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HB 1218

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1218

House Government and Veterans Affairs Committee

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Hearing Date: January 18, 2007

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Committee Clerk Signature

Morgan Rennie

Minutes:

Matt Klein: *The bill before you, HB 1218, comes approached by the State Electrical Board. Their attorney for this board has put this bill together. I took it to legislative council to get it fit into the right format. There are two reasons for this. One of them is reciprocity. Our electricians, when they go to Wyoming, if we don't have continuing education they don't accept them. That is happening in so many boards and commissions because you have to have continuing education. The second reason is the training and the taking of the tests was getting to be a problem without further education. There is a lot of failure involved and with some changes in the entire electrical system, some gentleman that had been in the business for 40 years were not familiar with the technology. There are people here who are completely familiar with it, and I will let them answer the detail questions.*

Eugene Cross: Testimony Attached.

Rep. Haas: The curriculum materials that you use, do they all come from the Bureau of Apprenticeship and Training? And who teaches the classes?

Eugene Cross: The classes are a wide variety. Wahpeton Science, Independent Electrical Contractors Association. All the State Electrical Board is going to do is receive the results of the training that we are asking. They are not going to be hands on.

Rep. Haas: You did with once exception.

Eugene Cross: Do the people that provide the training, do they use materials from them?

Rep. Boehning: Do the students have to pay for the 144 hours if they are at Wahpeton for the 2 year degree?

Eugene Cross: The apprentice is going to have to make an agreement with his employers, in my opinion anyone who goes to school in ND, if they get their education. The funding right now does not ask for it.

Rep. Boehning: Are they still going to have to take more classes if they get their degree? I know a lot of electricians, and I know there is a problem out there. 144 hours, isn't that quite a few days of work that they are going to have to miss? They aren't even getting paid that well, maybe \$10-\$12 if they are lucky.

Eugene Cross: The amount that the apprentice is being paid are getting more and more. If they have a commitment to be an electrician, sometimes you have to pay the price.

Rep. Wolf: I'm a little bit confused. In your bill you say that journeyman electricians need 8,000 hours of experience is what you want this to be changed to. In your testimony you are asking for 576 hours total (144/year) plus the 8,000. So what exactly are you asking for?

Eugene Cross: The apprenticeship has to go through hands on work at a minimum amount of 8,000 hours. That is about three or four years.

Rep. Wolf: Do you want more than 8,000 hours?

Eugene Cross: Yes, the 8,000 hours is what they are doing now for up to four years. They are not doing the work, and showing it on the tests. We need more of them to take the test and pass it.

Rep. Haas: Its 8,000 hours, in addition to qualify the apprentice to take a test and become a journeyman, they need outside and classroom instruction and that is where the 144 hours comes in.

Rep. Wolf: So that is the part on the bill?

Rep. Haas: The State Electrical Board would make that requirement. This simply authorizes them to do it.

Rep. Potter: In your testimony you said that the training that each apprentice should be getting on the job is getting less each year with the demand on the construction industry. Could you explain that a little bit more?

Eugene Cross: I've seen change in the last 7-10 years where the bottom line is that the contractors are getting the job done as fast as they can. Each business does their own thing and the bottom line in my opinion is they are just hurrying up to get the job done.

Rep. Weiler: What is the status currently in ND of electricians? Do we have a shortage, surplus?

Eugene Cross: I believe there is a shortage. We need more licensed electricians out there.

Rep. Weiler: If we have a shortage why are we trying to make it more difficult to get their journeyman electrician? I do understand the education and stuff, though.

Eugene Cross: One journeyman worked by himself for a long time. When he is watching over 2 or 3 apprentices that the state requires, he is hands on in a way. The journeyman doing the work can't really go quick. If they have more training they will be more responsible. They will be able to work better by themselves.

Rep. Amerman: Part of your concern in your testimony was about the continuance training and is it necessary because of the new technology that is coming on so fast. Now if you take a journeyman that has been out of school for a long time, longer than an apprentice, right? So an

apprentice might have a better idea of some of this new technology because maybe they just got done with it. One of my questions is right now do journeyman have to take upgrading training?

Eugene Cross: Yes they do. Every year the state requires us to get your licensed renewed. You have to prove at least 8 hours of continuing education. If you don't have 8 hours you will not get your license renewed.

Rep. Froseth: It seems to me like you are going to be putting all apprentices in the same category. There must be a certain percentage of apprentices now that pass the journeyman's license with the training and experience that they are required at this time. Isn't that in fact going to penalize the ones able to move forward. Some people learn faster than others. In that point you are going to penalize the ones that can pass the test.

Eugene Cross: We see a wide variety of apprentices. There are different entities. What the ratio is and how they pass the test is something we look at.

Rep. Dahl: For those folks who already have the degree, can we exempt them from these 144 hours?

Eugene Cross: I would not be in favor of that. You get good training, you need on hand training. The path you take is very important and the experience you get is also very important. It works hand in hand. More training they get, the better prepared they will be. I am in favor of them doing the hours.

Rep. Schneider: It seems that the purpose of this legislation is to increase training and to have more people pass the test. Are you concerned with accidents and other types of hazards under the current training?

Eugene Cross: I am not privileged to that information, and I would have to talk with Don.

Don Offerdahl: Testimony Attached.

Rep. Haas: Did I just hear you say that if you take a two year course as an electrician in Wahpeton that it will substitute for some of your time as an apprentice?

Don Offerdahl: That is correct.

Rep. Haas: 2,000 hours?

Don Offerdahl: We have in our standards that are 2,000 hours for 2 years at Wahpeton. Rather than having 8,000 hours of practical experience they only have to work 6,000 hours.

Rep. Haas: So is that an agreement that you have with the Bureau of Apprenticeship and Training?

Don Offerdahl: When you go to the Bureau, we aren't affected by them at all. That is a private provider and they set up what they want to provide for training, what the rules should be, and their local committees. One time they had to do three years, another time in the last 20 years it was two years of more apprenticeship. Every provider is different on that.

Rep. Amerman: I want to get this straight. The bill will have no effect on an apprentice that is already registered because of the date. Say I've already been an apprentice for a year, the next 3 years I don't have to take this extra training?

Don Offerdahl: Yes that is what the bill means. If you indicated they went to school. This year I would say that we have about 100 students graduating from the State College of Science. Some are going into the electrical industry is about 50 kids a year. We need more there. There is roughly 150 when I was going through it.

Rep. Froseth: I guess I would still like to follow up on my previous question. The requirements for the test don't change. If you are having a 55-60% of your apprentice students that pass the test. Aren't they in fact being penalized if they have to take another 500 some hours of training.

Don Offerdahl: What you put into something is what you're going to get out of it. I don't think we are penalizing them. There are people that are doing that now. About 500 of the 1268

apprentices that are presently registered, are already doing that. We are asking to make it mandatory. They are going to learn more than what is on that test. They are going to be more productive, they will learn more theory. That is going to bring costs down for the consumers because when they come do the job they can do it more productively.

Rep. Schneider: Do you see a decrease in safety under the current regulations? Or is the sole purpose of this legislation to simply see more electricians pass the test?

Don Offerdahl: When you come into safety, there is no requirement that we know of unless it's from Workers Comp. that requires them to take safety classes. There are certain properties and organizations in ND that will take the training. Part of the apprenticeship was in safety courses and what to do and what not to do.

Rep. Froseth: What is the average difference in salary between an Apprentice and a Journeyman?

Don Offerdahl: I would leave that to some who are going to testify later. They can give you more accurate information.

Rep. Boehning: How do we compare with other states around us like MN, SD, and MT for the 8,000 hours of training? Is that pretty much the same?

Don Offerdahl: 8,000 hours is a pretty good standard. Of the 17 states that are involved with it, we all have the 8,000 hours. Most of them are going to that now.

Rep. Boehning: The other states in your compact, are they going to be required their apprentices have the 144 hours as well?

Don Offerdahl: One of the things when we look at that is that I want to clean up our backyard and make better electricians here rather than having the other states. I think it's a positive enforcement. OR, ID, UT, WY, MT, AK, and NH are doing this with their apprenticeship training. Are the minimum standards here going to provide the same training that the

organizations that are going four hours a night. They come at 7 and leave at 11. That has been the standard for years doing that.

Rep. Boehning: So the other states haven't locked in the contract to require the 144 hours?

Don Offerdahl: No they don't.

Rep. Boehning: How many of those do require it?

Don Offerdahl: About half and half.

Rep. Boehning: So in other words we aren't doing this because we have to?

Don Offerdahl: Two of the states have bowed out. We want to be proactive and be prepared for that. I want more knowledgeable people.

Rep. Boehning: What is it going to cost the electrician if they don't have internet? Is it going to cost him his weekends? What is available for them?

Don Offerdahl: They can do it locally. The NDSCS has correspondence for online classes. There will be more apprenticeship training. One gentleman that is going to testify is already lining up to do this. We are going to put a place in Jamestown.

Rep. Boehning: What do they do when you get into SW ND, where are the classes going to be held

Don Offerdahl: That was our concern several years ago, the online that most people have and the correspondence, we can provide the same service.

Rep. Aerman: Is the journeyman test a standard test that is the same throughout the US?

Don Offerdahl: We look at other states' tests. We try to have the same categories. The questions were taking out of a group of questions that all the states have submitted to one state to keep in a group. We can use the same questions as pretty much everyone.

Rep. Karls: Would you explain for the benefit why reciprocity is the way it is for electricians?

Don Offerdahl: The reciprocity was brought in and we have done this for years since we

joined a multi state group rather than having the individual agreements. Work gets slow here, they have to go travel and find income for their families. Back in 1987 most of them were traveling. They couldn't find work. This was set up back then that there is a system for the workers in case that happens. The increase in the workforce in ND makes it easier for people from those states to come to ND and come to work.

Rep. Amerman: Can you explain the qualifications you are putting in?

Don Offerdahl: When you have reciprocity you want to have the language from the law that allows the administrative rules say that it is equivalent to what you do.

Rep. Meier: What two states bowed out?

Don Offerdahl: Idaho and Oregon.

Scott Porsborg: *(Attorney for ND State Electrical Board). I assisted in drafting HB 1218. The overall purpose of the bill needs to make the apprenticeship training mandatory. It may be helpful to explain the purpose. Without that phrase the bill requires all apprentices after a certain date receive training. In addition of the clause, other training and four other trainer qualifications approved by the board allows the electrical board to implement administrative rules to lob other training or experience to satisfy this requirement as well. That leads into some of the questions that were asked. The issue of whether or not the training at other schools for an electrical engineering degree for instance would be equivalent to this PATH training is an issue that the board is going to address along with the industry. The Administrative Rules process is well stated to getting industry comment and having very input on what is appropriate and equivalent to this training. The reason that this clause is important relates to reciprocity with other states as well. 43-09-25 is the statute that deals with reciprocity. It says that we will reciprocate with other states when the applicant provides proof that the qualifications of the applicant or both equal to the qualifications with similar licenses.*

Some states currently have apprenticeship training and some states don't. The olden language requires that someone applying for a journeyman's license by reciprocity in ND have received that training. This would be true if someone was a journeyman for 16,000 hours if he wasn't from a state that required mandatory apprenticeship training, he arguably would be required to take apprenticeship training before he could get that license. That is why we added that clause in the end of that proposed amendment. That is why we added more qualifications in the amendment that we are proposing for the bill, just to give the board some flexibility. Along with the industry to determine what they feel is equivalent to this training, so that if someone comes in and have something equivalent, whether being a Technical degree, and Electrical engineering degree, or a lot of experience doing heavy duty electrical work. The board can, along with the industry, define rules, and be fair to those from other states.

