

**HOUSE BILL NO. 1271**

Introduced by

Representatives Magrum, Brandenburg, Maragos

Senator Erbele

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 for water well contractors.

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

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

6 **43-35-17. Renewal of certificate - Continuing education.**

7 A certificate issued under this chapter is valid for up to one year and expires on the  
8 thirty-first day of December in the year of issuance. The certificate may be renewed by the  
9 board upon application. Every two years the renewal application must include reporting  
10 information ~~that~~ the applicant completed six hours of continuing education during the two-year  
11 reporting cycle which meets the requirements of section 43-35-23 and continuing education  
12 standards adopted by the board. The application must be made before April first in the year  
13 following the certificate's expiration, must be accompanied by a fee in an amount set by the  
14 board not to exceed two hundred 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.**

19 1. Each certificate holder shall earn at least six hours of board-approved continuing  
20 education during every two-year reporting cycle to qualify for certificate renewal,  
21 except a new certificate holder is not required to earn continuing education until the  
22 second renewal year following initial certification. ~~ContinuingTo qualify for board~~  
23 approval, the continuing education coursework ~~may~~must be provided by the national  
24 ground water association, the North Dakota well drillers association, incorporated, a

- 1 board-sponsored workshop, the state department of health, the state water  
2 commission, or by any board-approved course provider. A
- 3 2. To qualify for board approval, a continuing education course must be preapproved by  
4 the board unless otherwise provided under this section. A continuing education course  
5 provider or a certificate holder shall request preapproval of continuing education  
6 coursework by submitting to the board a course outline, the instructor's name, the  
7 length of the training, and an explanation of how the training relates to the construction  
8 and service of water wells. A certificate holder may request approval of education that  
9 was not preapproved by submitting to the board verification of attendance, a course  
10 outline, and an explanation of why preapproval was not obtained. The board shall  
11 determine on a case-by-case basis whether to approve education that was not  
12 preapproved.
- 13 3. In evaluating a continuing education course for approval or preapproval, the board  
14 shall grant one hour of credit or portion of an hour of credit for each hour of  
15 coursework or portion of an hour of coursework.
- 16 4. At least every two years the state water commission shall offer a continuing education  
17 course.