additionally, Section 3 of the bill propose to repeal sections of Century Code that are duplicated verbatim in Administrative Code. It is the goal of the Board to remain responsive to the needs of our Certificate Holders and up-to-date on continuing education practices and hours and the entire certification process.

Thank you for the opportunity to testify, and I'm happy to answer any questions.



Testimony in Support of
SB 2058
Senate Workforce Development
Committee
January 10, 2025

TESTIMONY OF

Rex Honeyman, Hydrologist Manager, Water Appropriation Division

Chairman Wobbema, and members of the Senate Workforce Development Committee, I am Rex Honeyman, Manager of the Subsurface Exploration Section for the Department of Water Resources (Department). I am also the Department's representative for the North Dakota Board of Water Well Contractors and serve as their Executive Officer. I'm here today to provide testimony in support of SB 2058.

The North Dakota Board of Water Well Contractors (Board) consists of the Directors of the Department of Water Resources and Department of Environmental Quality or their designees, two water well contractors, one geothermal system driller or monitoring well contractor, one water well pump and pitless unit installer, and one at-large member as appointed by the Governor. In addition to the Department's place on the Board, we also serve as the administrative entity supporting the Board and, as a part of the Department's regulatory duties, the Department collects and files drillers' reports for the Board.

SB 2058 is the result of a 2-year long process. Starting in 2023, the Board began reviewing its rules and guiding code to ensure all were up-to-date. The Board then proceeded to go through the Administrative Rules process to clean-up years of outdated code and shift the operational aspects of the Board's duties over to Administrative Rules. That process concluded this fall, and the Board's rules went into effect October 1, 2024. The Board is now looking to complete this effort through this bill proposal.

The Department has assisted the Board throughout this process and supports the passage of SB 2058.

Thank you for the opportunity to testify, and I'm happy to answer any questions.

2025 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2058

2025 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee Room JW327C, State Capitol

SB 2058
3/10/2025

A BILL for an Act to amend and reenact sections 43-35-21 and 43-35-23 of the North Dakota Century Code, relating to the operations of the board of water well contractors; and to repeal 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 Century Code, relating to the operations of the board of water well contractors.

2:33 p. m. Chairman Warrey opened the meeting.

Members Present: Chairman Warrey, Vice Chairman Ostlie, Vice Chairman Johnson, Representatives Bahl, C, Brown, T, Brown Christy, Finley-DeVile, Grindberg, Kasper, Koppelman, D. Ruby, Schatz, Schauer, Vollmer

Discussion Topics:

- Drillers' reports
- Rules process clean-up
- Duplicative language
- Continuing Education
- Conviction to bar certification

2:33 p.m. Rex Honeyman, Executive Officer/DWR Hydrologist Manager and Executive Officer, ND Board of Well Contractors, testified in favor and submitted testimony #39867.

2:42 p.m. Loren DeWitz, Chairman, ND Board of Well Contractors, testified in favor and submitted testimony #39866.

2:50 p.m. Representative D. Ruby moved Do Not Pass.

2:50 p.m. Representative Kasper seconded the motion.

2:53 p.m. Representative D. Ruby withdrew the motion.

2:53 p.m. Chairman Warrey closed the meeting.

Diane Lillis, Committee Clerk



Board of Water Well Contractors

Testimony in Support of
SB 2058
House Industry, Business and
Labor
Committee
March 10, 2025

TESTIMONY OF

Loren DeWitz, Chair, ND Board of Water Well Contractors

Chairman Warrey, and members of the House Industry, Business and Labor Committee, I am Loren DeWitz, Chairman of the North Dakota Board of Water Well Contractors. I'm here today to provide testimony in support of SB 2058.

The North Dakota Board of Water Well Contractors (Board) was established in 1971 with the purpose of enforcing North Dakota Century Code chapter 43-35 and focusing on the quantity and quality protection of ground water resources in North Dakota. The Board currently oversees the licensure of 149 water well contractors, pump and pitless unit installers, geothermal system installers, and monitoring well contractors.

SB 2058 is the result of a 2-year long process aiming to transition the operational aspects of the Board from Century Code to Administrative Code. This bill cleans up Century Code and will make the Board's processes more flexible while maintaining transparency and public input in the process.

Section 1 of this bill removes a reference to a section proposed to be repealed in Section 3. Section 2 updates language to reflect that the Board has established procedures in Administrative Code to guide the preapproval process for continuing education courses. Additionally, Section 3 of the bill propose to repeal sections of Century Code that are duplicated verbatim in Administrative Code. It is the goal of the Board to remain responsive to the needs of our Certificate Holders and up-to-date on continuing education practices and hours and the entire certification process.