Pam Fuhrer: *I am with the Independent Electrical Contractors. I'm going to kind of explain the apprenticeship program that comes along with our association. It is a four year program. The apprentices go to class one night a week, August – May, they go for four hours a night. And the preferences they have are either a Master Electrician or a Journeyman Electrician. The people that pay for the class are either the contractor or the student. Usually the contractor helps pay for it, and the student may get reimbursed. In the apprenticeship program they have to know CPR, first aid, they have to go through safety, they learn the series and the code behind their 8,000 hours of training they do in their four year period. Apprenticeship training goes hand in hand with the stuff they receive while they are training. We have had some questions about what apprenticeship really is. When you are registered you have to prove to the US Department of Labor program. That means that we have some standards in apprenticeship that is approved by the US Department of Labor. Those standards of apprenticeship, all of the contractors, all of the students, have to be held to those standards. It*

gives them skills, it helps them keep track of their hours, it tells them what they have to do, we have to do so much safety, and everything has to be held to the standards of apprenticeship. If you haven't seen the standards of apprenticeship, there is a general one online, it's one that most programs follow the same thing. There has been a lot of questions about when they get done and what do they do now. We get a student who has gone through technical school. We contract or hire them. They still have, if they are registered with the DAT, they still have to go through training. That is part of it. We in turn give them a test when they first come into the program. They do a test and they can test out certain parts of the program. Then they end up in class and finish up their apprenticeship training. It is training approved by the Bureau of Apprenticeship and Training. If they follow this they will have a good four year guideline for training purposes.

Rep. Karls: Where are you located?

Pam Fuhrer: Independent Electrical Contractors for North Dakota and South Dakota. I'm located in Pierre, South Dakota but we have training in both ND and SD. We have nine different locations.

Rep. Boehning: Pam you say that they have class from August – May. Is this all on-site training?

Pam Fuhrer: Our training is classroom training. We bring them into a classroom setting. They have an actual instructor. We do have a few that are working and can't make it and they can take training by correspondence. Our curriculum is set up so that they can do that, but there are certain guidelines that they have to meet. They have to come into the classroom every so often. Their labs are in the classroom, their tests are in the classroom.

Rep. Boehning: There are a lot of electricians that work out of town. Are these classes held during the week or on weekends? When are they being held?

Pam Fuhrer: Our classes are being held in the evening.

Rep. Boehning: So in other words if I'm living in Fargo but I'm in Beulah or some place working as an apprentice, how would I take classes if I was out of town?

Pam Fuhrer: What would happen is through the correspondence system he would be given an instructor and a textbook. Then he will correspond with the instructor and do his work out of the curriculum. Then the contractor that you are working for agrees that every so often you would have to come back and do the tests and such. These are members of ours so there is no reason they wouldn't let you.

Rep. Boehning: Are all the contractors from ND a member of your organization?

Pam Fuhrer: No

Rep. Boehning: How many are members of your organization?

Pam Furher: We have about 30 contractors with about 400 electricians under them.

Rep. Boehning: You have 30 companies in your organization? So how many organizations are in the state of ND?

Pam Furher: The other treaty that I know of in ND is you have Wahpeton.

Rep. Boehning: How many electrical companies are in the state?

Pam Furher: We have probably about 60 total.

Rep. Boehning: So that is about roughly half of the electricians?

Pam Furher: I don't know how many we do have but there may be more or less. I just don't know.

Rep. Schneider: What are the pass rates of the journeyman test of the apprentices that go through your program?

Pam Fuhrer: When we have checked into our pass rate it is between 90% and 95%.

Barry Dutton: *United States Department of Labor. I thought that maybe I could clarify some of these questions. I seem to be the one that no one knows exists. Hopefully I can answer some of your questions. I'm not going to speak in favor or opposed to this. I will just tell you that our position in apprenticeship is what we do is go out and solicit businesses and electrical contractors and apt them to design an accordance with us and their instructors whether it be the IBEW or the other electrical contractors, or the NDSCS. We develop sub standards of which are basically a contract between us and the employer that says we will hire people to teach this. Once we go ahead and do that they decide who hey are going to use as a provider. I don't care who they use. The nation wide standard for electricians is 8,000 hours to clarify that. Once a person completes the journeyman's program it has nationwide reciprocity. So once a person completes the Bureau of Apprenticeship and Training program, they can go to any state in the US and work that recognizes that. Once the program is done I go out to different contractors and employers and tell them what the standards of the program are, and what we set forth.*

Russ Carlgard: *NDSCS. We do a lot of apprenticeship training. I just want to tell you a little bit about our program. I want to make a comment that this is a great opportunity to build a 21st century work force. You talked about a lot of work force training issues and stuff. To me it's an opportunity. In the state of MT, our apprentices, take course work from us. One of the questions that comes up is how can I do correspondence. Our students in Montana have a mechanism that we can put into the state of ND. They take the correspondence course 24/7. They can go on the internet and take the electrical courses. When you are done with the course in MT you have to get out of job service and take a test. The value of that test is not the test itself, but knowing there's a test. You can't hire your best buddy to help you out because*

it's a photo id. We put a lot of integrity into our curriculum. I think there were some questions as to the cost. It will probably cost you \$1,800 for the four years. You can do that when you're on the job site. We have 9 of the finest electrical instructors on site in our electrical program. One of the things I heard was about the Advisory Board membership. There is so much out there, so much change. I guess I say I think it's a good thing that the apprentice takes something in between the time to where he is graduated and goes onto his own. What happens is a student goes out who hasn't taken any training and has somehow found a loophole, goes in and fails the test. He's been out there working for two years. He has forgotten it. I think that is basically what I want to bring forward to you, is the fact we are available 24/7. We are willing to serve when the need comes up.

Rep. Schneider: As I understand the reciprocity, most other states have an 8,000 hour requirement.

Don Offerdahl: That is correct.

Rep. Schneider: What happens under the current regulations when you pass a journeyman's test and then later surpass that 8,000 hour requirement?

Don Offerdahl: You would have to have the 8,000 hours to take the exam.

Rep. Schneider: I guess what I'm getting at is that other states have more stringent requirements for reciprocity. What happens if you meet our requirements, and perhaps at another date meet the other states'?

Don Offerdahl: No there is no problem. Under our agreement they have to follow our states licenses'. If they fail to, we send a notice to that state and ask them why. If we don't get it clarified then it goes to the whole 17 state committee and they have 30 days to respond to that.

Rep. Schneider: So if I was a licensed journeyman electrician under the current standard and they wanted me to get the state that hired me, can I take the classroom after the reciprocity?

Don Offerdahl: If you decide right now you want to go do Idaho, we would need a reciprocity agreement with them. Then what their statute says you got to have 16,000 hours of practical experience and take their test. Oregon has the same thing. They are allowing people to come in with the apprenticeship and more practical experience.

Rep. Wolf: If you go thought eh BAP training, do you have reciprocity in the whole US?

Don Offerdahl: I don't know. That issue has never been brought up with the other states. They don't know the local rules that apply. We aren't doing it, and I don't know of any other states that are.

Doreen Riedman: ND Association of Builders. Our governmental affairs committee has reviewed this piece of legislation and supports it. We do represent a number of trained electricians.

Wyatt Zahn: *President of ND Electrical Contractors Association. They have asked me to come and speak in behalf of this bill. We do support this HB 1218. We believe that apprenticeship training will only happen with the time enforced in the training, left to the individual companies. It's not happening to the degree to the degree that the industry needs. ND Electrical Contractors Association is one of our primary purposes to continue to improve our industry. Apprenticeship training is one of those things that will help. I would like to take this opportunity to thank Don Offerdahl and the State Electrical Board for being so active in this matter. ND is one of the most progressive states with requiring electrical licenses. There are many, many states that don't even require licensing. There are not a lot of states at this time that do require apprenticeship training. It is my viewpoint that it is not just because of other states including our neighbor states that don't require apprenticeship training. We do not need to stay in mediocrity in any of this. Another thing is, is that I interviewed my apprentice. A couple of months ago I got a couple of them together and I interviewed them. I tried to paint as bleak of*

picture as I could. I told them that this was going to be every Wednesday night, 6-10 pm, it is going to cost you money out of your pockets. I painted a black picture. They got all fired up. They wanted to know when it started, they wanted this. When I was listening to this I had to decide if I was for or against. I chose to do for. I have a responsibility to my decision and I also have concerns. One of the things I want to point out is that me and my constituents, our customers is where the rubber meets the road on this deal. We listened to a lot of testimony with a lot of people. Whatever happens here does not affect them directly. This affects me and my constituents very directly. I will give you an example. We have a member on our board that has an Electrical Contracting business in Lignite, ND. He has a terrible time just getting an apprentice hired. He has gone to the local high schools to try to talk kids into going into a Tech school, come home, and buy his business from him. He has a tough time even getting feedback. Now when we throw the required apprenticeship training and this young kid knows that he has to go to tech school, come back, and take classes for four hours a night/week for four years. He is really thinking about it. Then the local place offers him a job where there is no licensing requirement, the pay is roughly equal, what choice do you think he is going to make? This young man can take the correspondence course. I've had a number of my employees take correspondence courses to apply to their training. We have a company policy that upon completion of the course, he is giving a certificate. We will then reimburse them for part of the course. I have never paid for one. The classes have never been completed. I have my doubts about correspondence courses. We are talking about individuals roughly 22-30 years old. They have a lot of things on their mind. If they can not get their act together before those 3-4 months before they take their journeyman's test and do their correspondence studies. We would be unrealistic in thinking they were going to do it for 142 hours per year. I have my doubts. I'm going to backup a little bit. My company has apprentices scattered from Wahpeton to Wilton. I

would like to have in house training. Due to distance constraints and other constraints I can not do this. But if other contractors in my area can get together and provide classroom training in Valley City, Jamestown, and Wahpeton, then my apprentices will get the training they need. I cannot do this alone. If I could have done it alone, it would be done. I have a problem with that. Addressing the cost of training, I heard it was \$1,800 for four years. The cost per year for classroom training is about \$1,000 a year. That will cost about \$2,000. That is going to be an additional cost of about 50 cents an hour. Somehow I have not noticed any amount of government appropriations or any amount of money being applied to this bill to help pay for this. Everyone is assuming that this is directly going to go somewhere. Somebody has got to pay for it. In other words if it's the apprentice, whether it's the contractor.

Rep. Boehning: I know in Fargo they are having a tough time finding apprentices. Do you think this is going to hinder this program?

Wyatt Zahn: I'm glad you asked that question. I do have some concern about the people that are willing to train. It's not a real large concern. My bigger concern is what is going to happen in the years 2012-2013. We are going to have a shortage if these people can't pass their tests.

Rep. Haas: Is there any more testimony in favor of HB 1218? Is there any opposition?

