

April 15, 2015

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1229

That the Senate recede from its amendments as printed on pages 1302 and 1303 of the House Journal and pages 1039 and 1040 of the Senate Journal and that House Bill No. 1229 be amended as follows:

Page 1, line 1, after "sections" insert "43-09-09.2 and"

Page 1, line 1, remove "and 43-09-15"

Page 1, line 2, replace "bonds" with "contracting for electrical services and undertaking"

Page 1, line 2, after "installations" insert "; to repeal section 43-09-14 of the North Dakota Century Code, relating to the electricians special fund; to provide a penalty; and to provide an effective date"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Section 43-09-09.2 of the North Dakota Century Code is amended and reenacted as follows:

43-09-09.2. Advertising prohibited - Exceptions - Liability - Penalty.

1. Except as provided in this section, if an electrical license is required under section 43-09-09 or by local ordinance, ~~no~~ a person may not advertise to contract for electrical services without being licensed as or being associated with a class B or master electrician unless that person intends to contract the electrical services with a licensed electrical contractor.
2. If a person associates with a class B or master electrician under subsection 1 and that association ends, that person is jointly and severally liable for any electrical services contracts entered under that association.
3. a. A person violating this section is guilty of a class B misdemeanor for a first conviction, but no fine in excess of one hundred dollars and no term of imprisonment may be imposed.
b. A person violating this section is guilty of a class A misdemeanor for a second or subsequent conviction, but the penalties are as follows:
 - (1) For a second conviction, no fine in excess of one thousand dollars and no term of imprisonment may be imposed.
 - (2) For a third or subsequent conviction, a fine not to exceed one thousand dollars, or imprisonment not to exceed thirty days, or both, may be imposed."

Page 1, line 6, remove the overstrike over "~~Undertaking - Fund~~"

Page 1, line 6, remove "~~Bond~~"

Page 1, overstrike lines 7 and 8

Page 1, line 9, overstrike "class B electrician shall execute and deposit with the board"

Page 1, line 9, remove "a bond, unless such"

Page 1, line 10, remove "a bond has already been deposited."

Page 1, line 10, overstrike "in the sum of"

Page 1, line 10, remove "thirty-five"

Page 1, line 10, overstrike "thousand dollars"

Page 1, line 11, overstrike "conditioned on the faithful"

Page 1, overstrike line 12

Page 1, line 13, overstrike "provisions of this chapter, and on the requirements of the board."

Page 1, line 16, after "in" insert "The board shall administer"

Page 1, line 16, remove the overstrike over "a special fund to be used for the completion of installations"

Page 1, line 17, remove the overstrike over "abandoned by" and insert immediately thereafter "master"

Page 1, line 17, remove the overstrike over "electricians"

Page 1, line 17, after "section" insert "and class B electricians"

Page 1, line 17, remove the overstrike over "not to exceed the amount of"

Page 1, line 17, after "five" insert "twenty-five"

Page 1, line 17, remove the overstrike over "thousand"

Page 1, line 18, remove the overstrike over "dollars for a master electrician and four thousand dollars for a class B electrician."

Page 1, line 22, after the first "of" insert "Effective July 1, 2016."

Page 1, line 22, remove the overstrike over "the board" and insert immediately thereafter "shall use any money remaining in the special fund"

Page 1, line 22, remove the overstrike over "to inform and educate electricians"

Page 1, line 23, remove the overstrike over the overstruck period

Page 1, line 23, overstrike "for the"

Page 1, line 23, remove "bond"

Page 2, replace lines 1 through 29 with:

"SECTION 3. REPEAL. Section 43-09-14 of the North Dakota Century Code is repealed.

SECTION 4. EFFECTIVE DATE. Section 4 of this Act becomes effective on August 1, 2017."

Renumber accordingly