

TESTIMONY OPPOSED TO SB 2184

PRESENTED BY JAMES SCHMIDT

EXECUTIVE DIRECTOR, NORTH DAKOTA STATE ELECTRICAL BOARD

Chairman Wobbema and Members of the Work Force Development Committee:

I'm James Schmidt, executive director for the North Dakota State Electrical Board. This bill has provisions which conflict with provisions in the Board's own chapter of the code, chapter 43-09. Because the Board believes its own specific provisions are more desirable, and other provisions in this bill are unnecessary, I am here to speak on behalf of the board in opposition.

First, with respect to board members, the board currently has five board members, two of which are laypeople. However, our board members have five-year staggered terms. This bill would change that term to three years. We believe the five-year term improves consistency in board actions regarding licensure and discipline, and provides significant benefits in institutional knowledge for this technical trade.

Second, the board has additional requirements for renewal of licenses, including requiring applicants to provide annual proof of insurance, which the board believes are extremely important. This bill would limit the requirements for renewal to providing a fee and proof of compliance with continuing education requirements.

Third, the topic of expedited licensure for foreign practitioners has been the topic of several bills this session. The board has significant concerns with being required to extensively modify its licensure process. We believe our current licensure process imposes the minimum burden necessary to protect ND citizens from both life safety concerns and financial harm. Throughout all of the testimony on

this bill and similar bills in the past, there has been no indication any foreign practitioner has had undue difficulty obtaining an electrical license in ND. The board processes over 1,000 applications for licensure each year which are reviewed and responded to on a weekly schedule. The board also schedules two days each month for licensing examinations.

Our state currently is a member of the National Electrical Reciprocal Alliance (NERA) which has 19 member states. To be a member of this group the state must have certain minimum licensing requirements. The purpose of our membership in this group is to allow ND electricians to move between states, and allows an extremely streamlined process for electricians seeking to move or practice here. Someone entitled to reciprocity based on holding a license in a NERA state is routinely approved within five days of receipt of their application.

Some states and jurisdictions do not have licensure or have minimal requirements that make them ineligible for immediate reciprocity. The board also has an expedited path to licensure for these individuals. Individuals with experience in such states and jurisdictions are allowed take a placement exam which puts them on the path to full licensure.

Because of reciprocity requirements, as well as the life safety concerns and the technical nature of the trade, the board is concerned about this bill and other bills that seek to impose a “one-size-fits-all,” streamlined temporary licensure process. Risking our reciprocity with other states makes it much more difficult for ND electricians to freely cross state lines to work.

Finally, the board currently has audits performed by an outside accounting firm and provides those audits biennially to the state auditor. We believe this process has worked well in the past and having the state auditor perform the board's audits is unnecessary.

The above discussion does not address all of the areas in which SB 2184 conflicts with or reaffirms what the Board's laws and rules already provide. But while this bill may speak to issues that have arisen with other boards unknown to us, we believe it is unnecessary as applied to us.

We thank the Committee for hearing our concerns and I would be happy to answer any questions the committee may have.