David Kemnitz: *When I've heard this and thought about this, is that I think there needs to be some additional thought put into Lines 11-14. In the first instance my background and working, I think the bill is not conformed to proper drafting. In that line 11 after the word 'years', there should be additional commas. This should have its own subsection. We are talking about subsection 2 of journeyman electricians. Then we move to the apprenticeship qualifications which really don't fit there. That may be something that is confusing the issue on the opposition and performance at this time. I want you to remember that I understand the trade. I went to NDSCS. I understand that this it not just about what I do and how much I earn. It's about the*

National Electrical Code. It is there for a reason. It produces safety which we have to adhere to in our instruction and in our application and mechanical sounds installations. Its safety for the public, its safety for the installer, its safety for the maintenance, its safety for the consumer, and I mean that people that people who plug something into an outlet won't be electrocuted. Training is absolutely essential. Indication of what that code does and how it applies to everyone. In the end the National Fire Protection Association helps reduce insurance rates in your community. Without that code applied to this application, your fire rates and insurance will go up. The vital part comes now to this. In the newest language from 11 in addition down to line 14, the word on line 14 after department of labor (comma), it says 'or other training approved by the board'. As an electrician, as I watch other people working in the field and learning about it, the 'or' is particularly a problem. How is the 'or' applied then when the Electrical Board goes about proving this training that is in lewd of the Bureau of Apprenticeship and Training. Because 'or' says that, how do you know that the board had someone at the hearing that describes what 'or' did. Can we come to the table and say 'or' mean this. It doesn't diminish the meaning of the Bureau of Apprenticeship and Training standards which I went through. Without those standards, I work in different parts of the nation under different contractors with different affiliations. I can tell you that there were instances in which when I wasn't protected, and my life was endanger, and I could decide. I know from experience that the 'or' can make a big difference in everyone's life. It's not about electrical. Let's say that you had something to do with scaffolding and you have to have 8,000 hours of scaffolding in order to go onto a powerhouse and do scaffolding there. Thousands of people cross your path, or go down to downtown Bismarck where people were underneath you. 8,000 hours of training is bamboo in wrap. If you apply that standard form without the qualifications of a BAT and other

applicable knowledge in understanding of what scaffolding does, you have a problem. For someone coming into this stage of 8,000 hours of training. Standards are very important.

Bill Bruner: *I have taught apprenticeship training for 17 years. I think the idea of education is great. The only problem that I have with it is the idea of the Bureau of Apprenticeship Training does have standards. The national program has been here since 1937. I believe that any program that the state requires that an apprenticeship registers through, I don't think should be approved by the Bureau of Apprenticeship Training. They shouldn't have the leeway of the board. I'm a nice guy. Maybe my son in law wants to be an electrician. I would get him to bypass that rule. We don't want that. There are only about half the states in the union have licenses. For instance, the way it reads here is after October 1, 2007 in order to take a test in ND you have to register through an approved training program. If I worked in TN where they have no licensing, I could work for 16,000 or 8 years, under this agreement I could come to ND and write the test. There is an issue with the idea of coming from outside the state that has no licensing group. From that standpoint how can they ever come into our state without having to have a registered license? If they went through the BAT program they would already be involved with that.*

Rep. Haas: Are there questions? Is there any additional testimony to HB 1218?

Bob Wolf: *I just have a couple extra points that I want to make. Some of the concerns then from my organization are about training. All my employees go through apprenticeships. We recruit out of Tech schools. They do a fine job and they are some of our best candidates. What we find is that not all these people are interested in going to school after they are done with the NDSCS. They feel that they can go out, study on their own, perform, and get through this test. We are in complete agreement with education. We've been doing this since 1961. The thing of it is, is how are we going to enforce these kids to go to school? They aren't going to go to*

school if they don't choose to go to school. There are three programs already operating in the state. They have a choice and they make that choice. They either come to our apprenticeship program, they can go to the IC program, or they can continue on in some other fashion. They are the ones that are making that choice currently. Are we to impose that they are to do that? I'm concerned that our organization is concerned that training is the most important thing. But to force that, I see some problems. This is going to cost someone some money. Our training program is funded from our own organizations. But if you start asking the apprentice to start paying for his apprenticeship and make him do that. If he can't pay for that training he doesn't get it. You force them to go to one of the schools, pay for the training. Well the contractors pay for the training, and in that case the board approved type of apprenticeship programs are basically going to raise the costs of this. You are going to have to increase certificate fees to pay for the oversight of these boards, or by the cost passed on to the customer. It is their choice to have those people. Allowing the board to oversee and approve, I think we are going to end up with a duplication of government services. BAT has been doing this since 1937. They oversee, they approve, and they tell us what we need to do and how our programs are supposed to be run. The state board at this time, I don't know if they have the resources to oversee and approve the apprenticeship training. They can approve the programs but who is actually going to assure that the training is actually taking place. I guess that is our concern.

Rep. Haas: If all of the necessary training is already out there, why do we have about a 50% failure rate on the journeyman test?

Bob Wolf: That is a very good point. I think what it comes back down to choice. The kids that are going out there and working and not following through with any other education, they aren't qualified. That means they aren't passing. They have made the choice to not pursue any further education.

Rep. Karls: Who pays for the program that you teach?

Bob Wolf: Through negotiated contributions between the members and the contractors.

Rep. Karls: Is that cost not passed along?

Bob Wolf: Currently, it is, yes. But that cost has already been a part of this industry since 1960. We've been doing this since 1960. That cost is already there.

Rep. Haas: Is there any additional questions for Bob? Thank you. Is there any additional testimony in opposition of 1218. If not we will close the hearing on HB 1218.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1218

House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Hearing Date: February 8, 2006

Recorder Job Number: 3136

Committee Clerk Signature

Morgan Penick

Minutes:

Rep. Haas: We are going to take up HB 12168. The people working on this bill were Rep. Boehning, Rep. Froseth, and Rep. Wolf. So I will give the floor to Rep. Froseth.

Rep. Froseth: We are passing out amendments and another handout. I just received this amendment about two minutes ago so I haven't had time to really look it over. I think it does what our sub committee agreed on yesterday. Page 1 line 9 puts it in legislative form of qualifications of a journeyman, and the effective date of August 1, 2007 was in the original bill. On page 1 line 11 the effective date again says they must start additional training. Number 2 says to include the two year college and their schooling and training and addresses reciprocity with other states. Number 3 is an addition that apprentices without the schooling can get a journeyman's license after 16,000 hours of work experience. We have people in the room that can fully describe what they do in further detail. The handout from the State College of Science says the two year college will recognize it on the job training program and share the cost of that training and education. I will add that these amendments aren't totally acceptable by both parties so there may be further discussion between now and the Senate hearing. I guess with that I would approve the amendment and get us in the negotiation and hope they can come together. At this point I would recommend that we adopt these amendments and keep this bill

in the process because it is still a work in progress. We have done as much as we can in this committee to accomplish what the end goal is. In the long run I feel that it would be a benefit in the apprentice program so they can advance themselves to the point where they can earn higher wages and take on responsibility and eventually accomplish this license.

Rep. Froseth: I would move to adopt this amendment.

Rep. Boehning: I Second that.

Rep. Haas: Is there any discussion?

Rep. Weiler: Did you say that the two parties are not in agreement?

Rep. Froseth: Yes, that was my opinion when we ended our sub committee work.

Rep. Weiler: Number 3 on the amendment talks about completing 16,000 hours. Is that more stringent than the original bill? In other words would this subsection number 3 of 16,000 hours take the two sides further apart from the original bill?

Rep. Froseth: The way I understand it is the 16,000 hours would be the equivalent of a two year degree from a 2 year school plus the 8,000 hours of work that is included in subsection 1.

Rep. Haas: I think it is also important to note that there are three options here. You don't have to do all three of them. It is a must that you must complete at least one of the three.

Rep. Froseth: The 16,000 hours is for that apprentice that does not want to go to college. He wants to get his training and work experience on the job.

Rep. Wolf: I am not in favor of the amendment and I want to let you know why. The bill was presented to us in a way to increase the passage of the test. They want to force them to go to school so they can increase the passage. What number 3 does is now requires them to be an apprentice for 8 years if they choose not to go to school, which will then allow contractors to pay them a less wage not just four years but now until 8. I don't feel that is fair and that is what

we are doing. We are saying now that since you are not going to go to school, we are giving them an out.

Rep. Haas: Do you think that those electricians would program themselves for that length of time for a lower wage? I think that is very unlikely.

Rep. Boehning: I have talked to some electrical contractors and they want to get the apprentices in the program and get them out and make them journeyman as fast as they can. They don't need apprentices; they need journeymen electricians out there. They need them that are trained. Also it allows people at your age that are semi retired to go into the field and work part time as well. If you want to work part time you would have to sign up for all these apprenticeships. As long as I was in the construction field I have never really seen older people working in the electrical field.

Rep. Haas: I think he is talking about me because I actually had a job in December as an apprentice electrician and I was starting out. So I'm going to have to take one of these options. What Rep. Boehning is saying is that the goal of the industry is to provide training and to get these apprentices educated to the point where they can pass the test and become journeyman as quickly as possible. It was also my understanding that the 16,000 hours was also there for another reason and that was for electricians that might be coming in from out of state that had other requirements. So we were making a substitution there so they could come into the state and work if they hadn't met one of these requirements.

Rep. Wolf: What happens when you have a contractor who has a son who he has trained and worked with his dad since he was 10 or 12. He doesn't want to go to school because he feels he is qualified to take the test. He is being punished because he does not want to go to school. He has worked in this industry forever. He doesn't want to go to school, he worked with his dad

side by side. The one that picks this up and doesn't want to go to school is being punished by this as well.

Rep. Haas: In that situation wouldn't Number 1 take precedent?

Rep. Wolf: No because he didn't go through apprenticeship training, and they didn't go to Wahpeton but they worked in the industry forever. That is where I worry about this.

Rep. Froseth: I asked the question if you can take your 8,000 hours and do that in 3 years time. I asked a question that for 16,000 you can do that in six years and I was told you could if you wanted to work that many hours in 3 years. Also, I think it encourages that apprentice to take the training necessary to advance himself. If he gets the adequate training while he is on the job and advances himself to the point where he can take that journeyman's license test and hopefully pass it.

Rep. Weiler: Just a comment, the way it was explained earlier is that 1,2, and 3 are options. If you choose not to go to college, than that is your choice so I don't have a problem with that.

Rep. Potter: Was it discussed with your committee how they got 16,000 hours instead of 12 or 14,000? What is magical about 16,000?

Rep. Froseth: It is ones that are doing that presently that came up with that number.

Rep. Wolf: The states that surround ND don't have this requirement, they have 8,000. So are we now going to kick our kids out of the state to do their training. You can do 8,000 in MT, MN, and SD, or do 16,000 here. They can do 8,000 hours in ND if they go to school, if they don't they have to do the 16,000.

Rep. Haas: Number 1 doesn't require going to a two year school.

Rep. Wolf: If they choose not to continue the apprenticeship training and not to go to school they can go to our surrounding states and do 8,000 hours.

Rep. Boehning: I think the whole point of these amendments in the bill is that we got electricians out there that are failing tests and not up to speed on what is happening in the electrical industry. People are taking these tests, coming back three months later and retaking them. I think we have got to give them some education and knowledge before they take their tests.

Rep. Weiler: As I look at this, I look at it if we don't have the 16,000 hours in number 3, and that is down to 8 than why would you complete the apprenticeship and the hours versus just doing the 8,000 hours. So number 3, if you don't complete apprenticeship and don't go to school, you need to serve more hours than if you do Number 1.

