

**SENATE BILL NO. 2258**

Introduced by

Senators Andrist, Tomac, Wardner

Representatives Grande, Nelson, Skarphol

1 A BILL for an Act to create and enact a new section to chapter 43-01, a new section to chapter  
2 43-02.2, a new section to chapter 43-03, a new section to chapter 43-05, a new section to  
3 chapter 43-06, a new section to chapter 43-09, a new section to chapter 43-10, a new section  
4 to chapter 43-11, a new section to chapter 43-12.1, a new section to chapter 43-13, a new  
5 section to chapter 43-15, a new section to chapter 43-15.1, a new section to chapter 43-17, a  
6 new section to chapter 43-18, a new section to chapter 43-18.2, a new section to chapter  
7 43-19.1, a new section to chapter 43-20, a new section to chapter 43-23.3, a new section to  
8 chapter 43-25, a new section to chapter 43-26, a new section to chapter 43-28, a new section  
9 to chapter 43-29, a new section to chapter 43-30, a new section to chapter 43-32, a new  
10 section to chapter 43-33, a new section to chapter 43-34, a new section to chapter 43-35, a  
11 new section to chapter 43-36, a new section to chapter 43-37, a new section to chapter 43-38,  
12 a new section to chapter 43-39, a new section to chapter 43-40, a new section to chapter  
13 43-41, a new section to chapter 43-42, a new section to chapter 43-43, a new section to  
14 chapter 43-44, a new section to chapter 43-45, a new section to chapter 43-47, a new section  
15 to chapter 43-48, and a new section to chapter 43-49 of the North Dakota Century Code,  
16 relating to fees established by certain occupational or professional boards; and to amend and  
17 reenact section 43-43-04 of the North Dakota Century Code, relating to the adoption of  
18 environmental health practitioner rules by the state health council.

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

20 **SECTION 1.** A new section to chapter 43-01 of the North Dakota Century Code is  
21 created and enacted as follows:

22 **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
23 board may not increase the amount of this fee by more than ten percent during any two-year  
24 period.

1           **SECTION 2.** A new section to chapter 43-02.2 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
4 board may not increase the amount of this fee by more than ten percent during any two-year  
5 period.

6           **SECTION 3.** A new section to chapter 43-03 of the North Dakota Century Code is  
7 created and enacted as follows:

8           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
9 board may not increase the amount of this fee by more than ten percent during any two-year  
10 period.

11           **SECTION 4.** A new section to chapter 43-05 of the North Dakota Century Code is  
12 created and enacted as follows:

13           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
14 board may not increase the amount of this fee by more than ten percent during any two-year  
15 period.

16           **SECTION 5.** A new section to chapter 43-06 of the North Dakota Century Code is  
17 created and enacted as follows:

18           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
19 board may not increase the amount of this fee by more than ten percent during any two-year  
20 period.

21           **SECTION 6.** A new section to chapter 43-09 of the North Dakota Century Code is  
22 created and enacted as follows:

23           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
24 board may not increase the amount of this fee by more than ten percent during any two-year  
25 period.

26           **SECTION 7.** A new section to chapter 43-10 of the North Dakota Century Code is  
27 created and enacted as follows:

28           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
29 board may not increase the amount of this fee by more than ten percent during any two-year  
30 period.

1           **SECTION 8.** A new section to chapter 43-11 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
4 board may not increase the amount of this fee by more than ten percent during any two-year  
5 period.

6           **SECTION 9.** A new section to chapter 43-12.1 of the North Dakota Century Code is  
7 created and enacted as follows:

8           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
9 board may not increase the amount of this fee by more than ten percent during any two-year  
10 period.

11           **SECTION 10.** A new section to chapter 43-13 of the North Dakota Century Code is  
12 created and enacted as follows:

13           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
14 board may not increase the amount of this fee by more than ten percent during any two-year  
15 period.

16           **SECTION 11.** A new section to chapter 43-15 of the North Dakota Century Code is  
17 created and enacted as follows:

18           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
19 board may not increase the amount of this fee by more than ten percent during any two-year  
20 period.

21           **SECTION 12.** A new section to chapter 43-15.1 of the North Dakota Century Code is  
22 created and enacted as follows:

23           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
24 board may not increase the amount of this fee by more than ten percent during any two-year  
25 period.

26           **SECTION 13.** A new section to chapter 43-17 of the North Dakota Century Code is  
27 created and enacted as follows:

28           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
29 board may not increase the amount of this fee by more than ten percent during any two-year  
30 period.

1           **SECTION 14.** A new section to chapter 43-18 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
4 board may not increase the amount of this fee by more than ten percent during any two-year  
5 period.

6           **SECTION 15.** A new section to chapter 43-18.2 of the North Dakota Century Code is  
7 created and enacted as follows:

8           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
9 board may not increase the amount of this fee by more than ten percent during any two-year  
10 period.

11          **SECTION 16.** A new section to chapter 43-19.1 of the North Dakota Century Code is  
12 created and enacted as follows:

13          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
14 board may not increase the amount of this fee by more than ten percent during any two-year  
15 period.

16          **SECTION 17.** A new section to chapter 43-20 of the North Dakota Century Code is  
17 created and enacted as follows:

18          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
19 board may not increase the amount of this fee by more than ten percent during any two-year  
20 period.

21          **SECTION 18.** A new section to chapter 43-23.3 of the North Dakota Century Code is  
22 created and enacted as follows:

23          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
24 board may not increase the amount of this fee by more than ten percent during any two-year  
25 period.