Thank you for the opportunity to testify, and I'm happy to answer any questions.



Testimony in Support of

SB 2058

**House Industry, Business and Labor
Committee**

March 10, 2025

TESTIMONY OF

Rex Honeyman, Hydrologist Manager, Water Appropriation Division

Chairman Warrey and members of the House Industry, Business and Labor Committee, I am Rex Honeyman, Manager of the Subsurface Exploration Section for the Department of Water Resources (Department). I am also the Department's representative for the North Dakota Board of Water Well Contractors and serve as their Executive Officer. I'm here today to provide testimony in support of SB 2058.

The North Dakota Board of Water Well Contractors (Board) consists of the Directors of the Department of Water Resources and Department of Environmental Quality or their designees, two water well contractors, one geothermal system driller or monitoring well contractor, one water well pump and pitless unit installer, and one at-large member as appointed by the Governor. In addition to the Department's place on the Board, we also serve as the administrative entity supporting the Board and, as a part of the Department's regulatory duties, the Department collects and files drillers' reports for the Board.

SB 2058 is the result of a 2-year long process. Starting in 2023, the Board began reviewing its rules and guiding code to ensure all were up-to-date. The Board then proceeded to go through the Administrative Rules process to clean-up years of outdated code and shift the operational aspects of the Board's duties over to Administrative Rules. That process concluded this fall, and the Board's rules went into effect October 1, 2024. The Board is now looking to complete this effort through this bill proposal.

The Department has assisted the Board throughout this process and supports the passage of SB 2058.

Thank you for the opportunity to testify, and I'm happy to answer any questions.

2025 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee Room JW327C, State Capitol

SB 2058
3/12/2025

A BILL for an Act to amend and reenact sections 43-35-21 and 43-35-23 of the North Dakota Century Code, relating to the operations of the board of water well contractors; and to repeal 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 Century Code, relating to the operations of the board of water well contractors.

11:21 a. m. Chairman Warrey opened the meeting.

Members Present: Chairman Warrey, Vice Chairman Ostlie, Vice Chairman Johnson, Representatives Bahl, C, Brown, T, Brown, Finley-DeVille, Grindberg, Kasper, Koppelman, D. Ruby, Schatz, Schauer, Vollmer

Discussion Topics:

- Repealers
- Administrative rules
- Board to set fees and bond
- Continuing Education curriculum
- Apprentice qualifications

11:25 a.m. Representative Koppelman moved to addopt Amendment LC #25.8035.01001, #41086.

11:25 a.m. Representative Kasper seconded the motion.

Voice vote.

Motion passed.

11:26 a.m. Representative Ostlie moved Do Pass as amended.

11:26 a.m. Representative Schauer seconded the motion.

Representatives	Vote
Representative Jonathan Warrey	Y
Representative Mitch Ostlie	Y
Representative Jorin Johnson	Y
Representative Landon Bahl	Y
Representative Collette Brown	Y
Representative Timothy Brown	Y
Representative Lisa Finley-DeVille	Y
Representative Karen Grindberg	Y
Representative Jim Kasper	N

Representative Ben Koppelman	Y
Representative Dan Ruby	N
Representative Mike Schatz	N
Representative Austin Schauer	Y
Representative Daniel R. Vollmer	N

Motion passed 10-4-0.

11:35 a.m. Representative Koppelman will carry the bill.

11:35 a.m. Chairman Warrey closed the meeting.

Diane Lillis, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2058

Introduced by

Workforce Development Committee

(At the request of the Department of Water Resources)

1 A BILL for an Act to amend and reenact subsection 5 of section 43-35-13, section 43-35-14,
2 subsection 1 of section 43-35-17, and sections 43-35-21 and 43-35-23 of the North Dakota
3 Century Code, relating to the operations of the board of water well contractors; and to repeal
4 ~~sections 43-35-11.1, 43-35-12, 43-35-13, 43-35-14,~~section 43-35-16, ~~and 43-35-17~~ of the North
5 Dakota Century Code, relating to the operations of the board of water well contractors.