Rep. Karls: The whole point of this bill is education. I don't see anything wrong with education.

Rep. Schneider: You can only push people so far to do what they want to do and I don't know if it's a lack of education as to why they are failing exams. I don't know if forcing these young kids to take correspondence courses or more class knowledge will help them out. It is hard to find electricians. I don't know if we want to make the requirements that much harder.

Rep. Kasper: You have to remember that these electricians are wiring the houses that people live in. The idea of passing the exam is that so we have safe workers doing the electrical wiring in our state. If they can't pass the exam then they should find another profession.

Rep. Schneider: I had asked if this bill was just for more people to pass the test, or for safety, and the answer was just to pass the test. There have never been any incidents of safety. I don't know if people are generally concerned because there are people who inspect the work. I don't think you want to make restrictions higher.

Rep. Haas: These were major players from the industry who were asking for more education from their apprentices.

Rep. Wolf: In North Dakota you can wire your own house.

Rep. Froseth: I call for a question.

Rep. Haas: All in favor say 'aye' opposed say 'no'.

Rep. Boehning: I move a do pass as amended.

Rep. Grande: I second that

Rep. Haas: Is there any further discussion? IF not we will take a roll call vote on a do pass as amended for HB 1218. The motion passes 10-3-0. Is there a volunteer to carry this bill?

Rep. Boehning: I will.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1218

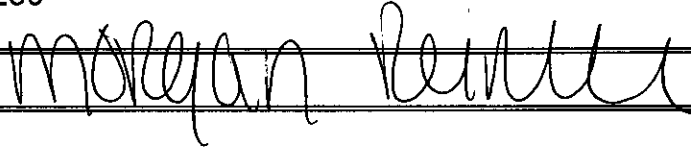
House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Hearing Date: February 8, 2007

Recorder Job Number: 3230

Committee Clerk Signature



Minutes:

Rep. Froseth: I would move that we reconsider our action.

Rep. Weiler: I second that.

Rep. Froseth: I apologize for this. I took the amendment up to the legislative council yesterday afternoon and John Walstad drafted this bill and he was busy so I talked to another person in the council and they said they would take care of it. Then after John Walstad saw the amendment he realized there wasn't an explanation on the effective dates, so he went ahead and drafted the amendment the way it should read. The only difference in this amendment from the one we passed earlier is that the date has an explanation now. It was just an oversight by legislative council, and this clarifies it.

Rep. Grande: I move the amendment.

Rep. Weiler: I second that.

Rep. Haas: Is there any discussion on the amendment? If not, all in favor say 'aye' opposed say 'no'. Amendment carries.

Rep. Haas: At this time we have the amended bill before us.

Rep. Dahl: I move a do pass as amended.

Rep. Karls: I second that.

Rep. Haas: Is there any discussion on the bill as amended? If not we will take a roll vote on HB 1218. A do pass as amended passes with a vote of 9-4-0. Is there a volunteer to carry this bill?

Rep. Boehning: I will.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1218

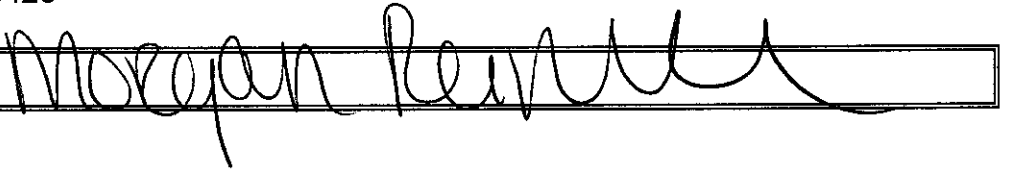
House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Hearing Date: February 13, 2007

Recorder Job Number: 3426

Committee Clerk Signature



Minutes:

Rep. Haas: I don't want to continue the debate. You have three options in this amendment. The 16,000 hours is an option. Do we simply want to say that no you can't have that option that you have to do one or the other?

Rep. Weiler: Why don't you do 8,000 hours and take the test or school?

Rep. Kasper: I would say that some people might need the income, can't afford to take the year off of school.

Rep. Haas: But in most cases if they are working they don't take that long. This is evenings, weekends, computer training. They can do it while they work.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1218

Page 1, line 9, overstrike "Journeyman" and insert immediately thereafter "An applicant for licensure as a journeyman", overstrike the comma, and after "~~years~~" insert "must have:

a. Effective August 1, 2007, completed"

Page 1, line 11, replace "In addition, an apprentice electrician who" with:

"b. Effective February 1, 2008, completed at least one of the following:

- (1) Successfully completed apprenticeship training approved by the federal bureau of apprenticeship and training and completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment.
- (2) Successfully completed an appropriate course of study, which may not be less than two years or the equivalent of two years, at a board-approved institution of higher education and completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment. The board may determine equivalent hours of education that may be applied as a credit against the eight thousand hours' experience requirement under this paragraph.
- (3) Completed sixteen thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment."

Page 1, remove lines 12 through 14

Page 1, overstrike line 15

Renumber accordingly

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1218

Page 1, line 9, overstrike "Journeyman" and insert immediately thereafter "An applicant for licensure as a journeyman", overstrike the comma, and after "~~years~~" insert "must have:

- a. Effective for an applicant making an initial application with the board after July 31, 2007, completed"

Page 1, line 11, replace "In addition, an apprentice electrician who" with:

- "b. Effective for an applicant making an initial application with the board after January 31, 2008, completed at least one of the following:
 - (1) Successfully completed apprenticeship training approved by the federal bureau of apprenticeship and training and completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment.
 - (2) Successfully completed an appropriate course of study, which may not be less than two years or the equivalent of two years, at a board-approved institution of higher education and completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment. The board may determine equivalent hours of education that may be applied as a credit against the eight thousand hours' experience requirement under this paragraph.
 - (3) Completed sixteen thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment."

Page 1, remove lines 12 through 14

Page 1, overstrike line 15

Renumber accordingly

**House Amendments to HB 1218 (78237.0104) - Government and Veterans Affairs
Committee 02/08/2007**

Page 1, line 9, overstrike "Journeyman" and insert immediately thereafter "An applicant for licensure as a journeyman", overstrike the comma, and after "~~years~~" insert "must have:

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- (3) Completed sixteen thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment"

Page 1, remove lines 12 and 13

Page 1, line 14, remove "department of labor or other training approved by the board"

Page 1, overstrike line 15

Renumber accordingly

Date: 2-8-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number HB 1218

Action Taken move amendment

Motion Made By Rep. Froseth Seconded By Rep. Boehning

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman			Rep. Bill Amerman		
Rep. Bette Grande VC			Rep. Louise Potter		
Rep. Randy Boehning			Rep. Jasper Schneider		
Rep. Stacey Dahl			Rep. Lisa Wolf		
Rep. Glen Froseth					
Rep. Karen Karls					
Rep. Jim Kasper					
Rep. Lisa Meier					
Rep. Dave Weiler					

Total (Yes) _____ No _____

Absent _____

Floor Assignment Rep.

If the vote is on an amendment, briefly indicate intent:

Date: 2-8-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number HB 1218

Action Taken move amendment

Motion Made By Rep Grance Seconded By Rep Weiler

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman			Rep. Bill Amerman		
Rep. Bette Grande VC			Rep. Louise Potter		
Rep. Randy Boehning			Rep. Jasper Schneider		
Rep. Stacey Dahl			Rep. Lisa Wolf		
Rep. Glen Froseth					
Rep. Karen Karls					
Rep. Jim Kasper					
Rep. Lisa Meier					
Rep. Dave Weiler					

Total (Yes) _____ No _____

Absent _____

Floor Assignment Rep.

If the vote is on an amendment, briefly indicate intent:

Date: 2-8-07
Roll Call Vote #

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

HB 1218

Action Taken

DO pass as amended

Motion Made By

Rep Dahl

Seconded By

Rep Karls

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman	X		Rep. Bill Amerman		X
Rep. Bette Grande VC	X		Rep. Louise Potter		X
Rep. Randy Boehning	X		Rep. Jasper Schneider		X
Rep. Stacey Dahl	X		Rep. Lisa Wolf		X
Rep. Glen Froseth	X				
Rep. Karen Karls	X				
Rep. Jim Kasper	X				
Rep. Lisa Meier	X				
Rep. Dave Weiler	X				

Total (Yes)

9

No

4

Absent

0

Floor Assignment

Rep. Boehning

If the vote is on an amendment, briefly indicate intent:

Date: 2-8-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

HB 1218

Action Taken

Do pass as amended.

Motion Made By

Rep. Boehning

Seconded By

Rep. Grunewald

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman	X		Rep. Bill Amerman		X
Rep. Bette Grande VC	X		Rep. Louise Potter	X	
Rep. Randy Boehning	X		Rep. Jasper Schneider		X
Rep. Stacey Dahl	X		Rep. Lisa Wolf		X
Rep. Glen Froseth	X				
Rep. Karen Karls	X				
Rep. Jim Kasper	X				
Rep. Lisa Meier	X				
Rep. Dave Weiler	X				

Total (Yes)

10

No

3

Absent

0

Floor Assignment

Rep. Boehning

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1218: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1218 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "Journeyman" and insert immediately thereafter "An applicant for licensure as a journeyman", overstrike the comma, and after "years" insert "must have:

a. Effective August 1, 2007, completed"

Page 1, line 11, replace "In addition, an apprentice electrician who" with:

"b. Effective February 1, 2008, completed at least one of the following:

- (1) Successfully completed apprenticeship training approved by the federal bureau of apprenticeship and training and completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment.
- (2) Successfully completed an appropriate course of study, which may not be less than two years or the equivalent of two years, at a board-approved institution of higher education and completed eight thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment. The board may determine equivalent hours of education that may be applied as a credit against the eight thousand hours' experience requirement under this paragraph.
- (3) Completed sixteen thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment"

Page 1, remove lines 12 and 13

Page 1, line 14, remove "department of labor or other training approved by the board"

Page 1, overstrike line 15

Renumber accordingly

Date: 2/13/07
Roll Call Vote #:

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number HB 12K

Action Taken Reconsider

Motion Made By Rep Weiler Seconded By Rep Dahl

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman			Rep. Bill Amerman		
Rep. Bette Grande VC			Rep. Louise Potter		
Rep. Randy Boehning			Rep. Jasper Schneider		
Rep. Stacey Dahl			Rep. Lisa Wolf		
Rep. Glen Froseth					
Rep. Karen Karls					
Rep. Jim Kasper					
Rep. Lisa Meier					
Rep. Dave Weiler					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1218

Page 1, line 8, overstrike "Master" and insert immediately thereafter "For licensure as a master" and after the comma insert "an applicant must have completed"

Page 1, line 9, overstrike "Journeyman" and insert immediately thereafter "For licensure as a journeyman", overstrike the comma, and after "years" insert "an applicant must have:"

a. Completed

Page 1, line 11, replace "In addition, an apprentice electrician who" with:

"b. Effective for an applicant who registered with the board as an apprentice after January 31, 2008, completed at least one of the following:

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Page 1, overstrike line 15

Renumber accordingly

Date: 2/13/07
Roll Call Vote #:

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number HB 1218

Action Taken move amendment

Motion Made By Rep Froseth Seconded By Rep Boehning

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman			Rep. Bill Amerman		
Rep. Bette Grande VC			Rep. Louise Potter		
Rep. Randy Boehning			Rep. Jasper Schneider		
Rep. Stacey Dahl			Rep. Lisa Wolf		
Rep. Glen Froseth					
Rep. Karen Karls					
Rep. Jim Kasper					
Rep. Lisa Meier					
Rep. Dave Weiler					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2/13/07
Roll Call Vote #:]

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number HB 1218

Action Taken HB 1218 DO Pass as amended

Motion Made By Rep Froseth Seconded By Rep Dahl

Representatives	Yes	No	Representatives	Yes	No
Rep. C. B Haas Chairman	X		Rep. Bill Amerman		X
Rep. Bette Grande VC	X		Rep. Louise Potter		X
Rep. Randy Boehning	X		Rep. Jasper Schneider		X
Rep. Stacey Dahl	X		Rep. Lisa Wolf		X
Rep. Glen Froseth	X				
Rep. Karen Karls	X				
Rep. Jim Kasper	X				
Rep. Lisa Meier	X				
Rep. Dave Weiler	X				

Total (Yes) 9 No 4

Absent 0

Floor Assignment Rep. Boehning

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1218: Government and Veterans Affairs Committee (Rep. Haas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1218 was placed on the Sixth order on the calendar.

