

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2353

Introduced by

Senators J. Lee, Burckhard, Heckaman

Representatives Nathe, J. Nelson, Sanford

1 A BILL for an Act to create and enact chapter 43-63 of the North Dakota Century Code, relating
2 to uniform regulation of occupations and professions; and to provide for a legislative
3 management study.

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

5 **SECTION 1.** Chapter 43-63 of the North Dakota Century Code is created and enacted as
6 follows:

7 **43-63-01. Definitions.**

8 As used in this chapter:

- 9 1. "Board" means a board, commission, or other agency of state government created or
10 identified in this title to regulate an occupation or profession.
- 11 2. "Occupation or profession" means activity for which a license is required from a board.

12 **43-63-02. Boards - Duties - Powers.**

13 Notwithstanding law to the contrary:

- 14 1. A board shall:
 - 15 a. Establish a fee schedule designed to fund the activities of the board.
 - 16 b. Meet at the call of the presiding officer, but not fewer than twice per year.
 - 17 c. Keep divided and may not commingle board funds and any professional
18 association funds submitted to the board.
- 19 2. A board may:
 - 20 a. Establish continuing education requirements, which may include board-approval
21 requirements.
 - 22 b. Provide professional education for licensees or individuals who may be interested
23 in pursuing the regulated occupation or profession.

1 **43-63-03. Board training.**

2 Annually, the attorney general shall conduct online or in person training for new board
3 members. The training must include information regarding open meetings and open records,
4 lobbying, and conflicts of interest. During the first year of the initial term a board member
5 serves, the board member shall attend this training and after that first year, the board member
6 may attend this training.

7 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - OCCUPATIONAL AND**

8 **PROFESSIONAL REGULATION.** During the 2019-20 interim, the legislative management shall
9 consider studying the state's system for regulating occupations and professions, including
10 consideration of the powers, duties, and membership of occupational and professional boards;
11 qualification, appointment, removal, compensation, and reimbursement of occupational and
12 professional board members; occupational and professional board membership representation
13 of the occupations and professions the board regulates; occupational and professional licensure
14 and license renewal requirements; grievance procedures against occupational and professional
15 boards; audit and performance audit requirements for occupational and professional boards;
16 and disciplinary actions initiated by occupational and professional boards. The study must
17 include reports from the job service North Dakota workforce development council on the status
18 of its study of the state's occupational licensing system and consultation with occupational and
19 professional boards. The legislative management shall report its findings and recommendations,
20 together with any legislation required to implement the recommendations, to the sixty-seventh
21 legislative assembly.