

CHAPTER 112-01-02 BOARD MEETINGS

Section

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112-01-02-01. Regular or special meetings.

The board shall hold regular meetings at least twice a year. Regular or special meetings may be called at any time when the opinion of the board justifies such action.

History: Effective April 1, 2013.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-57-03

112-01-02-02. Committees and advisory groups.

1. In order to carry out the duties and functions of the board, the chairman may establish committees from the board membership and define the duties of committees.
2. Pursuant to North Dakota Century Code section 43-57-04, the chairman shall assign an advisory group of three to five members for each profession licensed and regulated by the board.
 - a. In all consultations requested by the board, the advisory group shall provide written recommendations to the executive director within thirty calendar days of receipt of the request. The executive director shall make a copy available to each board member seven calendar days prior to the board making a final decision. An electronic copy is acceptable if the board member has given prior approval and acknowledges receipt.
 - b. The advisory group may bring new matters before the board by contacting any member of the board. The advisory group shall follow up with a written statement to the executive director within seven calendar days of contacting the board member. The executive director shall provide a copy to the chairman to determine whether it requires a special meeting.
 - c. If the board chooses not to implement the advisory group recommendations or take action on a new matter brought before the board by the advisory group, the chairman of the board is required to provide a written letter of explanation to the board member representing the profession and a copy to the advisory group within three business days.
 - d. If the advisory group believes the board has unreasonably disregarded the advisory group recommendations or new concerns brought before the board, the advisory group may seek recourse through an administrative law judge. If a member of the board has established a pattern of unreasonable disregard, the advisory committee may submit a request to the governor's office to reconsider the board member's appointment for cause.

History: Effective April 1, 2013.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-57-02, 43-57-04

112-01-02-03. Board expenses.

Each member of the board shall be reimbursed for the member's mileage and travel expenses for each day the member is actually engaged in performing the duties of the member's office as provided for in North Dakota Century Code sections 43-57-02 and 54-06-09. Each member of the board shall receive per diem in the amount of one hundred dollars for each day or portion thereof spent in the discharge of the member's duties on behalf of current licensees. Per diem compensation for duties related to newly regulated professions begins after the first license has been issued. No per diem shall be paid to board members for duties pertaining to petitions for inclusion.

History: Effective April 1, 2013.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-57-02

112-01-02-04. Petition to the board.

Pursuant to North Dakota Century Code section 43-57-05:

1. A petition to request inclusion under the board must be received by the executive director no later than October first of an even year in order to be considered for the next legislative assembly.
 - a. The petition shall be in the form of a signed letter submitted by an officer of a regulatory board or an association representing the profession or occupation being considered for inclusion under the board. The letter shall include notification of the number of current or eligible licensees within North Dakota. For an occupation or profession already licensed and regulated within North Dakota, the letter shall also state the reason for the request.
 - b. The petition shall include a copy of the proposed bill draft. The bill draft shall include the proposed education and testing requirements, title restriction provisions, disciplinary measures, and a means to pay startup costs.
2. The board may request additional information from the petitioner as needed. The board may make further requests as necessary to carry out its duties.
3. The board shall provide a written recommendation to the petitioner within thirty calendar days of receipt of all requested information. The recommendation shall be made available to the public upon request.

History: Effective April 1, 2013.

General Authority: NDCC 28-32-02, 43-57-03

Law Implemented: NDCC 43-57-05