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Page 1, overstrike line 15

Renumber accordingly

2007 SENATE POLITICAL SUBDIVISIONS

HB 1218

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1218

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4741

Committee Clerk Signature



Minutes:

Chairman Cook called the Senate Political Subdivisions to order. All members (5) present.

Chairman Cook opened the hearing on HB 1218 relating to qualifications of electricians.

Representative Karls, District 35, Bismarck, ND, Consumer Representative on the State

Electrical Board introduced HB 1218. We license all electricians in the state and at some point we realized our apprentices were having more and more of a struggle to pass their exams to become a journeyman. Our Executive Director and Director of Inspections took surveys and discussed ways that we could help them out. We don't want the test easier, we want to help them learn as apprentices and go on. The overwhelming response was apprentices training for our apprentices over and above what they did on the job. We want to put this in the code and set up the program so that these classes are available to all our apprentices across the state.

Don Offerdahl, Executive Director of the North Dakota State Electrical Board, testified in support of HB 1218. (Attachment #1) (Amendment 1B)

Chairman Cook: I don't see anything in the bill that talks about a task reserve. Is that thru administrative rules?

Don Offerdahl: That is correct.

Chairman Cook: If you are in the military as an electrician and you retire from the military. What do you have to do to become a master electrician in North Dakota.

Don Offerdahl: Our board in continuation with other boards allow up to a year. You have to look at the situations. You have to take a look at the liability and make sure the people have knowledge of the code. It is not the same to be an electrician on a ship compared to the wiring of buildings.

Senator Hacker: What are the requirements for the union to change from an apprenticeship to a journey man? How many years and how many hours?

Don Offerdahl: Five years. It depends on each local.

Eugene Cross, President of North Dakota State Electrician Board and A Electrical Contractor in North Dakota testified in support of HB 1218. One responsibility of the State Electrical Board is proper licensing of electricians. We have three types of licensing, a master, journeyman and class B. A journeyman's license apprentice has to show eight thousand hours of experience under a licensed electrician before he can take the test. The training that each apprentice is supposed to be getting on the job is getting less each year with the demands of the construction industry. Each time an apprentice fails the test he will have to wait at least one to three months before he can take it again. The reason for the waiting period is so he can study and be prepared. When the electrical board makes a decision on an item we take into account all the electricians and contractors throughout the state. We don't look at one group against another, one item against another; we look at the whole situation.

Jerry Frey, Bismarck-Mandan Electrical Contractor's Association and electrical contractor, Bismarck, ND testified in support of the bill. (Attachment #2)

Senator Warner: Is there any way to cross train plumbers, electricians.

Jerry Frey: You would have to be a multi talented person to do all the trades and do them correctly. You would have to be a genius. The problem in most cases is the scheduling.

Senator Hacker: Do you require your guys to do the continue education units?

Jerry Frey: Yes, the State Electrical Board requires six hours of training per year by all electricians and journeymen. They also get in house training at my shop.

Chairman Cook: Is this going to make it more difficult for you as far a competing for people to go to work for you.

Jerry Frey: The competition is very strong out there for these types of blue collar workers in North Dakota. To be a carpenter all you have to do is get a license from the Secretary of State.

Robert Wolf, Training Director for the Dakota JATC Apprenticeship Program. I have some insight into what it takes to train. We require a combination of both on the job training and academic training. It constitutes eight thousand hours of on the job training along with nine hundred hours of class room training. Along with that class room training comes not only the theory and the code but all aspects that we can teach these young men and women in our apprenticeship program how to be very successful electricians in the technical trade. You need to educate people academically to get them to think. With the sixteen thousand hour amendment taken off I think it will benefit the citizens and the state of North Dakota. The sixteen thousand hour amendment makes it harder for a person to become an electrician in the state.

Wyatt Zaun, President of the North Dakota Electrical Contractors Association, testified in support of HB 1218. (Attachment #3)

Chairman Cook: What can you do with a Class B License?

Wyatt Zaun: Class B is a rural, agriculture, residential only. Not allowed to work in communities over 2500 people. Not allowed to work in any commercial communities.

Tom Tupa, represents National Electrical Contractors Association. We are one of the organizations that were not happy with this bill originally. However there were a number of amendments put on and we had meetings back and forth. Our organization said if we can take out paragraph number three, we could support the bill.

Renee Pfenning, North Dakota Electrical Workers Council appeared in support of the bill with the amendment offered by the State Electrical Board. We were one of the other groups that was opposed to the original bill.

Lyle Wergeland, Electrical Contractor, Bismarck, ND, was here today to speak to HB 1218
(Attachment #4)

Russ Karlgaard, ND State College of Wahpeton, ND testified in support of HB 1218.
(Attachment #5)

Brady Larson, ND Registered Apprentice Electricians, appeared in opposition of HB 1218.
(Attachment #6)

Senator Olafson: I am a farmer/rancher. If we pass this bill what effect will this have on me five years down the road? How will this change the bill?

Brady Larson: I feel you will be forced to hire an electrician from further away.

Scott Porsborg, North Dakota Secretary of Electrical Board, answered some questions. 43-09-11 deals with qualification for applications for licensure. Essentially what it means to take out the class B qualification of the bill is after the effective date of this bill we will no longer be taking applications for a Class B.

No further testimony.

Chairman Cook closed the hearing on HB 1218.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1218

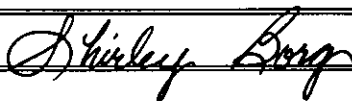
Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: March 22, 2007

Recorder Job Number: 5444 (Committee Work)

Committee Clerk Signature



Minutes:

Chairman Cook called the Senate Political Subdivisions Committee to order. All members (5) present.

Senator Anderson: this is the electrical bill regarding the number of hours or schooling that is necessary for becoming a journeyman electrician after taking a test. We have heard quite a bit of testimony regarding the last qualification which would also allow without schooling, sixteen thousand hours of experience in installing and repairing electrical wiring apparatus and equipment. I would like to offer an amendment to remove that section which is lines four and five on the second page. (Attachment #1)

Senator Anderson moved the amendment.

Senator Warner seconded the motion.

Discussion:

Chairman Cook: We had testimony from a contractor who wanted to keep the 16,000 hours. Has he reconsidered that thought?

Senator Anderson: He was OK with it.

Senator Hacker: This is to much progressive change for me. Currently in the bill we are going from eight thousand to sixteen thousand, which is doubling the qualification, essentially

doubling the amount of years it would take to get your license. Now we are going to remove that part. I know there are two industries that survive off of sub section 1 and 2b and of course they would want every single electrician that would have to go to one of their two educational requirement courses.

Senator Warner: I don't believe the degree of class room education is really the only way to make sure they are getting a variety.

Senator Anderson: I believe the testimony was without the schooling up front that when they do take the test it is fewer than fifty percent that pass. It is around ninety percent that take the schooling.

Chairman Cook: I think what is happening with a lot of these people who want to go on and become journeyman electricians, they put their time here and a lot of them will eventually become journey electricians in the state of North Dakota but we also have many of them who leave the state before they even worry about taking the test and go some where else and become a master electrician as soon as they get there in another state. That is because its easier in other states.

Voice Roll Call Vote: Yes 4 and No 1 Motion carries 4 to 1.

Chairman Cook: we will set HB 1218 aside.

Chairman Cook adjourned the on HB 1218.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1218

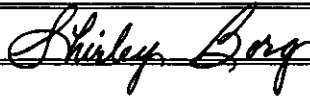
Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: March 23, 2007

Recorder Job Number: 5506 and 5528 (Action)

Committee Clerk Signature



Minutes:

Chairman Cook called the committee to order. All members (5) present.

Chairman Cook asked the committee to go to HB 1218. We amended it yesterday and took out the sixteen thousand hour requirement. We have the bill before us.

Senator Anderson moved a Do Pass as Amended.

Senator Olafson seconded the motion.

Discussion:

Senator Hacker: I have significant concerns over this entire bill now with out the exemption.

What we have done now is require all the electricians in the state of North Dakota to go to school. We already have a shortage of electricians in the State of North Dakota. If this is going to increase even the slightest additional shortage, I don't think this is the right path to go down. I am not going to support the bill.

Chairman Cook: I think the apprentices are having trouble passing the journeyman's exam. I don't know if this will solve that problem or not.

Senator Olafson: I spoke to one of the largest electrical contractors back in my area and he was supportive of the bill. He doesn't have problems getting qualified people and he made the comment that he thought this bill would create a situation where electricians would be better

educated and better electricians in the end. Based on my conversation with him, I will be supporting the bill.

Chairman Cook: Committee would you be against putting a study resolution on here that actually studies the qualifications of electricians in other states that we have reciprocal agreements with to study the way the restrictions are arrived at.

Senator Olafson: I would have no objections.

Senator Warner: I think that would be a good idea.

Senator Hacker: Who is going to be at the table?

Chairman Cook: It would be a legislative study.

Chairman Cook: We have a motion for a Do Pass, should we table the motion or withhold it and get a study drafted, to be added on to that.

Senator Anderson: This would be added on to the amendment, right. That would be fine with me.

Senator Anderson: I have one comment. With do respect, there were people from the state electrical board who have been at this for a long long time and they really feel there is a necessity for some training and I will have to go along with them. I think it is the right thing to do with the safety issue where electrical wiring is concerned.

Chairman Cook: I certainly am not going to argue with that. But I think we have two issues, we want electricians who are trained and who know what they are doing, so that the work that they do is safe and we also have contractors who need to hire trained electricians and we need trained electricians available to do the work. We kind of have two levels out here, one in the state of North Dakota which sets the bar quite high and then we have the majority of the states that have the bar set lower than that. I have contractors tell me that they don't wait; they leave the state and become a master electrician just like that. The whole purpose of the study

would be to find out to what degree that is going on and are we too far or are the other states not far enough.

Senator Hacker: I agree with the educational requirement, it would probably be a great thing, but yesterday when we moved to amend this bill, this bill came in with the sixteen thousand hour requirement and was adjusted to that and the state electrical board came in and was very supportive of that.