6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

7 **SECTION 1. AMENDMENT.** Subsection 5 of section 43-35-13 of the North Dakota Century
8 Code is amended and reenacted as follows:

9 5. A person applying to take a certification examination shall pay to the board treasurer a
10 nonrefundable examination fee in ~~the an~~ amount ~~of one hundred dollars~~set by the
11 board by rule. If upon examination the applicant is found to be qualified as a water well
12 contractor, a water well pump and pitless unit installer, a monitoring well contractor, or
13 a geothermal system driller, the board shall issue to that person an appropriate
14 certificate upon the applicant's executing and filing with the board a bond as required
15 in this chapter. The board may offer a combined examination for certification of a
16 person as a water well contractor and a water well pump and pitless unit installer and
17 may issue a single certificate for successful completion of the combined examination.
18 Certificates issued under this chapter are not transferable.

19 **SECTION 2. AMENDMENT.** Section 43-35-14 of the North Dakota Century Code is
20 amended and reenacted as follows:

43-35-14. Bond required.

Before receiving a certificate under this chapter, a qualified applicant shall execute and deposit with the board a surety bond conditioned for the faithful performance of all water well, monitoring well, pump and pitless unit, or geothermal system installation contracts undertaken by the applicant and the strict compliance with this chapter. The required amount of a surety bond ~~is fifteen thousand dollars for a water well contractor and is two thousand dollars for a monitoring well, pump and pitless unit, or geothermal system installation contractor~~ must be set by the board by rule.

SECTION 3. AMENDMENT. Subsection 1 of section 43-35-17 of the North Dakota Century Code is amended and reenacted as follows:

1. A certificate issued under this chapter is valid for up to one year and expires on the thirty-first day of December in the year of issuance. To renew a certificate, a certificate holder shall submit to the board a completed renewal application. The completed renewal application must be:
 - a. Submitted to the board before April first in the year following the certificate's expiration;
 - b. Accompanied by a fee in an amount set by the board ~~not to exceed two hundred dollars~~ by rule;
 - c. Accompanied by any continuing education reporting information as required ~~under this section~~ by the board by rule; and
 - d. Accompanied by a bond as provided ~~in section 43-35-14~~ by the board by rule.

SECTION 4. AMENDMENT. Section 43-35-21 of the North Dakota Century Code is amended and reenacted as follows:

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

To the extent other states providing for the certification of water well contractors, monitoring well contractors, water well pump and pitless unit installers, or geothermal system drillers provide for similar action, the board may grant certification to water well contractors, monitoring well contractors, water well pump and pitless unit installers, and geothermal system drillers certified by other states, upon payment by the applicant of the required fee and the furnishing of a bond as provided by section 43-35-14 set by the board by rule, after being furnished with proof

1 that the qualifications of the applicant are equal to the qualifications of holders of such
2 certificates in this state.

3 **SECTION 5. AMENDMENT.** Section 43-35-23 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **43-35-23. Continuing education - Preapproval requirements.**

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

11 ~~2. Continuing education coursework may be provided by the national ground water~~
12 ~~association, the North Dakota well drillers association, incorporated, a~~
13 ~~board-sponsored workshop, the department of environmental quality, the state water~~
14 ~~commission, or by any board-approved course provider.~~

15 ~~3. A continuing education course must be preapproved by the board unless otherwise~~
16 ~~provided under this section. A continuing education course provider or a certificate~~
17 ~~holder shall request preapproval of continuing education coursework by submitting to~~
18 ~~the board a course outline, the instructor's name, the length of the training, and an~~
19 ~~explanation of how the training relates to the construction and service of water wells.~~

20 ~~4. A certificate holder may request approval of education that was not preapproved by~~
21 ~~submitting to the board verification of attendance, a course outline, and an explanation~~
22 ~~of why preapproval was not obtained. The board shall determine on a case-by-case~~
23 ~~basis whether to approve education that was not preapproved.~~

24 **SECTION 6. REPEAL.** ~~Sections 43-35-11.1, 43-35-12, 43-35-13, 43-35-14, Section~~
25 ~~43-35-16, and 43-35-17~~ of the North Dakota Century Code ~~are~~is repealed.

**REPORT OF STANDING COMMITTEE
SB 2058**

Industry, Business and Labor Committee (Rep. Warrey, Chairman) recommends **AMENDMENTS** ([25.8035.01001](#)) and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2058 was placed on the Sixth order on the calendar.