26          **SECTION 19.** A new section to chapter 43-25 of the North Dakota Century Code is  
27 created and enacted as follows:

28          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
29 board may not increase the amount of this fee by more than ten percent during any two-year  
30 period.

1           **SECTION 20.** A new section to chapter 43-26 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
4 board may not increase the amount of this fee by more than ten percent during any two-year  
5 period.

6           **SECTION 21.** A new section to chapter 43-28 of the North Dakota Century Code is  
7 created and enacted as follows:

8           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
9 board may not increase the amount of this fee by more than ten percent during any two-year  
10 period.

11           **SECTION 22.** A new section to chapter 43-29 of the North Dakota Century Code is  
12 created and enacted as follows:

13           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
14 board may not increase the amount of this fee by more than ten percent during any two-year  
15 period.

16           **SECTION 23.** A new section to chapter 43-30 of the North Dakota Century Code is  
17 created and enacted as follows:

18           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
19 board may not increase the amount of this fee by more than ten percent during any two-year  
20 period.

21           **SECTION 24.** A new section to chapter 43-32 of the North Dakota Century Code is  
22 created and enacted as follows:

23           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
24 board may not increase the amount of this fee by more than ten percent during any two-year  
25 period.

26           **SECTION 25.** A new section to chapter 43-33 of the North Dakota Century Code is  
27 created and enacted as follows:

28           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
29 board may not increase the amount of this fee by more than ten percent during any two-year  
30 period.

1           **SECTION 26.** A new section to chapter 43-34 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
4 board may not increase the amount of this fee by more than ten percent during any two-year  
5 period.

6           **SECTION 27.** A new section to chapter 43-35 of the North Dakota Century Code is  
7 created and enacted as follows:

8           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
9 board may not increase the amount of this fee by more than ten percent during any two-year  
10 period.

11           **SECTION 28.** A new section to chapter 43-36 of the North Dakota Century Code is  
12 created and enacted as follows:

13           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
14 board may not increase the amount of this fee by more than ten percent during any two-year  
15 period.

16           **SECTION 29.** A new section to chapter 43-37 of the North Dakota Century Code is  
17 created and enacted as follows:

18           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
19 board may not increase the amount of this fee by more than ten percent during any two-year  
20 period.

21           **SECTION 30.** A new section to chapter 43-38 of the North Dakota Century Code is  
22 created and enacted as follows:

23           **Limitations on fees created by rule.** If the state health council sets the amount of a  
24 fee under this chapter by rule, the state health council may not increase the amount of this fee  
25 by more than ten percent during any two-year period.

26           **SECTION 31.** A new section to chapter 43-39 of the North Dakota Century Code is  
27 created and enacted as follows:

28           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
29 board may not increase the amount of this fee by more than ten percent during any two-year  
30 period.

1           **SECTION 32.** A new section to chapter 43-40 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
4 board may not increase the amount of this fee by more than ten percent during any two-year  
5 period.

6           **SECTION 33.** A new section to chapter 43-41 of the North Dakota Century Code is  
7 created and enacted as follows:

8           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
9 board may not increase the amount of this fee by more than ten percent during any two-year  
10 period.

11          **SECTION 34.** A new section to chapter 43-42 of the North Dakota Century Code is  
12 created and enacted as follows:

13          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
14 board may not increase the amount of this fee by more than ten percent during any two-year  
15 period.

16          **SECTION 35. AMENDMENT.** Section 43-43-04 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18          **43-43-04. Powers and duties of state health ~~officer~~ council.** The state health ~~officer~~  
19 council shall adopt rules consistent with and necessary for the implementation and enforcement  
20 of this chapter, including rules concerning the:

- 21           1. Qualifications and requirements for licensure under this chapter.
- 22           2. Application for licensure and renewal of license.
- 23           3. Licensure.
- 24           4. Fees that may not exceed fifty dollars for licensure fees.
- 25           5. Scope of practice.
- 26           6. Ethical standards of conduct.
- 27           7. Continuing competency and education requirements.
- 28           8. Grievances and complaints.
- 29           9. Reimbursement of advisory board expenses.
- 30           10. Emergency exemptions as to requirements for licensure under this chapter.

1           **SECTION 36.** A new section to chapter 43-43 of the North Dakota Century Code is  
2 created and enacted as follows:

3           **Limitations on fees created by rule.** If the state health council sets the amount of a  
4 fee under this chapter by rule, the state health council may not increase the amount of this fee  
5 by more than ten percent during any two-year period.

6           **SECTION 37.** A new section to chapter 43-44 of the North Dakota Century Code is  
7 created and enacted as follows:

8           **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
9 board may not increase the amount of this fee by more than ten percent during any two-year  
10 period.

11          **SECTION 38.** A new section to chapter 43-45 of the North Dakota Century Code is  
12 created and enacted as follows:

13          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
14 board may not increase the amount of this fee by more than ten percent during any two-year  
15 period.

16          **SECTION 39.** A new section to chapter 43-47 of the North Dakota Century Code is  
17 created and enacted as follows:

18          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
19 board may not increase the amount of this fee by more than ten percent during any two-year  
20 period.

21          **SECTION 40.** A new section to chapter 43-48 of the North Dakota Century Code is  
22 created and enacted as follows:

23          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
24 board may not increase the amount of this fee by more than ten percent during any two-year  
25 period.

26          **SECTION 41.** A new section to chapter 43-49 of the North Dakota Century Code is  
27 created and enacted as follows:

28          **Limitations on fees created by rule.** If the board sets the amount of a fee by rule, the  
29 board may not increase the amount of this fee by more than ten percent during any two-year  
30 period.