Chairman Cook adjourned the committee and will get the study report drawn up.

HB 1218 Recorder # 5528 March 23, 2007

Chairman Cook called the committee to order.

Chairman Cook: We have before us HB 1218 with amendments for a council study.

Senator Hacker moved the study amendment

Senator Olafson seconded the motion.

Voice Vote: All members in favor 4 Yes 0 No 1 Absent Motion carried.

Chairman Cook handed out another amendment to think about.

Don Offerdahl, Executive Director of the North Dakota State Electrical Board explained the amendment saying the Class B license is a dead end license. They have had two people apply for a class B license in the last five years.

Senator Hacker moved the amendments.

Senator Olafson seconded the motion.

Voice Vote: all members in favor 5 Yes 0 No 0 Absent Motion carried

Chairman Cook: We have before us HB 1218.

Senator Anderson took his motion off table and moved a Do Pass as Amended

Senator Olafson seconded the motion.

Discussion;

Roll call vote: Yes 3 No 2 Absent 0

Carrier: **Senator Anderson**

78237.0201
Title.

AA: #1
Prepared by the Legislative Council staff for
Senator Anderson
March 22, 2007

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1218

Page 2, remove lines 4 and 5

Renumber accordingly

Date:
Roll Call Vote #:

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1218

Senate	Political Subdivisions	Committee
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☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendment # 1

Motion Made By Senator Anderson Seconded By Senator Warner

[illegible]

Total **Yes** 4 **No** 1

Absent 12

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Proposed Amendment to Engrossed House Bill 1218
-prepared for Sen. Cook
March 23, 2007

Page 2, remove the overstrike over line 6

Renumber accordingly

Proposed Amendment to Engrossed House Bill 1218
-prepared for Sen. Cook
March 23, 2007

Page 2, after line 6, insert:

SECTION 2. LEGISLATIVE COUNCIL STUDY - LICENSURE OF ELECTRICIANS. The legislative council shall consider studying, during the 2007-08 interim, the licensure, training, and classroom education requirements for electricians in this state; reciprocity agreements with other states and the effect of those agreements on standards in this state; and the effect of the licensure, training, classroom education requirements and reciprocity agreements on the availability of qualified electricians in North Dakota. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly.

Renumber accordingly

Roll Call Vote #: 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1218

Senate	Political Subdivisions	Committee
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☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendment # 2

Motion Made By Senator Hacker Seconded By Senator Olafson

[illegible]

Total **Yes** 4 **No** 0

Absent

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

March 23, 2007

JB
3-23-07

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1218

Page 1, line 2, after "electricians" insert "; and to provide for a legislative council study"

Page 2, remove lines 4 and 5

Page 2, line 6, remove the overstrike over "3-", after "Class" insert "For licensure as a class", and remove the overstrike over "~~B-electrician, eighteen months' experience in farmstead or residential wiring.~~"

Page 2, after line 6, insert:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - LICENSURE OF ELECTRICIANS. The legislative council shall consider studying, during the 2007-08 interim, the licensure, training, and classroom education requirements for electricians in this state; reciprocity agreements with other states and the effect of those agreements on standards in this state; and the effect of the licensure, training, classroom education requirements, and reciprocity agreements on the availability of qualified electricians in North Dakota. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Renumber accordingly

Date: 3-23-07
Roll Call Vote #: 3

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1218

Senate	Political Subdivisions	Committee
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☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Moved Amcard mnt #3

Motion Made By Senator Hacker Seconded By Senator Olafson

[illegible]

Total Yes 5 No 0

Absent _____

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 3.23.07
Roll Call Vote #: 4

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1218

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Senator Anderson Seconded By Senator Olafson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman		X	Senator Arden C. Anderson	X	
Senator Curtis Olafson, ViceChair	X		Senator John M. Warner	X	
Senator Nicholas P. Hacker		X			

Total Yes 3 No 2

Absent 0

Floor Assignment Senator Anderson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1218, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1218
was placed on the Sixth order on the calendar.

Page 1, line 2, after "electricians" insert "; and to provide for a legislative council study"

Page 2, remove lines 4 and 5

Page 2, line 6, remove the overstrike over "3.", after "Class" insert "For licensure as a class",
and remove the overstrike over "~~B electrician, eighteen months' experience in
farmstead or residential wiring.~~"

Page 2, after line 6, insert:

**"SECTION 2. LEGISLATIVE COUNCIL STUDY - LICENSURE OF
ELECTRICIANS.** The legislative council shall consider studying, during the 2007-08
interim, the licensure, training, and classroom education requirements for electricians in
this state; reciprocity agreements with other states and the effect of those agreements
on standards in this state; and the effect of the licensure, training, classroom education
requirements, and reciprocity agreements on the availability of qualified electricians in
North Dakota. The legislative council shall report its findings and recommendations,
together with any legislation required to implement the recommendations, to the
sixty-first legislative assembly."

Renumber accordingly

2007 TESTIMONY

HB 1218

Chairman Haas and other Government Affairs Committee Members:

My name is Eugene Cross. I am President of the North Dakota State Electrical Board and an electrical contractor in the State of North Dakota. I have noticed a concern in the Apprentices passing the Journeyman test. One of the responsibilities of the NDSEB is proper licensing of electricians. We have three types of licenses - Master, Journeyman and Class B. To receive a Journeyman license, an Apprentice has to show four years of experience under a licensed electrician before he can take the Journeyman test.

In comparing exams of other states, we have seen a decline in apprentices passing the test. We do see the monthly results at our bi-monthly meeting. If you have any questions about the testing process, you can direct them to Don Offerdahl, Executive Director of the State Electrical Board.

The training that each apprentice is supposed to be getting on the job is getting less each year with the demands on the construction industry. Each time an apprentice fails the test; he will have to wait at least three months before he can take it again, and if he fails again the time is doubled. The reason for the waiting period is that he can gain more practical experience and study to be better prepared.

This is costly to the apprentice as he misses a day of work, the cost of the test, and to the contractor who is counting on that apprentice getting his license and being able to send him on jobs without supervision.

This past year at the NDSEB sponsored CEU classes there were 7 sites throughout the state. At those sites a questionnaire was handed out to all licensed electricians in attendance. One of the questions was do you favor apprentice training and the ratio in favor was 4-1.

Electrical inspectors and contractors in ND have seen the work the new journeymen are doing and they suggested that apprentice training is needed.

North Dakota belongs to a Multi-State licensing group that recognizes like licensing. This allows a reciprocal licensee to work in that state or in North Dakota. There are 17 states in that group. Over half of that group requires apprentice training.

The NDSEB is asking for 144 hours of training per year or 576 hours total before they can take the journeyman test along with 8000 hours already required. The training will also be Bureau of Apprentice approved (BAT).

There are many different avenues that an apprentice can receive the training and those people are also here to give their insight to our proposal.

In closing, when the NDSEB makes a decision on an item, we take into account all the electricians and contractors of the whole state. We do not look at any one group or organization differently than the other. When you have a 4-1 ratio of electricians throughout the state that favor apprentice training, the NDSEB is responding.

I ask for your support in this Bill. Thank you.

43-09-11. Qualifications as to experience.

An applicant for an electrician's license must have the following experience:

1. Master electrician, one year's experience as a licensed journeyman electrician.
2. Journeyman electrician, four years' experience in installing and repairing electrical wiring, apparatus, and equipment.
3. Class B electrician, eighteen months' experience in farmstead or residential wiring.

Source. S.L. 1917, ch. 118, § 4; 1919, ch. 123, § 4; 1925 Supp., § 578b4; S.L. 1927, ch. 139, § 1; 1941, ch. 227, § 4; R.C. 1943, § 43-0911; S.L. 1949, ch. 287, § 5; 1955, ch. 282, § 5; 1957 Supp., § 43-0911; S.L. 1967, ch. 347, § 5.

43-09-12. Examination — Requirements.

Each applicant for an electrician's license shall pay the examination fee and shall take an oath and submit written evidence that the applicant has had the required experience. If a partnership, corporation, or limited liability company applies for a license, an officer or manager thereof shall make the application and take the oath and submit evidence as to experience.

Source. S.L. 1917, ch. 118, § 4; 1919, ch. 123, § 4; 1925 Supp., § 578b4; S.L. 1927, ch. 139, § 1; 1941, ch. 227, § 4; R.C. 1943, § 43-0912; S.L. 1993, ch. 54, § 106.

Chairman Haas and Other Government Affairs Committee Members:

My name is Don Offerdahl. I am the Executive Director of the North Dakota State Electrical Board.

I bring before you House Bill 1218. This Bill adds classroom apprenticeship training in addition to the four years of experience required now.

I am a graduate of the North Dakota State College of Science and presently sit on the Advisory Committee for the Electrical Technology Department. I completed the Dakota Area Wide Apprenticeship Training Program. I taught apprenticeship and journeyman training for the program in the Minot, North Dakota area, so I am very familiar with the type of training that is provided in the State of North Dakota.

We have changed the four years' of experience to 8,000 hours to benefit the apprentices that get in their 8,000 hours of practical experience before the four-year time limit. After four years of practical experience, the apprentices are allowed to take the Journeyman exam. This exam is the final test to show that the person has the necessary qualifications, training and technical knowledge to wire, install and repair electrical apparatus and equipment in accordance with the standards, rules and regulations of the National Electrical Code. Our past ratio, as well as other states, is around 55 to 60 percent. We do not keep track of scores from applicants that have attended apprenticeship training classes, but in visiting with the providers, they have indicated their ratio is significantly higher.

In the past five years, we have lost the ability to reciprocate Journeyman licenses with the States of Idaho and Oregon because we do not require classroom apprenticeship training. This is a concern for the North Dakota State Electrical Board. The Multi-State Reciprocal Licensing Group has reciprocal agreements with other states to make it easier for Journeyman electricians to reciprocate their license from one state to another without taking an exam. This Bill would rectify the situation with those states in addition to providing more knowledgeable electricians in the State of North Dakota. The Bill would have no effect with those apprentices already registered because of the August 1, 2007 effective date.

There are three providers of apprenticeship training in North Dakota and one in Minnesota that are approved by the Bureau of Apprenticeship Training, U.S. Department of Labor. The North Dakota State College of Science does provide online and correspondence courses with the State of Montana Apprenticeship Program to provide this service. The North Dakota State Electrical Board plans on doing business as it presently does now. We need the language of other training and amending into the Bill "qualifications" approved by the State Electrical Board.

This will give the Board the ability to promulgate rules through our administrative rules process as to what qualifications and training should be accepted from applicants from other states with 8,000 hours of other training, such as electrical technology and engineering schools.

I would ask you to support House Bill 1218. If you have any questions, I would be glad to answer them now.

NDSCS Related Study Program course delivery numbers:

<u>Date</u>	<u>Total Courses</u>	<u>MT Electrical Courses</u> (Fiscal)	<u>ND Electrical</u> (Calender)
2002	1263	474	9
2003	1547	561	13
2004	1661	640	12
2005	1362	544	10
2006	1505	585	7
2007 1/1 to 1/15/07	81	31	3



North Dakota State College of Science

College Outreach Division

800 N 6th St • Wahpeton ND 58076

800-342-4325 • 701-671-2206 • Fax 701-671-2171



The most important thing employers and employees can do is invest in human capital. Employers providing or supporting training and employees seeking and participating in training is a great human capital investment. Employee training results include: employee retention, increased productivity, increased competitiveness, quality workmanship, improved customer service, and improved workplace culture.