25.8035.01001
Title.

Prepared by the Legislative Council
staff for Representative Koppelman
March 11, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2058

Introduced by

Workforce Development Committee

(At the request of the Department of Water Resources)

A BILL for an Act to amend and reenact subsection 5 of section 43-35-13, section 43-35-14, subsection 1 of section 43-35-17, and sections 43-35-21 and 43-35-23 of the North Dakota Century Code, relating to the operations of the board of water well contractors; and to repeal ~~sections 43-35-11.1, 43-35-12, 43-35-13, 43-35-14, section~~ 43-35-16, ~~and 43-35-17~~ of the North Dakota Century Code, relating to the operations of the board of water well contractors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 5 of section 43-35-13 of the North Dakota Century Code is amended and reenacted as follows:

5. A person applying to take a certification examination shall pay to the board treasurer a nonrefundable examination fee in the an amount ~~of one hundred dollars~~ set by the board by rule. If upon examination the applicant is found to be qualified as a water well contractor, a water well pump and pitless unit installer, a monitoring well contractor, or a geothermal system driller, the board shall issue to that person an appropriate certificate upon the applicant's executing and filing with the board a bond as required in this chapter. The board may offer a combined examination for certification of a person as a water well contractor and a water well pump and pitless unit installer and may issue a single certificate for successful completion of the combined examination. Certificates issued under this chapter are not transferable.

SECTION 2. AMENDMENT. Section 43-35-14 of the North Dakota Century Code is amended and reenacted as follows:

43-35-14. Bond required.

Before receiving a certificate under this chapter, a qualified applicant shall execute and deposit with the board a surety bond conditioned for the faithful performance of all water well, monitoring well, pump and pitless unit, or geothermal system installation contracts undertaken by the applicant and the strict compliance with this chapter. The required amount of a surety bond ~~is fifteen thousand dollars for a water well contractor and is two thousand dollars for a monitoring well, pump and pitless unit, or geothermal system installation contractor~~ must be set by the board by rule.

SECTION 3. AMENDMENT. Subsection 1 of section 43-35-17 of the North Dakota Century Code is amended and reenacted as follows:

1. A certificate issued under this chapter is valid for up to one year and expires on the thirty-first day of December in the year of issuance. To renew a certificate, a certificate holder shall submit to the board a completed renewal application. The completed renewal application must be:
 - a. Submitted to the board before April first in the year following the certificate's expiration;
 - b. Accompanied by a fee in an amount set by the board ~~not to exceed two hundred dollars~~ by rule;
 - c. Accompanied by any continuing education reporting information as required ~~under this section~~ by the board by rule; and
 - d. Accompanied by a bond as provided ~~in section 43-35-14~~ by the board by rule.

SECTION 4. AMENDMENT. Section 43-35-21 of the North Dakota Century Code is amended and reenacted as follows:

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

To the extent other states providing for the certification of water well contractors, monitoring well contractors, water well pump and pitless unit installers, or geothermal system drillers provide for similar action, the board may grant certification to water well contractors, monitoring well contractors, water well pump and pitless unit installers, and geothermal system drillers certified by other states, upon payment by the applicant of the required fee and the furnishing of a bond as ~~provided by section 43-35-14~~ set by the board by rule, after being furnished with proof

1 that the qualifications of the applicant are equal to the qualifications of holders of such
2 certificates in this state.

3 **SECTION 5. AMENDMENT.** Section 43-35-23 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **43-35-23. Continuing education - Preapproval requirements.**

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

11 ~~2. Continuing education coursework may be provided by the national ground water~~
12 ~~association, the North Dakota well drillers association, incorporated, a~~
13 ~~board-sponsored workshop, the department of environmental quality, the state water~~
14 ~~commission, or by any board-approved course provider.~~

15 ~~3. A continuing education course must be preapproved by the board unless otherwise~~
16 ~~provided under this section. A continuing education course provider or a certificate~~
17 ~~holder shall request preapproval of continuing education coursework by submitting to~~
18 ~~the board a course outline, the instructor's name, the length of the training, and an~~
19 ~~explanation of how the training relates to the construction and service of water wells.~~

20 ~~4. A certificate holder may request approval of education that was not preapproved by~~
21 ~~submitting to the board verification of attendance, a course outline, and an explanation~~
22 ~~of why preapproval was not obtained. The board shall determine on a case-by-case~~
23 ~~basis whether to approve education that was not preapproved.~~

24 **SECTION 6. REPEAL.** ~~Sections 43-35-11.1, 43-35-12, 43-35-13, 43-35-14, Section~~
25 ~~43-35-16, and 43-35-17~~ of the North Dakota Century Code ~~are~~is repealed.