



# North Dakota Legislative Council

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August 10, 2022

## MEETING NOTICE

Senator Nicole Poolman, Chairman, has called a meeting of the **ADMINISTRATIVE RULES COMMITTEE**.

**Date:** Monday, September 12, 2022

**Time:** 10:00 a.m.

**Place:** Roughrider Room, State Capitol, Bismarck

**Video:** This meeting can be viewed online at <https://video.ndlegis.gov>.

**Agenda:** Consideration of rules adopted for publication in October 2022 by the Attorney General, State Department of Health, Department of Environmental Quality, North Dakota Board of Medicine, Education Standards and Practices Board, Public Service Commission, North Dakota Racing Commission, Department of Human Services, and Private Investigative and Security Board; and consideration of rules of the State Board of Dental Examiners carried over for consideration from the June 1, 2022, meeting

**Special Note:** Anyone who plans to attend the meeting and needs assistance because of a disability should contact the Legislative Council staff as soon as possible.

**Committee Members:** Senators Nicole Poolman, Joan Heckaman, Jerry Klein, Randy D. Lemm, Shawn Vedaa; Representatives Bill Devlin, Tom Kading, Karen Karls, Kim Koppelman, Andrew Marschall, Brandy Pyle, Bernie Satrom, Nathan Toman, Robin Weisz

**Staff Contact:** Jill Grossman, Counsel

Any member unable to attend this meeting is asked to notify this office as soon as possible.

Sincerely,

/S/

John Bjornson  
Director

JB/MKH



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## ADMINISTRATIVE RULES COMMITTEE

Monday, September 12, 2022  
Roughrider Room, State Capitol  
Bismarck, North Dakota

The October 2022 Administrative Code Supplement can be viewed at the following link. The PDF is bookmarked for your convenience. <https://ndlegis.gov/admcode/arc202210386.pdf>

- 10:00 a.m. Call to order  
Roll call  
Consideration of the [minutes of the June 1, 2022, meeting](#)
- 10:05 a.m. Presentation by a representative of the Attorney General's office regarding the Attorney General's review of administrative rules and the differences between assistant attorneys general and special assistant attorneys general
- 10:30 a.m. Presentation by a representative of the State Board of Dental Examiners regarding the rules of the board carried over from the June 1, 2022, meeting (pages 11-20)
- 10:40 a.m. Presentation by a representative of the Attorney General regarding October 2022 rules of the Attorney General (pages 1-10)
- 11:00 a.m. Presentation by a representative of the State Department of Health regarding October 2022 rules of the department (pages 21-28)
- 11:20 a.m. Presentation by a representative of the Department of Environmental Quality regarding October 2022 rules of the department (pages 29-38)
- 11:40 a.m. Presentation by a representative of the North Dakota Board of Medicine regarding October 2022 rules of the board (pages 39-64)
- 12:00 noon Recess
- 12:45 p.m. Presentation by a representative of the Education Standards and Practices Board regarding October 2022 rules of the board (pages 65-72)
- 1:05 p.m. Presentation by a representative of the Public Service Commission regarding October 2022 rules of the commission (pages 73-76)**
- 1:25 p.m. Presentation by a representative of the North Dakota Racing Commission regarding October 2022 rules of the commission (pages 77-148)
- 1:45 p.m. Presentation by a representative of the Department of Human Services regarding October 2022 rules of the department (pages 149-200)
- 2:05 p.m. Presentation by a representative of the Private Investigative and Security Board regarding October 2022 rules of the board (pages 201-211)
- 2:25 p.m. Committee discussion and directives
- 2:40 p.m. Adjourn

**A livestream of the meeting will be available to the public at: <https://video.ndlegis.gov>.**

### **Committee Members**

Senators: Nicole Poolman (Chairman), Joan Heckaman, Jerry Klein, Randy D. Lemm, Shawn Vedaa

Representatives: Bill Devlin, Tom Kading, Karen Karls, Kim Koppelman, Andrew Marschall, Brandy Pyle,  
Bernie Satrom, Nathan Toman, Robin Weisz

Staff Contact: Jill Grossman, Counsel

**TITLE 69**  
**PUBLIC SERVICE COMMISSION**



## OCTOBER 2022

### CHAPTER 69-09-03

#### 69-09-03-02. Adoption of regulations.

The following parts of title 49, Code of Federal Regulations in effect as of ~~August 20, 2020~~December 1, 2021, are adopted by reference:

1. Part 190 - Pipeline Safety Programs and Rulemaking Procedures.
2. Part 191 - Transportation of Natural Gas and Other Gas by Pipeline, Annual Reports, Incident Reports, and Safety-Related Condition Reports.
3. Part 192 - Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.
4. Part 193 - Liquefied Natural Gas Facilities: Federal Safety Standards
5. Part 194 - Response Plans for Onshore Oil Pipelines
6. Part 195 - Transportation of Hazardous Liquids by Pipeline.
7. Part 199 - Drug and Alcohol Testing.

Copies of these regulations may be obtained from:

Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0480

**History:** Effective June 1, 1984; amended effective July 1, 1986; January 1, 1988; March 1, 1990; February 1, 1992; August 1, 1993; August 1, 1994; February 1, 1996; July 1, 1997; July 1, 1998; September 1, 1999; August 1, 2000; January 1, 2002; November 1, 2003; May 1, 2005; July 1, 2006; April 1, 2008; January 1, 2010; April 1, 2012; April 1, 2015; October 1, 2016; July 1, 2018; July 1, 2020; January 1, 2021; October 1, 2022.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 49-02-01.2