As attributed to various speakers and authors including Kathy Guy and Dr. Alan Zimmerman, "The only thing worse than training your staff and having them leave, is not training them and having them stay."

The North Dakota State College of Science is a comprehensive, associate degree granting college founded on the tradition of quality and training. We deliver learner-focused education through a unique and evolving collegiate experience. Using innovative delivery strategies, NDSCS anticipates and responds to statewide and regional needs by providing access to occupational/technical programs, transfer programs, and workforce training.

The primary responsibility of The North Dakota Workforce Training System is to address employee training. This is accomplished by visiting with businesses and industries, identifying their specific training needs, customizing or tailoring training to meet those needs, facilitating the training where and when needed, and providing follow through to determine the training effectiveness and future needs.

The primary purpose of the Related Study Program is to offer related study courses by the correspondence method (paper/pencil and electronic) to the "isolated" indentured apprentices and the "on the job" trainees who are not able to attend classroom training sessions because; travel is too great or no classes for his/her trade are offered at a time when he or she could attend, or no classes are available. Additionally, we are able to deliver where needed when needed by collaborating with The North Dakota Workforce Training System.

Related Study offers 15 electrical courses either paper/pencil or web based. Courses are approved by the Bureau of Apprenticeship Training and reflect industry requirements.

Potential training funding support:

The Job Service North Dakota Workforce 20/20 program is a training cost-reimbursement program available to employers, **facilitated by Job Service North Dakota**. Application for reimbursement must be submitted by the employer to a committee and approved prior to commencement of training.

Only specific types of training are eligible for reimbursement. Generally skill-upgrade training and new technology training are reimbursable. Entry level classes and soft skill training are generally not eligible.

Up to 50% of the cost of the training per ND resident (student) may be reimbursable.

I believe many apprentice classes will meet the guidelines.

There are other funding sources also available through Job Service North Dakota.

**The North Dakota
WORKFORCE TRAINING SYSTEM**





North Dakota State College of Science

College Outreach Division

800 N 6th St • Wahpeton ND 58076

800-342-4325 • 701-671-2206 • Fax 701-671-2171



Graduates of two-year Electrical Programs

The North Dakota State Electrical Board recognizes graduates of the NDSCS Electrical Program by granting them 2,000 of the required apprenticeship hours. I believe there is great value in the inclusion of formalized education along with the hands-on experience of labs and on-the-job training requirements. Benefits of formal education include consistency and relevance to the comprehensive needs of the electrical industry. There is no pigeon-holing or tunnel vision. A vast number of students also spend time when not in school participating in electrical industry co-ops or internships.

Programs of instruction cover virtually all areas included in the Journeyman's test. As the industry evolves and requirements change the college program changes through implementing input from industry advisory boards. The college is also open to accepting direction from the State Electrical Board.

The development of new credit courses may be accomplished in a very timely manner during specific times of the year. However, a more extensive amount of time may be required based on available subject matter experts. For credit based courses, faculty are the responsible subject matter experts, and curriculum must conform to accreditation standards. Faculty are extremely busy during the traditional school year. To design and develop quality programming is very demanding. During the summer months, faculty are generally more available.

Delivery methods (including hybrid) and class locations for both credit and non-credit classes (theory and labs) can be tailored or customized to meet the industry's needs. Much of the equipment used in the campus classes is constructed to be portable. Much of the equipment could be modified to be portable. Even though equipment is portable, the scheduling availability is limited. An investment would be required to build the capacity of the training resources.

By utilizing the combined resources of The North Dakota Workforce Training System, the Related Study Program, North Dakota State College of Science Electrical Department, and the potential funding support of state agencies, the investment by employers and employees in building a quality workforce will be minimized.

Again ... employee training results include: employee retention, increased productivity, increased competitiveness, quality workmanship, improved customer service, and improved workplace culture.

Vaclav Havel, former Czech President, Poet, and Dramatist said "Vision is not enough; it must be combined with venture. It is not enough to stare up the steps; we must step up the stairs".

Sincerely,

Dale Knutson
Dean of NDSCS College Outreach
Director of Workforce Training for the Southeast Region

**The North Dakota
WORKFORCE TRAINING SYSTEM**



Chairman Cook and Other Political Subdivision Committee Members:

My name is Don Offerdahl. I am the Executive Director of the North Dakota State Electrical Board.

House Bill 1218 gives apprentices three options in becoming a journeyman electrician.

First, subsection 2(b)(1) of the Bill allows them to obtain apprentice training which consists of 144 hours per year approved by the Bureau of Apprentice Training, United States Department of Labor. There are four of these training programs currently operating in North Dakota and neighboring states. These are the North Dakota State College of Science Outreach Program, the Independent Electrical Contractors, the Dakota Area Wide Joint Apprenticeship Training Committee and the Minnesota Electrical Association.

Subsection 2(b)(2) of the Bill applies to someone who has graduated from a two-year or more electrical school equivalent to the North Dakota State College of Science, Wahpeton, North Dakota; Moorhead State Community and Technical College, Moorhead, Minnesota and Northland Community and Technical College, East Grand Forks, Minnesota. The N.D. State College of Science currently offers these courses by correspondence and online to the States of Montana, Wyoming and Massachusetts.

We are providing an amendment to drop the 16,000 hour option as provided in subsection 2(b)(3) in order to agree with the opposition in the House.

From testimony, the Committee heard that when an apprentice went through apprenticeship classroom training the pass rate for the journeyman's exam was above 90 percent, where if the apprentice has not taken classroom training, the Board has concluded that the pass rate is less than 50 percent.

Based on the records of the State Electrical Board, there are 618 apprentices that are registered or have been registered. Of this number, 248 apprentices have been registered with the Board over five years. In a typical situation, four years is when most apprentices apply to take their journeyman exam. Only 47 of the 248 apprentices have applied to take the exam. Of the 618 apprentices, 370 apprentices have dropped their registration for one reason or another, but one wonders if they are frustrated or intimidated by the journeyman license exam.

Additional classroom training will benefit these apprentices by making them more confident in achieving their goal of becoming a journeyman electrician. The 16,000 hour requirement is needed to show the importance of getting apprentices into the classroom. In visiting with contractors that currently have an apprenticeship training program, they have determined that their firms are more attractive for new apprentices and trade school graduates entering the electrical industry.

House Bill 1218 also eliminates the Class B license, which has been determined to be an obsolete license. This would not affect the Class B electrician that currently holds a license.

I would ask you to support House Bill 1218. If you have any questions, I would be glad to answer them now.

1B
March 8
January 25, 2007

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1218

Page No. 2 - Line ⁵4 - subsection 3 delete "(3) Completed sixteen thousand hours' experience in installing and repairing electrical wiring, apparatus, and equipment."

Renumber accordingly



Att #2

phone: 701-223-6210
fax: 701-222-4532
3215 E. Broadway Avenue
P.O. Box 1158
Bismarck, ND 58502

Senate Politically Sub Division Committee
Chairman Dwight Cook

I'm Jerry Frey an electrical contractor in Bismarck, North Dakota. I also represent a group of electrical contractors known as the Bismarck-Mandan Electrical Contractor's Association.

At our semi-monthly meeting on February 13, 2007, we discussed in detail HB-1218 which entails electrical apprenticeship education and training.

We were happy to see the new verbiage included in the bill to either have 8,000 hours on the job training and classroom B.A.T training or the alternative of 16,000 hours on the job training for a registered apprentice electrician to qualify to take the journeyman's examination provided by the North Dakota State Electrical Board.

We feel that by giving the individual apprentice the choice of a weekly night or weekend class or to complete double the on the job training, it relieves the liability of the Master Electrical Contractor and the North Dakota State Electrical Board from policing their employees or the State Electrical inspectors of removing an apprentice electrician from a job site if he or she is not attending class or missing classes.

The "choice" keeps good, responsible individuals on job sites and keeps production flowing.

If the bill deletes the option of 16,000 hours on the job training, it puts a larger burden on rural electrical contractors to send their apprentice to required classes and ultimately limits the electrical contractor from recruiting apprentices. Already this job position in rural areas is very hard to fill.

Please consider the bill as written without changes. We in the North Dakota electrical industry have worked several years to provide the correct regulations on apprenticeship training and a lot of the electrical contractors and current apprentices feel we can all live and prosper by the bill in its entirety.

Also as electrical contractors, we compete heavily with plumbing and air conditioner and heating contractors for the same employees. By putting a classroom requirement, we would definitely lose out on a lot of good employees. Keep in mind; neither plumbers nor HVAC contractors require classroom education. HVAC also does not have testing requirements for journeymen or apprentices.

Thank you for reading this email. Please vote yes without amendments for HB-1218 in its entirety.

Sincerely,
Jerry Frey
President, Electric Systems, Inc.
Bismarck, ND

"Your Call Is Our Command!"

Commercial • Residential • Rural • Licensed • Bonded • Guaranteed Work



NORTH DAKOTA ELECTRICAL CONTRACTORS ASSOCIATION

P.O. Box 1158, Bismarck, ND 58502 (701) 667-2115

E-Mail: ndeca@email.com

March 8, 2007

Chairman Cook and other Political Sub-division Committee Members

My name is Wyatt Zaun and I am President of the North Dakota Electrical Contractors Association.

North Dakota Electrical Contractors Association is an association of Electrical Contractors formed to assist in meeting the needs of Electrical Contractors and our customers.

North Dakota Electrical Contractors Association supports Engrossed House Bill 1218.

As an association of Electrical Contractors, we feel the legislation proposed in House Bill 1218 is an example of the Electrical industry recognizing a need to improve our services to the public.

Journeyman electrical license Reciprocity agreements with other western states and a poor pass/fail ratio, of those apprentices who initially take their journeyman's test, has generated the need for House Bill 1218.

A number of the western states that North Dakota has Journeyman electrical license reciprocity agreements with are requiring apprentice training, and if North Dakota does not require apprentice training, some western states are becoming reluctant to reciprocate with North Dakota because they believe North Dakota is not requiring the same standards as they require. There are a number of journeyman electricians, who are North Dakota residents, who travel throughout the western states doing electrical work and need to be able to have their electrical licenses reciprocate.

At first thought, requiring apprentice training is a big step to trying to improve and the pass/fail ratio of apprentices taking their journeyman's test. If a person thinks the pass/fail ratio through, the problem is not the pass/fail ratio. The pass/fail ratio is an indication of the level of preparation of the apprentice before he takes the journeyman's test and is also an indication of the level of training a new journeyman has. Remember, an apprentice can only work under the direct supervision of a master or journeyman electrician. A journeyman electrician must work for a master electrician but does not need to be directly supervised.

House bill 1218 specifies two different ways an apprentice can be eligible to write his test for a journeyman's electrician's license. I will address each of these ways with comments:

Line 17 page 1 of Engrossed House Bill 1218 43-09-11.2.b. (1) requires completion of a Bureau of Apprentice training approved course and 8000 hours of on the job experience. This portion of the bill addresses those apprentices who have not completed a course of study at an institution of higher



NORTH DAKOTA ELECTRICAL CONTRACTORS ASSOCIATION

P.O. Box 1158, Bismarck, ND 58502 (701) 667-2115

E-Mail: ndeca@email.com

education in electrical studies. These apprentices need education in electrical theory and calculations that is hard to provide in an "on the job" setting. These individuals who are working as apprentices in the industry and are not graduates of an institution of higher education course of electrical studies are those who have the most problems passing their journeyman's electricians license test. North Dakota Electrical Contractors Association feels apprentices who are not graduates of an approved course of study at an institution of higher education must be required to complete an approved course of study.

Line 21 page 1 of Engrossed house bill 1218 43-09-11.2.b(2) requires completion of a two year course of study at a board approved institution of higher education and 8000 hours of on the job training with the board being able to approve equivalent hours of education that may be applied as credit against the 8000 hours of on the job training requirement. This portion of the bill recognizes the education that the apprentice has acquired in his two years course of study. North Dakota Contractors Association feels apprentices that have completed a two year course of study at a board approved institution of higher education has sufficient apprentice training and after completing his on the job experience requirements, should be eligible to apply to write his journeyman's test. Past history has shown that most graduates of a two year course of study have a high rate of passing their journeyman's test the first time.

Line 6 page 2 of Engrossed House Bill 1218 43-09-11.3 calls for the elimination of the Class B electricians license. North Dakota Contractors Association feels that the Class B Electricians license is an obsolete license and should be eliminated.

North Dakota Electrical Contractors Association feels that Engrossed House Bill 1218 is a well thought out bill and should be passed in its current format.

Wyatt Zaun

President
North Dakota Contractors Association

LYLE'S ELECTRIC

918 North 1st Street
Bismarck, ND, 58502
701-255-7483

Thank you Chairman Cook & Committee members for allowing me to address this committee. My name is Lyle Wergeland, I've been an electrician for over thirty years, the last seventeen of those years as an Electrical Contractor here in Bismarck and I am here today, to speak to you about HB 1218.

Outside of the current continuing education requirement for licensed electricians, HB1218 is the first positive regulation for electricians that I can remember. Being solely about education, it would benefit not only the apprentice electrician, but also the Journeyman electrician, the electrical contractor, the ND State Electrical Board, insurance companies, and consumers. Consumers being not only homeowners but also farmers, ranchers, business, industry, and government. Electricians would become more knowledgeable not only about codes but also about math and science, materials and products, and installation techniques. And with this knowledge, they would become more productive electricians performing safer/better installations.

Of course the apprentice electrician would benefit the most from this bill. Going through a structured learning program would be more likely to lead to higher test scores, than studying by yourself for four years and then taking the Journeyman test. I believe that a structured program would give apprentices the needed skills and confidence when they are eligible to take the test. I have worked with many people that didn't take the test immediately when they were eligible, some took the test later and some left the trade. I have even employed people that would not take the test when they could have, this was a very big disappointment to me.

Another area of concern is the effect this bill would have on rural areas. I personally believe that rural areas will also benefit from this bill. Education is of benefit, no matter where you live. In classroom training will be more difficult for rural areas that don't have enough students to have a class nearby. But I think that on-line courses will be the most popular, even in the cities

where classroom training is available. On-line programs are the cheapest and the most flexible, you can study anytime you can, and at your own pace.

But in any case, I have faith that the ND State Electrical Board would fix any problems through their administrative process. I urge you to act for all the electricians of this state by giving this bill a do pass recommendation, as has it been presented to you.

Chairman Cook and Committee members, again I thank you for allowing me to address this committee.

APPRENTICESHIP AND TRAINING PROGRAM

BIENNIAL REPORT FOR
2003 & 2004



SUBMITTED TO: GOVERNOR JUDY MARTZ

PREPARED BY:
THE APPRENTICESHIP TRAINING PROGRAM
WORKFORCE SERVICES DIVISION
MONTANA DEPARTMENT OF LABOR & INDUSTRY

The Economic Impact of Apprenticeship

Apprentices, unlike many people in learning situations, earn wages that contribute to the support of all levels of government and purchase goods and services in their communities. The apprentice's progressively increasing wages lead to good stable wages in skilled occupations. A well paid, trained and skilled labor force is the backbone of Montana's economy.

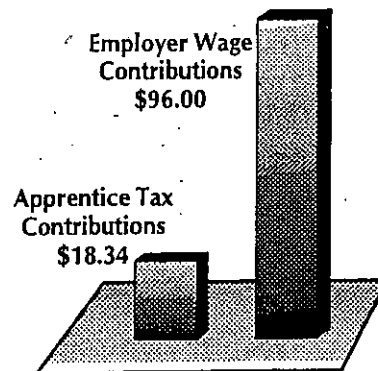
The State of Montana expended \$340,000.00 to support apprenticeship training during fiscal year 2003/2004. The program had *1084 apprentices registered as of June 30, 2004. In 2003-04 these apprentices earned an average hourly wage of \$16.33 per hour and an average gross annual wage of \$33,966.40.

Employers contributed approximately \$32,811,156.00 in gross wages to apprentices while the average apprentice contributed \$6,334.00 in income taxes to the state and federal economies.

Therefore, for every one (1) dollar the state invested in 2003/2004, in registered apprenticeship, employers paid \$96.00 in wages and the apprentice contributed \$18.34 in taxes. The estimated amount of taxes paid by Montana apprentices in 2003/2004 amounted to \$6,128,304.00.

* The survey did not include registered child care specialist apprentices due to the difference in the over all wage structure.

Exhibit #6



For every one state dollar invested returns \$18.34 in apprentice taxes and \$96.00 in employer contributed wages.

2004 Apprentice Retention Rate

The Montana Apprenticeship and Training Program in collaboration with the Research and Analysis Bureau, Department of Labor and Industry interfaced social security numbers of all Montana registered apprentices successfully completing apprenticeship programs, with Montana UI wage earning data and the results are as follows:

1. All apprentices successfully completing the program from 1997 to January of 2004 were used for the report. The report revealed that 1158 apprentices had graduated/completed Montana apprenticeship programs since 1997.
2. Historical data indicates that the completing apprentices worked in 48 to 55 different apprentice-able occupations, with an estimated 80% of all completing apprentices working in construction related occupations.
3. Historical data also indicates that out of all of the completing apprentices, an estimated average of 55% work as registered apprentices in independent employment, with 45% completing apprentices registered with union affiliation.
4. The report revealed that out of the 1158 apprentices completing the program since 1997, 984 or 85.2% were identified through UI (unemployment insurance) data collection as wage earners in Montana during the January 1, to December 31, 2003 fiscal year. All four quarters of the 2003 fiscal year reported employment in Montana ranging from a minimum of 83.9% to the high of 86.9% for completing Montana apprentices. The remaining 15.5% of completing apprentices are either not living in the state, are operating their own business or are not working (laid-off).
5. In summary, out of the 1158 apprentices successfully completing the program since 1997, 984 or 85.2% have been verified as still working, supporting local economies and contributing back to Montana at a journeymen wage level.



North Dakota State College of Science

800 Sixth St. N., Wahpeton, ND 58076-0002 • 1.800.342.4325

Related Study Program • Tech Center • Russ – ext. 3-2177 or Jan – ext. 3-2787
Fax: (701) 671-2772 • e-mail: Russell.Karlgaard@ndscs.nodak.edu

NORTH DAKOTA STATE COLLEGE OF SCIENCE RELATED STUDY PROGRAM

(Wyoming examples)

Examples for the cost of 144 hours or more of coursework per month for 1 year.

For example:

Noel Rader enrolled 8/31/06	EL-IE	112 hours	\$225.
Enrolled 1/2/07	EL-TR	<u>60 hours</u>	<u>\$215.</u>
		172 hour	\$440. ÷ 12 = \$36.67/month

YEAR 1	EL-MA	80 hours	\$185.
	EL-SY	<u>80 hours</u>	<u>\$215.</u>
		160 hours	\$400. ÷ 12 = \$33.33/month

YEAR 2	MA-TH	50 hours	\$170.
	EL-PP	<u>125 hours</u>	<u>\$225.</u>
		175 hours	\$395. ÷ 12 = \$32.92/month

YEAR 3	EL-NC	74 hours	\$195.
	EL-RE	<u>95 hours</u>	<u>\$230.</u>
		169 hours	\$425. ÷ 12 = \$35.42/month

YEAR 4	EL-JM	144 hours	\$195. ÷ 12 = \$16.25/month
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CORRESPONDENCE PRICE SHEET (Electrical options)

February 9, 2007

#	CODE	TEXTBOOK	EDITION	LESSONS	HOURS	PRICE
1.	SA-HT	SAFETY & HEALTH	2001	F 13	25	\$120.00
2.	IR-PP	INDUSTRIAL RIGGING	1998	F 8	20	\$155.00
3.	MA-TH	PRACTICAL MATH	2005	F 13	50	\$170.00
4.	EL-MA	MATH FOR ELECTRICIANS	2005	F 10	80	\$185.00
5.	EL-PP	ELEC. PRINCIPLES & PRACT. WORKBOOK	2003	F 26	125	\$225.00
6.	EL-SY	ELEC. SYSTEMS	2005	F 14	80	\$215.00
7.	EL-RE	ELEC. WIRING RESIDENTIAL	2005	F 18	95	\$230.00
8.	EL-CO	ELEC. WIRING COMMERCIAL	2005	F 10	65	\$225.00
9.	EL-IE	INDUSTRIAL ELEC.	2005	F 25	112	\$225.00
10.	EL-IN	ELEC. WIRING INDUSTRIAL	2005	F 6	65	\$210.00
11.	EL-MC	ELEC. MOTOR CONTROL	2007	F 8	48	\$230.00
12.	EL-TR	TRANSFORMERS	2006	F 14	60	\$225.00
13.	EL-ES	ELEC. ESTIMATING	1997	8	80	\$225.00
14.	EL-NC	NAT'L ELECTRIC CODE PRINTREADING	2005	6	94	\$195.00
15.	EL-JM	JOURNEYMAN WB	2005	F 8	144	\$195.00

The minimum Federal standard for Related Instruction is 144 hours per year. A four year apprenticeship would require a minimum of 576 hours of Related Instruction. (144 hours per year) The courses listed above have a total of 1,143 hours which would be more than twice the proposed requirement. Typically a business or apprentice would pick the courses which would pertain to their business and/ or individual needs and would only use about half of the above list.

HB 1218



NORTH DAKOTA STATE ELECTRICAL BOARD

721 MEMORIAL HIGHWAY, PO BOX 857
BISMARCK, ND 58502
PHONE: 701-328-9522 • FAX: 701-328-9524
www.ndseb.com



Donald Offerdahl
EXECUTIVE DIRECTOR
Brad Steier
DIRECTOR OF INSPECTIONS

Chairman Cook and Other Political Subdivision Committee Members:

The North Dakota State Electrical Board has entered into the following reciprocal licensing agreements applying to Journeyman electricians through the Multi-State Reciprocal Licensing Group:

- Alaska
- Arkansas
- Colorado
- Minnesota
- Montana
- Nebraska
- New Hampshire
- New Mexico
- Oklahoma
- South Dakota
- Utah
- Washington
- Wyoming

If you have any questions or comments, please feel free to contact us.

Donald Offerdahl, Executive Director
N.D. State Electrical Board
P.O. Box 857
Bismarck, ND 58502
(701) 328-9522
electric@nd.gov

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